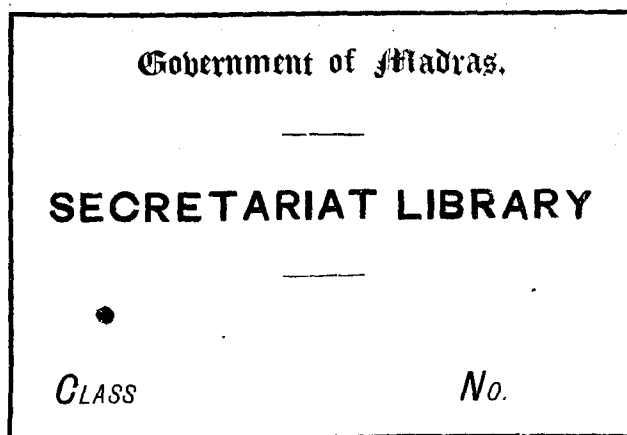




Ch. S. II (Library)-1-6,006-9-1-40.

B—cont.	
Basel Mission—	
Question <i>re</i> power loom worked by the Bench Magistrates—See Honorary Bench Magistrates.	32
Bhanoji Rao, Mr. A. V.—	
<i>See</i> Questions and Answers.	
Bharata Ashramam—	
Question <i>re</i> alleged arrest of members of —	413
Bills—	
City Municipal Act (Further Amendment) Bill, the Madras—(of Mr. Semi Venkatachalam Chettiyar)—	
Motion for leave to introduce	497-501
Civil Courts Act (Amendment) Bill, the Madras—(Bill No. 12 of 1924)—	
Motion that the Bill be read in Council	479-493
Motion that the Bill be referred to a select committee	494
District Municipalities Act (Amendment) Bill (No. 3 of 1924)—	
Motion that the Bill be read in Council	339
Motion that the Bill be referred to a select committee	340-341
Local Authorities Entertainments Tax Bill (No. 9 of 1924)—	
Motion that the Bill be read in Council	351-364
Motion that the Bill be referred to a select committee	364
Local Boards Act Amendment Bill (of Rao Bahadur C. V. S. Narasimharaju)—	
Motion for leave to introduce	816-821
Motion lost	821
Local Boards Act Amendment Bill (of Rao Bahadur A. S. Krishna Rao Pantulu)—	
Motion for leave to introduce the Bill	821-822
Malabar Tenancy Bill, the (of Diwan Bahadur M. Krishnan Nayar)—	
Motion for leave to introduce the Bill	501-526, 672-721, 800-814
Motion that the Bill be referred to a select committee	814-816
Registration of Nurses and Midwives Bill (No. 2 of 1924)—	
Motion that the Bill be read in Council	494-497
Consideration of the Bill adjourned	497
Stage Carriages and Hackney Carriage Act (Amendment) Bill (No. 6 of 1923)—	
Motion that the Bill be taken into consideration	337-338
Bill discussed	338-339
Motion that the Bill be passed into law	339
Town-planning Act (Amendment) Bill (No. 5 of 1924)—	
Motion that the Bill be read in Council	341-349
Motion that the Bill be referred to a select committee	349-351
Biswanath Das Mahasaya, Sriman—	
Adjournment motion <i>re</i> provincial autonomy, grant of	132-133
Bill, Malabar Tenancy Bill	677, 701
Discussion <i>re</i> Malabar Tenancy Bill, time-limit to speeches on	806
Motion <i>re</i> Council Secretaries, salary of	334
<i>See</i> Questions and Answers.	
Bombay Excise Committee—	
Question <i>re</i> report of the —	300
Bombs—	
Question <i>re</i> manufacture of — in Ceded districts	774
British Empire Exhibition—	
Question <i>re</i> contribution of the Raja of Parlakimedi to the Madras Court of the —	733-734
Question <i>re</i> expenditure on the —	452
Question <i>re</i> extension of trade due to Indian exhibits at —	451-452
Budget (Forests)—	
Question <i>re</i> calculation of surplus or deficit in the —	620
Burma—	
<i>See</i> Emigration.	

C

PAGES

Cambodia Cotton plants —	
Question <i>re</i> enforcement of order for removal of —	732
Car Compassionate Fund—	
Question <i>re</i> —	776-777
Cattle—	
Question <i>re</i> slaughtering of — in Anthoniarpuram, etc.	653-654
Cattle-breeding farm—	
Question <i>re</i> — at Chintaladevi	732-733
Cattle-grazing—	
Question <i>re</i> — in Uppinangadi taluk	763
Ceded districts—	
Question <i>re</i> stipends to students of — in the Veterinary College	745
Question <i>re</i> students from — receiving stipends in Royapuram medical school	656-657
See Bombs.	
Central Legislatures—	
Question <i>re</i> nomination of officials to the —	294-295
Ceylon—	
Question <i>re</i> passenger traffic from Kodikari and Kodikadu to —	629-630
Chelliah Gounder, Mr.—	
Question <i>re</i> petition from — <i>re</i> toddy shop rental	445
Chidambara Nadar, Mr. A.—	
Motion <i>re</i> public roads, wells, etc., use of, by depressed classes	825-826, 829
See Questions and Answers.	
Chidipi—	
Question <i>re</i> construction of a weir at —	638
Chingleput district board—	
Question <i>re</i> —	
Nomination of Mr. M. K. Reddi to the —	36-37
Chintaladevi cattle-breeding farm — See Cattle-breeding farm.	
Christian clerks—	
Question <i>re</i> — of the Nellore Collectorate	383
City Corporation—	
Question <i>re</i> power of — to settle sites for toddy and arrack shops	301-302, 450
City Municipal Act (Further Amendment) Bill —	
See Bills.	
Civil and criminal justice—	
Question <i>re</i> income derived from the administration of —	597-599
Civil Courts—	
Question <i>re</i> arrears in —	273
Clerks —	
Question <i>re</i> — of the Registration department	635-636
See Christian clerks.	
Coast light establishments—	
Question <i>re</i> —	649-651
Cochin Harbour works—	
Question <i>re</i> expenditure on the —	265-269
Collector of Madras—	
Question <i>re</i> duties discharged by —	599-601
Collectors—	
Question <i>re</i> transfers of — and heads of departments	436-437, 471
Colleges —	
Question <i>re</i> science course in first grade — of the west coast	785
See non-Government Colleges.	
Commercial schools—See Schools of Commerce.	

PAGE 5

C—cont.

Communal representation—	
Question <i>re</i> — among Assistant Registrars of Co-operative Societies.. .. .	303
Question <i>re</i> — (of depressed classes) in district educational councils.. .. .	657-658, 671-672
Question <i>re</i> — (of depressed classes) in the inspectorate of co-operative societies	734-735
Question <i>re</i> — (of Indian Christians) in the Registration department	731
Question <i>re</i> — in recruitment of combatants and non-combatants	408
Question <i>re</i> — among sub-inspectors of the Excise department	802
Question <i>re</i> (of Thiyya-) in the Excise and Salt departments	787-788
See Muhammadan representation.	
Communal service inams—	
Question <i>re</i> resumption of — in Kistna district	611
Communications to the Council—	
See Papers laid on the table.	
Condolence resolution—	
— <i>re</i> Mr. Pethachi Chettiyar and Mr. Abul Razzaq Sahib	87-90
Conferences—	
Question <i>re</i> — prohibited last year	276-277
Congress —	
Question <i>re</i> conviction of editor of —	278
Congress Office, Trichinopoly—	
Question <i>re</i> alleged trespass of police into the —	642-643
Conscience clause—	
Question <i>re</i> —	784-785
Question <i>re</i> introduction of —, etc., in Grant-in-Aid Code	445
Constables—	
Question <i>re</i> suspension of certain — at Kumbakonam	426-427
Convict settlement—	
Question <i>re</i> — of Sitanagaram	757
Convicts—	
Question <i>re</i> treatment of — in Vellore Central Jail	623-624
Coolies—	
See Emigration.	
Co-operative Credit Societies—	
Question <i>re</i> — for depressed classes	736-738
Co-operative department—	
Question <i>re</i> annual report of the —	53-54
Question <i>re</i> appointment of honorary arbitrators in the —	789-790
Question <i>re</i> appointment of Muhammadan Deputy Collectors in the —	602
Question <i>re</i> re-organization of the —	789
See Communal representation.	
Co-operative societies—	
Question <i>re</i> Assistant Registrar of —, Kurnool	788-789
Question <i>re</i> Assistant Registrar of —, Vellore, appointments by	788
Question <i>re</i> Assistant Registrars of —, appointment of —	789
Question <i>re</i> Assistant Registrars of — Muhammadan representation in the cadre	303
Question <i>re</i> — of —	452-453, 735-736, 793
Question <i>re</i> — for Muhammadans	734-735
Question <i>re</i> representation of depressed classes in the inspectorate of	790
Co-operative Societies, primary—	
Question <i>re</i> reserve fund for —	412
Copyist establishment—	
Question <i>re</i> revision of salaries of —	635-636
Copyists—	
Question <i>re</i> —	275-276
Question <i>re</i> status of —	83
Corporation Engineer—	
Question <i>re</i> appointment of Mr. Madeley as —	
Couchman Committee—	
Question <i>re</i> report of — regarding expansion of technical and industrial	792
education	

	C—cont.	PAGES
Council meeting—		
Discussion <i>re</i> date and duration of —	.. .. .	478
Council Secretaries—		
Announcement of appointment of —	.. .. .	91
Appointment of —	.. .. .	26-27
Motion <i>re</i> salary of —	.. .. .	113-120, 318-336
Courtallam waterfalls—		
Question <i>re</i> —	.. .. .	398-400
Court-fees—		
Question <i>re</i> additional income derived from — since the Court Fees Amendment Act .. .. .	.. .. .	597-599
Court of Wards—		
Question <i>re</i> administration of estates under —	.. .. .	251
Courts—		
Question <i>re</i> hours of attendance in —	.. .. .	23
Crime—		
Question <i>re</i> — in Adoni and Alur taluks	.. .. .	778
Crimes—		
Question <i>re</i> investigation of — in Tinnevely .. .. .	.. .. .	425-426
Criminal Procedure Code—		
See Mannargudi Conference.		
Criminal Prosecution—		
Question <i>re</i> alleged — of certain Lingayats for giving up toddy tapping .. .. .	.. .. .	637
Criminal Settlements—		
Question <i>re</i> —	.. .. .	632-635, 667-668
Criminal Tribes Act—		
Question <i>re</i> administration of —	.. .. .	16
Currency note—		
Question <i>re</i> legal rights of the finder of —	.. .. .	258
Darbar at Palghat—	D	
Question <i>re</i> — for presentation of sanads	.. .. .	409
Dawood Khan Bahadur—		
See Kurnool Royal family.		
Deck passengers—		
Question <i>re</i> behaviour of police towards — at south landing stage in the harbour.	.. .. .	426
Delta districts—		
Question <i>re</i> increase in the number of sections in —	.. .. .	639
Demands for supplementary grants—		
<i>re</i> Kala-azar investigation .. .. .	.. .. .	100-101
<i>re</i> Mappilla rebellion, compensation for loss sustained during —	.. .. .	96-100
<i>re</i> Minor irrigation works in Ganjam district damaged by cyclone .. .. .	.. .. .	479
Depressed classes—		
Motion <i>re</i> use of public roads, wells, etc., by members of —	.. .. .	822-830
Question <i>re</i> admission of pupils of — into the taluk board elementary school, Porto Novo .. .. .	.. .. .	786
Question <i>re</i> appointment of members of — as honorary bench magistrates .. .. .	.. .. .	37-28
Question <i>re</i> assignment of lands to —	.. .. .	397-398
Question <i>re</i> assignment of poramboke lands to — in Chidambaram taluk .. .. .	.. .. .	615-616
Question <i>re</i> co-operative credit societies for —	.. .. .	736-738
Question <i>re</i> damages by fire to huts of — in Pagalpatti, Salem district .. .. .	.. .. .	618
Question <i>re</i> — in Government technical examinations .. .. .	.. .. .	32
Question <i>re</i> disabilities of the — in Chidambaram and Villupuram .. .. .	.. .. .	613-615
Question <i>re</i> grant of free books, etc., to students of — in Chingleput, South Kanara and Nellore .. .. .	.. .. .	859
Question <i>re</i> grievances of — in Salem district .. .. .	.. .. .	396-397
Question <i>re</i> grievances of — in Sanyasiagramharam .. .. .	.. .. .	41
Question <i>re</i> pathway for — at Kamalapuram .. .. .	.. .. .	439
Question <i>re</i> prohibition of entry of — into courts and public offices at Chidambaram .. .. .	.. .. .	861-862

	D—cont.	PAGES
Depressed classes—cont.		
Question <i>re</i> representation of — in district educational councils		657-658, 671-672
Question <i>re</i> representation of — in district secondary education boards		46
Question <i>re</i> representation of — in inspectorate of co-operative societies		734-735
Question <i>re</i> representation of — in local boards and municipalities		41-42
Question <i>re</i> representation of — in Registration departments		303
Question <i>re</i> representative of —, treatment to at the union board meeting, Singanallur		42
Question <i>re</i> representatives of — regulations for selection of		279
Question <i>re</i> water-supply to — at Pillarikuppam, Chandragiri		437, 472
See Education Concessions		
Deputy Collectors—		
Question <i>re</i> selection list of —		14
Question <i>re</i> transfers of —		385
Deputy Collectors, acting—		
Question <i>re</i> increments to —		385-386
Devendrudu, Mr. N.—		
Motion <i>re</i> public roads, wells, etc., use of, by members of depressed classes		328
Dharmavaram taluk board—		
Question <i>re</i> elected president for —		651-652
Disafforested lands—		
Question <i>re</i> — in Ullal, Mangalore		750 751
Disafforested tracts—		
Question <i>re</i> assignment of — in Vriddachalam to Adi-Dravidas		386-387
Dispensary—		
Question <i>re</i> abolition of — by Tinnevely municipality		293
Distillery experts—		
Question <i>re</i> appointment of —		50
District boards—		
Question <i>re</i> principle of nominations to —		440
District Court, North Malabar—		
Question <i>re</i> appointment of ministerial staff in the —		274
District Educational Board, Salem—		
Question <i>re</i> elected president for —		45
District Educational Councils—		
See Depressed classes.		
District Education officers—		
Question <i>re</i> Muhammadan representation among —		29
District Judges—		
Question <i>re</i> recruitment of —		274-275
District Municipalities Act Amendment Bill—		
See Bills.		
District Munsifs—		
Question <i>re</i> transfer of —		273
District Secondary Education Boards—		
Question <i>re</i> legislative council members as nominated presidents of —		659-660
Question <i>re</i> Muhammadan representation in —		268-269
Question <i>re</i> nominations to		444
Question <i>re</i> presidents of, privilege of election of		444-445
Question <i>re</i> representation of Europeans and Indian Christians in the —		443-444, 473-475
See Depressed classes.		
District Superintendent of Police, Bellary—		
Question <i>re</i> K.D.s and suspects under the present —		778
Question <i>re</i> summer exodus of —		778-779
Divi taluk—		
Question <i>re</i> re-inclusion of villages now in — under Bandar taluk		601-602
Donkeys—		
Question <i>re</i> licence fees on —		34

	PAGES
D—cont.	
Drink—	
Question <i>re</i> prohibition of — in famine-affected areas	729
Drinking water—	
Question <i>re</i> supply of — to railway passengers	22
E	
Editors' Table—	
Question <i>re</i> privileges of —	262-263, 288-289, 315, 750-760
Question <i>re</i> privileges of, withdrawal of, from "Swarajya"	263-264, 308-313
Education cess—	
Question <i>re</i> ear-marking of — for new schools	785
Education concessions—	
Question <i>re</i> eligibility of re-converted Hindu students of depressed classes for —	864
Education department—	
Question <i>re</i> Muhammadan representation in — in Ganjam	443
Elections—	
<i>See</i> Administration Report.	
Electric Inspector—	
Question <i>re</i> —	279-280
Elementary Education Act—	
Question <i>re</i> amendments to the —	296
Ellore canal—	
Question <i>re</i> bund of —	610
Ellore division—	
Question <i>re</i> local tyranny in —, Kistna.	
Emigration—	
Question <i>re</i> — of coolies from Ganjam to Assam and Burma	760-762
Endowments—	
Question <i>re</i> — for the maintenance of Kazis	392
Engineering officers—	
Question <i>re</i> transfer of	643
Estates— <i>See</i> Court of Wards.	
Estates Land Act—	
Question <i>re</i> amendment to —	272-273, 314
" committee on —	635
European Educational Institutions—	
Question <i>re</i> grant-in-aid to —	618-619
European schools—	
Question <i>re</i> discrimination between Indian and European boys in —	619-620, 664-666
Europeans— <i>See</i> District Secondary Education Boards.	
Excise Advisory Committee—	
Question <i>re</i> —	726-727
Excise Committee— <i>See</i> Bombay Excise Committee.	
Excise department— <i>See</i> Assistant Commissioners; Communal representation.	
Excise Inspectors—	
Question <i>re</i> powers of punishment to —	641-642
Executive Engineer, Nellore—	
Question <i>re</i> conduct of the —	287-288
Ex-Indian officers— <i>See</i> Local Bodies	
Ex-military men—	
Question <i>re</i> appointments of —	289-290
" enlistment of — in Police department	616-621
Expenditure, additional—	
Question <i>re</i> — during last three years	78
Ex-service men—	
Question <i>re</i> assignment of lands to — in Malabar and South Kanara	264-265

	PAGES
E—cont.	
Ex-soldiers—	
Question <i>re</i> distribution of lands among —	750
Ex- <i>whr</i> service men—	
Question <i>re</i> application for posts in South Kanara from —	408
Ezuthachan community—	
Question <i>re</i> material and educational progress of the — of Malabar	300
" special concessions to members of — of Malabar	785
F	
Famine administration—	
Question <i>re</i> change of policy in —	604
Famine affected areas—	
Question <i>re</i> — during current year	387-389
" prohibition of drink in —	729
Famine areas—	
Question <i>re</i> closing of toddy shops in —	728-729
Famine conditions—	
Question <i>re</i> — in Athur taluk, Salem district	253-254
" — in Polur and neighbouring taluks	747
Famine relief—	
Question <i>re</i> — in Anantapur	389
Fernandez, Rao Bahadur Cruz—	
<i>See</i> Questions and Answers.	
Fish-curing salt—	
Question <i>re</i> alleged theft of — in west coast	304
Fish-curing yards—	
Question <i>re</i> — in west coast	55, 85
Fisheries Training Institute, Calicut—	
Question <i>re</i> —	790-791
Fish manure —	
Question <i>re</i> quantity of — oil, etc., railed from west coast	453
Fisheries Experimental Station— <i>See</i> Government Fisheries Experimental Station.	
Fishermen—	
Question <i>re</i> memorial from — of Kasargod	56
Fituri operations—	
Question <i>re</i> — in Agency	15-16
" — in 1924	755-757
Flag staffs—	
Question <i>re</i> iron — in public offices	52
Floods—	
Question <i>re</i> damage to agriculture by — in South Kanara	747
" gratuitous relief to sufferers by —	747-748
Fodder—	
Question <i>re</i> supply of — in Anantapur district	254
Forest department—	
Question <i>re</i> pay and allowances of rangers in —	765-766
Forest exploitation—	
Question <i>re</i> — in South Kanara	265
Forest exploitation department—	
Question <i>re</i> staff of the —	621-622
Forest grievances—	
Question <i>re</i> committee to report on — in Nellore district	749
Forest office—	
Question <i>re</i> — at Harpanaballa	18
Question <i>re</i> building for — at Adoni	18
Forest panchayats—	
Question <i>re</i> formation of —	264-265
Forest reserves—	
Question <i>re</i> extension of panchayat system to certain — in South Kanara	764-765
<i>See</i> also Reserved Forests.	

F—cont.	PAGES
Forests—	
Question <i>re</i> private —, leasing of by Government	766
Question <i>re</i> classification of —	766
<i>See also</i> 'Budget'; reserved forests.	264-265, 401
Fruit-preserving institute—	
Question <i>re</i> — at Coonoor	742
Fire Insurance—	
<i>See</i> Insurance.	
G	
General elections—	
<i>See</i> Administration Report.	
General Hospital—	
Question <i>re</i> Ambulance car in the —	441-442
Ghaut Talaiyari system—	
Question <i>re</i> 'River-guard system' in the place of —	777
Ghouse Nian Sahib, Mr. Mubammad—	
Demand for supplementary grant <i>re</i> Kala Azar investigation	101
Demand for supplementary grant <i>re</i> Malabar rebellion, compensation for village officer for losses sustained during —	98
Motion <i>re</i> Metur project	107
Oath of office	9
Glue factory—	
Question <i>re</i> —	742-744
Question <i>re</i> working of the —	712
Gōdāvari Collectorate—	
Question <i>re</i> appointments in the —	599
Gōdāvari d-lta—	
Question <i>re</i> penal settlement for illegal watering in —	390
Gopala Menon, Mr. C.—	
Bill—Malabar Tenancy Bill	523-526, 672-674
<i>See</i> Questions and Answers.	
Gopalan, Rao Sahib P.V.—	
Bill—Malabar Tenancy Bill	709-712
Demand for supplementary grant <i>re</i> Mappilla rebellion, compensation to village officer for loss sustained during —	99
<i>See</i> Questions and Answers.	
Government Cannery—	
Question <i>re</i> sale of goods produced in the —	464, 478
Government Commercial concerns—	
Question <i>re</i> audit of —	30-31, 430-431, 780
Question <i>re</i> commercial accounting in —	429-430
Government Fisheries Experimental Station—	
Question <i>re</i> — in Tanur	304-305
Government House Gardens—	
Question <i>re</i> officer in charge of the —	772
Government Ink Factory—	
Question <i>re</i> manufacture of ink in the —	305-307
Government of India Act—	
Question <i>re</i> examination by the Local Government of the working of the —	436
Government Leather Trades School—	
Question <i>re</i> admission into —	792
Government pensioners—	
Question <i>re</i> freedom of, — to join Congress	29-30
Government Press—	
Question <i>re</i> assistant superintendent of the —	289
Question <i>re</i> assistant superintendent of the — advertisement for the post of	647
Question <i>re</i> employees of — leave applications from	431-432
Question <i>re</i> examiners in the —	645-647
Question <i>re</i> examiners in the — qualifications of	32
Question <i>re</i> superintendent of the —	646-647

G—cont.	PAGES
Government servants—	
Question <i>re</i> prohibition of — wearing khaddar	415
Government technical examinations —	
<i>See</i> Depressed classes.	
Government Textile Institute—	
Question <i>re</i> admissions into the —	792
Governor, His Excellency the —	
Opening speech by —	9-12
Question <i>re</i> — and the Select Committee on the Irrigation Bill	282, 638
Question <i>re</i> special trains for —	770
Governor's staff and household—	
Question <i>re</i> expenditure on —	401-402
Graham, the hon. Mr. R. A.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	839, 840, 842, 843, 852-853, 858
Adjournment motion <i>re</i> Provincial autonomy, grant of —	124-125
Fill—Civil Courts Act Amendment Bill, Madras	480
Motion <i>re</i> Lee Commission Report	880, 881, 885-887, 891, 895, 906, 914
Grant-in-Aid Code—	
Question <i>re</i> amendments to the —	296
Question <i>re</i> conscience clause, introduction of, in —	445
Grants—	
Question <i>re</i> — to religious institutions	603
<i>See</i> Local bodies.	
Grants-in-aid—	
Question <i>re</i> — to European and Anglo-Indian educational institutions	618-619
Gun licences—	
Question <i>re</i> grant of — to persons in South Kanara	611-612
Gupta, Mr. B.—	
Question <i>re</i> hunger strike of —	19, 402-403
Guruswami, Mr. L.C.—	
Motion <i>re</i> Lee Commission Report	904-905
Motion <i>re</i> public roads and wells, use of by depressed classes	824-825
<i>See</i> Questions and Answers.	
H	
Habib-ul-lah Sahib, the hon. Sir Mubammad—	
Adjournment motion <i>re</i> Provincial autonomy, grant of —	86
Condolence resolution <i>re</i> Mr. Perachi Chettiyar and Mr. Razasq Sahib	87-88
House Committee, election of —	95-96
Haji Quasim Sahib Bahadur, Khan Bahadur Haji Abdulla—	
<i>See</i> Questions and Answers.	
Hamid Sultan Marakkayar, Mr. V.—	
<i>See</i> Questions and Answers.	
Head constable—	
Question <i>re</i> shooting of — of Markapur taluk by the Circle Inspector of Police	779
Headquarter Hospital, Guntur—	
Question <i>re</i> promotion of Muhammadan compounder of —	293-294
Headquarter Hospitals—	
Question <i>re</i> closing of — on Sundays	294
Question <i>re</i> management of taluk —	294
High Court Bench—	
Question <i>re</i> Muhammadan representation in the —	275
High Court Judge—	
Supervision of mufassal courts by —	770
High Court Judges—	
Question <i>re</i> correspondence relating to appointment of —	275
Question <i>re</i> increase in the number of —	636-637, 770
High School, Adoni—	
Question <i>re</i> location of —	658
Hindi—	
Question <i>re</i> recognition of — as vernacular under Educational rules	48

H--cont.		PAGES
Hindupur tank—		
Question re repairs to supply channels of —	.. .. .	415
Holidays—		
Question re conversion of — into working days	.. .. .	413
Question re — on penultimate Saturdays	.. .. .	637
Homes—		
Question re grants to European, Anglo-Indian and Indian Christian — asylums, orphanages, etc	.. .. .	618, 661-663
Honorary Bench Magistrates—		
See Depressed classes; Jains.		
Honorary Presidency Magistrates—		
Question re appointment of —	.. .. .	641
Hookworm campaign—		
Question re —	.. .. .	752-753
House-building societies—		
Question re advance to — in Malabar.	.. .. .	280
House Committee—		
Election of —	.. .. .	95-96
House-sites—		
Question re — in Koraiyur, Nanguneri taluk	.. .. .	749-750
Question re subdivision of lands intended for —	.. .. .	756
Hydro-electric survey—		
Question re —	.. .. .	280
I		
Imperial Bank Fraud Case—		
Question re —	.. .. .	24
Imperial Police Service—		
Question re Indianisation of the —	.. .. .	286-287
Imperial services—		
Question re expenditure on the —	.. .. .	780
Indian boys—		
See European schools.		
Indian Christians—		
Question re — of Ambur	.. .. .	16-17
Question re — representation of — in Registration department	.. .. .	731
See District Secondary Education Boards.		
Indian Law Reports—		
Question re —	.. .. .	773
Indian refreshment rooms—		
Question re — in South Indian Railway	.. .. .	21-22
See Arkonam railway station.		
Indian Territorial Force—		
Question re —	.. .. .	20-21
Indigenous Medical School—		
Question re opening of an —	.. .. .	656
Industrial education		
See Couchman Committee.		
Industrial schools—		
Question re duties of Inspector of —	.. .. .	57
Industrial schools, aided—		
Question re —	.. .. .	455
Industries—		
Question re applications for State aid to —	.. .. .	742, 794-795
Inks — See Government Ink Factory.		
Inspector-General of Prisons—		
Question re —	.. .. .	495
Inspector-General of Registration—		
Question re —	.. .. .	52

I--cont.		PAGES
Insurances, Fire, Marine, etc.—		
Question re payment of premia by the Government on —	.. .. .	645
Inter-communication of offences—		
Question re system of — in Bellary	.. .. .	777
Irrigation—		
Question re — of lands in Ravipadu, Narasapur	.. .. .	605-606
Irrigation Bill—		
Question re Governor and the Select Committee on the —	.. .. .	282, 638
Question re Select Committee on the — addition of a member to the	.. .. .	91-95
Question re Select Committee on the —	.. .. .	772-773
Question re Select Committee meetings of the —	.. .. .	25-26
Question re Select Committee on the —, proceedings of—	.. .. .	638
Irrigation facilities		
Question re — in Kistna and Guntur districts	.. .. .	639
Irrigation sources—		
Question re — in Vizagapatam district	.. .. .	281
Irrigation works—		
Question re improvement and extension of — in Nellore district	.. .. .	639-640
Question re repairs of — in Ganjam	.. .. .	424
Irrigation works, minor—		
Question re — in Nellore district	.. .. .	763
J		
Jail department—		
See Sub-Assistant Surgeons.		
Jails—		
Question re recruitment of Deputy Superintendents of —	.. .. .	403
Jains—		
Question re — appointed as Honorary Bench Magistrates in South Kanara	.. .. .	641
Question re recognition of — as a separate community	.. .. .	607
See Local Bodies.		
Jam Factory—		
Question re — at Coonoor	.. .. .	739-741, 791
Question re working of the —	.. .. .	742
Judges — See High Court Judges.		
Jurors—		
See Travelling allowance.		
K		
Kanigiri main canal—		
Question re silting up of the —	.. .. .	638-639
Kanigiri reservoir—		
Question re silting up of canal feeding —	.. .. .	638-639
Kannambadi agreement—		
Question re —	.. .. .	281, 282
Question re award of 1914 re the —	.. .. .	421
Question re despatch of — to Government of India	.. .. .	416
Question re matters relating to the —	.. .. .	422
Question re opinion of Government on the —	.. .. .	423
Question re opinion of Tanjore and Trichinopoly mirasidars on the —	.. .. .	419-420
Question re papers placed before the Secretary of State re —	.. .. .	421
Question re publication of the —	.. .. .	283
Question re ratification of the —	.. .. .	419
Question re representation of Tanjore mirasidars re —	.. .. .	423
Question re Tanjore and Trichinopoly mirasidars' rights as affected by the —	.. .. .	418-419
Question re terms of the — of 1892	.. .. .	418, 461-470
Kannambadi agreements—		
Question re difference between — of 1892 and of 1924..	.. .. .	417-418
Kannambadi dam—		
Question re construction of — by the Government of Mysore	.. .. .	419

PART 1

Kannambadi project—	
Question re — in 1915	420
Question re compromise re —	420-421
Question re conferences re —	422
Question re Mysore Government proposals re —	416-417
Karnams —	
Question re summoning of — to headquarters	394
Kasaragod fishermen—	
See Fishermen.	
Kaye, Mr.—	
Question re appointment of — as Superintendent of Police	775
Kazis—	
Question re appointment of — and Naib-Kazis	606-607
See Endowments.	
Kistna anicut—	
Question re raising shutters on —	639
K.D.s. and suspects—	
Question re — under the present District Superintendent of Police, Bellary	778
Kesava Pillai, Diwan Bahadur P.—	
Adjournment motion re Provincial autonomy, grant of —	131-132
Khaddar—	
See Government servants.	
Khalifullah Sahib, Khan Bahadur P.—	
Motion re Lee Commission Report	879
Kist—	
Question re collection of — on lands under Tungabhadra channels	754
Question re levy of interest on arrears of — due from Panjore mirasidars	391
Question re payment of — for lands irrigated by the Mannayar channel	862
Kistna delta—	
Question re penal settlement for illegal watering in —	390
Kistna district—	
Question re bifurcation of the —	384-385, 746
Kistna District Board—	
Question re bifurcation of the —	653
Question re resignation of presidentship of —	653
Knapp, the hon. Sir Arthur—	
Adjournment motion re Collector of Malabar, speech of —	843, 850, 856, 857, 798, 797, 798, 799, 839, 840, 842, 858
Adjournment motion re Provincial autonomy, grant of —	132
Bills—	
Civil Courts Act (Amendment) Bill	493, 494
Malabar Tenancy Bill	699, 705
Demand for supplementary grants re Mappilla rebellion, compensation to village officer for losses sustained in—	93, 97, 98, 99, 100
Discussion re admissibility of motions not recommendations to Government	867
Discussion re Council sitting on 23rd August 1924	852, 860
Motion re Council Secretaries, salary of —	827, 833
Motion re Lee Commission Report	831, 900
Motion re Narayana Menon, release of —	831, 833, 835, 835, 837, 838
Motion re public roads, etc., use of, by members of depressed classes	828-829
Kodikadu—	
Question re passenger traffic from — to Ceylon	823-830
Kodikarsi—	
Question re passenger traffic from — to Ceylon	829-830
Kollair lake—	
Question re right of fishing in the —	753
Kommamur canal—	
Question re restoration of irrigation channel from the —	633

Koti Reddi, Mr. K.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	846
Bills—	
Civil Courts Act (Amendment) Bill	489-490, 492
Local Boards Act (Amendment) Bill	818, 819
<i>See</i> Questions and Answers.	
Krishnan Nayar, Diwan Bahadur M.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of the —	844, 853
Bills—	
Civil Courts Act (Amendment) Bill	488
Malabar Tenancy Bill	501-523, 676, 677, 678, 679, 681, 682, 690, 712, 714, 716, 804, 805, 807, 814, 815
Demand for supplementary grant <i>re</i> Mappilla rebellion, compensation to village officer for losses sustained in —	96-97
Discussion <i>re</i> Council sitting on 23rd August	860
Discussion <i>re</i> non-official business	90
Motion <i>re</i> Narayana Menon, release of —	833-835, 836, 837, 838
<i>See</i> Questions and Answers	
Krishna Rao Pantulu, Rao Bahadur A. S.—	
Adjournment motion <i>re</i> Provincial autonomy, grant of —	85, 86, 120-124
Bills—	
Civil Courts Act (Amendment) Bill	482, 483
Local Boards Act (Amendment) Bill	821-822
Town-planning Act (Amendment) Bill	347-348
Motion <i>re</i> Council Secretaries, salary of —	323
Motion <i>re</i> Lee Commission Report	907-910
Motion <i>re</i> Narayana Menon, release of —	835
<i>See</i> Questions and Answers.	
Kudirimoli reserve—	
Question <i>re</i> —, Tinnevely district	17-18
Kurnool Royal family—	
Question <i>re</i> Late Nawab Hawood Khan Bahadur, member of —	627-628

I

[illegible]

	Li—cont.	PAGES
Lands, second crop—		
Question re — in Ellore and Karikalur		606
Law College—		
Question re reorganization of the—		45, 444
Lee Commission—		
Motion re report of the —		874-915
Question re —		648
Question re proposals of the — result of		433-434
Question re recommendations of the —, additional appointments due to		290
Legislative Council—See Council meeting; Members of Legislative Council.		
Lepers asylums—		
Question re —		655, 669-670
See Miller's Lepers Asylum.		
Lepers Act—		
Question re —		
Policy of Government re extension of		44
Licences.		
See Arms; Gun-licences.		
Lingayats—		
Question re alleged criminal prosecution of certain — for not tapping toddy		637
Liquor—		
Question re — manufactured by Messrs. Parry & Co.		447, 476-477
Question re sugar factories and production of —		727-728
Liquor shop—		
Question re location of a — in Ootacamund		728
Liquor shops—		
Question re removal of — by municipalities and local boards		449
Loans—		
Question re applications for — from Penukonda		746-747
Question re — to ryots in Anantapur district		603-604
Question re — to ryots for irrigation purposes		754
Question re — under the State-aid to Industries Act		307
Local Authorities Entertainments Tax Bill, Madras.		
See Bills.		
Local boards—		
Question re disestablishment of —		782
Question re Muhammadan charitable endowments under the management of —		442
Local Boards Act (Amendment) Bill, Madras—		
See Bills.		
Local bodies—		
Question re disposal of unspent Government grants with —		35
Question re Muhammadan nomination to the —		292
Question re nomination of ex-Indian officers to —		654
Question re nomination of Jains to —		440
Question re transfer of porambokes to —		652
Local Fund Accounts Department—		
Question re appointments in the —		781
Localization—		
Question re — of mamul wet lands in Ravipadu, Narasapur taluk		605-606

M

Madakulam tank—		
Question re repair to the —		421
Madhavaborida—Goomsur anicut —		
Question re — in Ganjam		424
Madavaraja, Mr. V.—		
Bill—Malabar Tenancy Bill		705-709
Malabar Tenancy Bill, Select Committee on—		915
Madras Corporation —		
Question re power of the — to settle sites for toddy and arrack shops		301-302, 450

M—cont.

Madras Educational Service —		
Question re distinction between the — and the Provincial Educational Service		299-300
Madras Engineering Service—		
Question re promotions to the —		80
Madura-Bodinayakkanur Railway—		
Question re —		630-632
Madurai, Honorary Lieut. N.—		
See Questions and Answers.		
Mahabala Hegde, Mr. B.—		
See Questions and Answers.		
Malabar—		
See North Malabar.		
Malabar Tenancy —		
Question re report of Mr. Innes and Mr. Ellis re —		424-425
Malabar Tenancy Bill—		
See Bills.		
Malayalam Interpreter—		
Question re — in the Sessions Court, Mangalore		771
Mambalam scheme—		
Question re —		39-40
Manakondan drainage channel—		
Question re reopening of the —		423
Mannair channel—		
Question re payment of kist for lands irrigated by —		842
Mannargudi Conference—		
Question re prohibition orders at the —		252-253, 637-638
Mappilla prisoners—		
Question re —		767-769
Question re labour in Assam by —		768-769
Question re lending of the services of — to the railway line contractor		404
Question re release of —		266-267, 268, 404, 624-625
Mappillas—		
Question re appointment of — to the Provincial services		769-770
Question re alleged distress among the —		267-268
Question re education of the —		786
Question re re-arrest of certain—		268
Marine Insurance—		
See Insurance.		
Markapur shooting accident—		
Question re —		779
Maruthavanam Pillai, Mr. C.—		
See Questions and Answers.		
Mathai, Dr. John—		
Bill—Malabar Tenancy Bill		699-701, 702
Mayavaram Municipal Council—		
Question re representation in the — of Viswakarmas, etc.		37, 38
Medical inspection—		
Question re scheme for — of schools		47, 658
Med. cal. relief—		
Question re — in rural areas		782
Medical school—		
Question re opening of a — in Guntur		441
Meetings —		
Question re — prohibited last year		276-277
Members of the Legislative Council—		
Question re free supply of papers to —		284
Question re — as nominated presidents of district secondary education boards		669-680
Question re — who are Government contractors		640-641

M—cont.	PAGES
Metar project— Motion re	
Minister for Development, the hon. the — Question re tour of — to Tiruchengode	102-113
Minister for Education, the hon. the — Question re speech of — re the services Question re tours of — in the southern districts	744-745 450 450, 781-782
Minister for Local Self-Government, the hon. the — Question re tour of — to Berhampur	43
Minor Irrigation Works — Question re — in Nellore district	753
Mission school, Ambur — Question re allegations against the headmaster of —	296-298
Moidu Sahib, Mr. P. M.— Bill — Malabar Tenancy Bill	703
Monigars — Question re suspension of — by the Tahsildar of Arkonam	749
Moore, Mr. P. L. — Bill— City Municipal Act (Amendment) Bill, the Madras Local Authorities Entertainments Tax Bill Town-planning Act (Amendment) Bill, the Madras Motion re Lee Commission Report	498-499 352-353 345-347 892, 910-911
Moosa Sait Sahib, Mr.— See Questions and Answers.	
Motion re — Council Secretaries, salary of — Lee Commission Report Metar project Narayana Menon, release of Mr. P. — Public roads, wells, etc., use of, by members of the depressed classes See Adjournment motions.	113-120, 319-336 874-916 102-113 831-838 822-830
Motions not recommendations to Government — Point of order re admissibility of —	865-873
Mufassal courts — Question re supervision of — by a High Court Judge	770
Muhammadan Charitable Endowments — See Local boards.	
Muhammadan Deputy Collectors — See Co-operative department.	
Muharram disturbances — Question re — in Prodattur	287
Muhammadan High School — Question re —, Kurnool	299
Muhammadan nomination — Question re — to the local bodies	292
Muhammadan representation — Question re Muhammadan Deputy Collectors in the Co-operative department Question re — in the cadre of Assistant Registrars of Co-operative Societies Question re — among district educational officers Question re — in district secondary education boards Question re — in the Education department in Ganjam Question re — in the High Court Bench Question re — in the Revenue department in Ganjam	802 303 299 298-299 443 275 251, 252
Muhammadans — Question re co-operative societies for the benefit of —	735-736 and 792
Muhammadan Student — Question re passport for a — to go to England	271

M—cont.	PAGES
Muhammadan Students — Question re scholarships to — in South Kanara	443
Muhammadan Training School — Question re opening of a school in Nellore	786-787
Miller's Lepet Asylum, Rev. Father — Question re Subsidy to the — in Mangalore	656
Mullikadu Irrigation Project — Question re —	24-25
Municipal administration — Question re Government reviews of —	291-292
Municipal Council, Salem — See Salem Municipal Council.	
Municipal dispensary — Question re removal of the — in the Tiruvottiyur High road	442
Municipal limits of Madras — Extension of —	39-40
Municipalities — Question re assessment of profession tax by the — Nomination to — Question re nomination to — principle of Question re removal of liquor shops by the —	438-439 84 440 449
Muniswami Nayudu, Mr. B. — Adjournment Motion re provincial autonomy — Grant of — Bill: the Malabar Tenancy Bill Motion re Council Secretaries, pay of — Motion re Lee Commission report	133-135 678, 715 322-324, 325 893-97, 898
Muttayya Mudaliyar, Mr. C.— See Questions and Answers.	
Muttayya Mudaliyar, Mr. S.— Question re repairs to the embankments of the Muttayar Bills— Local Boards Act Amendment Bill, the Madras Town-Planning Act (Amendment) Bill Poll — Time limit for ringing the bell before See Questions and Answers.	862 818, 819 345, 346 820, 821
Mysore Government — See Kannambadi dam; Kannambadi project.	
N	
Nadar Representation — Question re — in Tinnevely district board	291
Nadars — Question re grant of licenses for arms to — in Tinnevely district Question re toddy-tapping by — in Nanguneri taluk	260 725
Naduvattam Factory — Question re damage to the — by fire Question re export of quinine from the — to the Federated Malay States	398 260-261
Naib-Kazis — See Kazis.	
Nallacherla forest reserves— Question re inconvenience to villagers in the neighbourhood of —	401
Narasimhaachari, Rai Bahadur, T. M.— Bill— Madras Civil Courts Act (Amendment) Bill Malabar Tenancy Bill	483, 484, 485, 486 712, 713, 717-718
Narasimha Raja, Rao Bahadur C. V. S.— Adjournment motion re speech of the Collector of Malabar — Bills— The Madras Local Boards Act (Amendment) Bill The Malabar Tenancy Bill Madras Town-Planning Act (Amendment) Bill	849-850 816-817 680 344-345

N—cont.	PAGES
Narasimha Raja, Rao Bahadur C. V. S.—cont.	
Motion <i>re</i> Lee Commission Report	890-893
Motion <i>re</i> Mettur project	111
Motion <i>re</i> Narayana Menon, Mr. M. P. release of	835
See Questions and Answers.	
Narayana Menon, Mr. M. P.—	
Motion <i>re</i> release of —	831-838
Narayanawami Pillai, Mr. T. M.—	
Oath of office	9
Natesa Mudaliyar, Rao Bahadur C.—	
Adjournment motion <i>re</i> grant of provincial autonomy	124
Bill—	
Madras City Municipal Act Amendment Bill	500-501
Madras Civil Courts Act (Amendment) Bill	492
Madras Local Authorities Entertainment Tax Bill	356-357, 363
Malabar Tenancy Bill	703-705
Demand for supplementary grant (XXI)	100
Motion <i>re</i> the Mettur project	108-109
Motion <i>re</i> the release of Mr. M. P. Narayana Menon	831-833, 835, 836
Motion <i>re</i> public roads, wells, etc. — use of — by members of the depressed classes	826-827
See Questions and Answers.	
Nawab Dawood Khan Bahadur—	
Question <i>re</i> the late — a member of the royal family of Kurnool	627-628
Negapatam taluk board —	
Question <i>re</i> nomination of an Adi-Dravida to the —	440
Nellore Collectorate—	
Question <i>re</i> Christian clerks of the —	383
Non-commissioned officers —	
See Village Panchayats.	
Non-Government colleges —	
Question <i>re</i> Grant to —	49-50
North Malabar —	
Question <i>re</i> appointment of the ministerial staff in the district court of —	274
Noyce, Mr. F.	
Adjournment motion <i>re</i> speech of the Collector of Malabar	844-845
Oath of office—	
Ramachandra Ayyar, Mr. T. R.	383
Ghouse Mian Sahib Bahadur, Muhammad	9
Narayanawami Pillai, Mr. T. M.	9
Raman Menon, Mr. K. P.	597
Ross, Mr. Thomas Mackenzie	9
Simpson, Mr. Sir James Fletcher	9
Symons, Major-General Thomas Henry	261
Officials — Nomination of —	
See Central Legislatures.	
Oriya-speaking tracts —	
Question <i>re</i> amalgamation of the — with those of Bihar and Orissa	434-435
Orphanages —	
See Homes.	
Paddison, Mr. G. F.—	
Motion <i>re</i> Lee Commission Report	884, 901-904
Paddy-breeding demonstration farm —	
Question <i>re</i> — in Kistna	450-451

P—cont.	PAGES
Palamcottah Municipality —	
Question <i>re</i> exclusion of Vannarpet from —	44
Paragal, the hon. the Raja of —	
See Minister for Local Self-Government.	
Panchamas—	
Question <i>re</i> adoption of the terms 'Adi-Andhras' and 'Adi-Dravidas' for Parayas in the Military	62
Panchayat courts—	
Question <i>re</i> — in North Arcot	77
Panchayat system—	
Question <i>re</i> extension of — to certain forest reserves in South Kanara	764-76
Papers—	
Question <i>re</i> free supply of — to the Member of Council	28
Papers laid on the table — Point of order <i>re</i> —	93-94
Papers laid on the table —	
Board of Revenue Proceedings No. D. 256-Abk., dated 26th March 1924, regarding the behaviour of picketers	92, 181-184
Cattle-slaughter within municipal limits, legal opinion <i>re</i> —	92, 236-237
Cauvery-Mettur reservoir project, forecast of financial prospects connected with the —	319, 366-368
Christian creeds, recitation in M. E. L. M. School, Ambur — report on the —	92, 239-244
Cinchona department, audit report of the, for 1922-23	91, 137-151
Deaf and Dumb Schools in the Presidency, financial statement of the —	93, 245-250
Finance committee, constitution of the —	319, 364-366
Fire protection in Cuddappah district, report on —	527-551
Fruit Preserving Institute, audit report of the —	91, 165-174
Kerala Soap Institute, audit report of the —	91, 157-161
Liquor, quality of, supplied to South Kanara district, Report of the Board of Revenue on the —	92, 237-238
Local and Municipal Group Conferences in 1922 — G.O. No. 992, L. & M., dated 15th April 1924 thereon	92, 188-234
Police sports at Vellore, statement <i>re</i> —	564
Public Accounts Committee, constitution of the —	319, 368
Resolutions passed and action taken, statement <i>re</i> —	92, 186-187
Russellkonda Saw Mills, audit report <i>re</i> —	91, 174-182
Special Magistrates, cost of — employed during the Mappilla rebellion	92-186
Viceroy's visit, statement of expenditure <i>re</i>	92-186
Pariahs—	
See Panchamas.	
Parry & Co.—	
Question <i>re</i> liquor manufactured by —	447, 476-477
Passport—	
Question <i>re</i> — for a Muhammadan student to go to England	271
Patro, the hon. Rao Bahadur Sir A. P. —	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	795-796
Motion <i>re</i> Council secretaries, salary of —	120, 319, 320, 327, 332
Motion <i>re</i> Lee Commission report	884
public roads, etc., use of by members of the depressed classes	829
Question <i>re</i> speech of — at Guntur	862-864
See Minister for Education.	
Pay—See Time scale.	
Peddiraju, Mr. P.—	
See Questions and Answers.	
Penal Settlement—	
Question <i>re</i> — for illegal watering levied in Godavari and Kistna deltas	390
Penal Water-cess—	
Question <i>re</i> levy of — on non-mamul wet lands in Ravipadu	605-606
Pensions—	
Question <i>re</i> rules relating to —	290
Penukonda — See Loans.	
Penultimate Saturdays — See Saturdays.	

	P—cont.	PAGES
Permanent settlement—		
Question re — of land revenue		761-752
Picketing — See Toddy shops.		
Police — See Trichinopoly Congress office.		
Police—		
Question re — transfers in Bellary		778
See Deck passengers.		
Police department—		
Question re punishment in the — in Bellary district		776
See Ex-Military men.		
Police inspectors — See Circle inspectors of police.		
Police officers — See Provincial Police officers.		
Police sports—		
Question re tickets for — at Bellary .. .		776-777
Police station—		
Question re abolition of — at Pallikonda ..		774
„ abolition of — in a tract in South Kanara ..		428
„ absence of — do. .. .		428
„ — at Panruti .. .		287
Political offences—		
Question re persons convicted of — .. .		14
„ release of persons convicted of — .. .		276
Poramboke lands, assignment of — See Depressed classes.		
Porambokes—		
Question re transfer of — to village panchayats ..		652
Post office, Kamalapuram—		
Question re access to — .. .		628-629
Poverty certificates—		
Question re grant of — by district and taluk board members ..		439
Prabhakaran Tampan, Mr. K.—		
Bill—		
Malabar Tenancy Bill .. .		514, 682, 690, 691-696, 713
Demand for supplementary grant re Mappilla rebellion, compensation for losses sustained in the — .. .		67
Presidency Magistrates — See Honorary Magistrates.		
President, the hon. the—		
Adjournment motion re Collector of Malabar, speech of — ..		796, 797, 799, 800
Announcement re business for 20th August 1924 .. .		85-86
„ Chairmen, panel of — .. .		864
„ Council Secretaries, appointment of — .. .		91
„ District Municipalities Act (Amendment) Bill, Chairman to Select Committee on — .. .		91
„ Irrigation Bill, addition of member to Select Committee on — ..		841
„ Local Authorities Entertainments Tax Bill, Chairman to Select Committee on — .. .		94-95
„ House Committee, election of — .. .		364
„ nomination of members to the — .. .		98
„ next meeting of Council .. .		336
„ non-official business .. .		915
„ Questions, starting of — .. .		90-91
„ September meeting of Council .. .		723-724
„ sitting of Council on 23rd August and discussion thereon .. .		476
Bills—		
City Municipal Act Amendment Bill, the Madras — .. .		816, 858, 859-860
Civil Courts Act (Amendment) Bill, the Madras — .. .		500, 501
Malabar Tenancy Bill .. .		494
„ Chairman of Select Committee on — .. .		680, 713, 714, 715, 721
Motion re Council Secretaries, salary of — .. .		815
„ Lee Commission report .. .		115, 319, 329, 330, 384
		874, 879

	P—cont.	PAGES
President, the hon the—cont.		
Select Committees, nomination of members to, so as to reflect the strength of parties in Council .. .		350
Standing Order 54, Amendment to — .. .		386, 387
Supplemental questions .. .		12-14
See Rulings.		
Prickly-pear—		
Question re removal of — in Mosur .. .		748-749
Prisoners—		
Question re accommodation for — .. .		767-768
Question re — detained under Regulation II of 1819 .. .		402, 456-460
Question re giving provision in lieu of allowances to — .. .		405
Question re quality of food supplied to — in the Rajahmundry jail ..		625
See Political offences.		
Profession tax—		
Question re abolition of — in Nannilam taluk .. .		655
Question re assessment of — by the Anantapur municipality .. .		652-653
Question re assessment of — by municipalities .. .		438-439
Question re levy of — by Tanjore municipality .. .		42
Prohibition—		
Question re total — .. .		446-447, 787
See Drink.		
Provincial autonomy—		
Adjournment motion re grant of — .. .		85-86, 120-137
Provincial Educational Service —		
Question re distinction between — and the Madras Educational Service ..		299-300
Provincial finances—		
Question re present condition of — .. .		644-645
Provincial Police Officers—		
Question re preferment of — to district superintendentship .. .		774
Question re preferment of — to superior posts .. .		774
Public Prosecutor, Trichinopoly—		
Question re appointment of Mr. K. R. Rangaswami Ayyangar as — ..		414
Public Roads—		
Motion re use of — by depressed classes .. .		822-830
Public Service Commissions—		
Question re appointment of — .. .		288
Public Works secretariat—		
Question re clerical establishment of — .. .		428-429
Queen Mary's College—		
Question re fees in — .. .		784
Questions and Answers—		
Abbas Ali Khan, Mr.—		
Question re railway projects, appointment of committee to report on — ..		630-632
Abdul Hye Sahib, Mr.—		
Question re assistant registrars of co-operative societies, Muhammadan representation among — .. .		303
Question re co-operative societies for Muhammadans .. .		452-453
Question re deputy superintendents of Jails, recruitment of — .. .		403
Question re excise department, assistant commissioners of, horses for — ..		302
Question re excise department, Inspectors, powers of, punishment of — ..		641-642
Question re excise department, sub-inspectors of, communal representation among — .. .		302
Question re Muhammadan representation in the High Court bench .. .		275
Question re High Court Judges, correspondence relating to appointment of — ..		275
Question re Hindupur tank, repairs to supply channels of — .. .		415
Question re Jail department, sub-assistant surgeons in the, allowances and free quarters to — .. .		404

Q—cont.

PAGE

Questions and Answers—cont.

Abdul Hye Sahib, Mr.—cont.

Question re Khasi Abdur-Rahman Sahib, treatment of, in Cuddalore jail	265
Question re Muhammadan High school in Kurnool	299
Question re Moharrum disturbances in Proddatur	287
Question re Nawab Dawood Khan Bahadur, late	627-628
Question re Police station at Panruti	287

Adinarayana Chettiyar, Mr. T.—

Question re assistant registrar of co-operative societies, Vellore, approval of appointments by —	788
Question re assistant registrars of co-operative societies, appointment of —	789
Question re co-operative department, appointment of honorary arbitrators in —	789-790
Question re co-operative department, reorganization of —	789
Question re co-operative societies, primary, reserve fund for —	790
Question re Local boards, disestablishment of —	782
Question re Panchayat courts in North Arcot district	773
Question re Police station, abolition of, at Pallikonda	774
Question re Post office, Kamalapuram, access to the —	629
Question re pricklypear, removal of, in Mosur	748-749
Question re Rangaswami Nayudu, Assistant Registrar of Co-operative Societies, disbursements of pay, etc., by —	788-789
Question re revenue, collection of, by the tahsildar of Arkonam	749
Question re school, opening of, in Kandiyanpattu	784
Question re Sivakasi taluk board, disposal of papers by president of —	773
Question re Sub-Magistrate, Arkonam, trial of cases by —	770-771
Question re toddy shops, location of, in Polur	787
Question re water-supply in Vellore	782

Anjaneyulu, Mr. P.—

Question re Adi-Andhra students, admission of, in aided secondary schools	659
Question re district secondary education boards, election of presidents of —	444-445
Question re irrigation facilities in Kistna and Guntur districts	639
Question re medical school in Guntur, opening of —	441
Question re penultimate Saturdays, holidays on —	637

Ankinedu Prasad Bahadur, S. R. Y.—

Question re Divi taluk, re-inclusion of certain villages in, under Bandar taluk	601-602
---	---------

Bhanoji Rao, Mr. A. V.—

Question re Tuberculosis Sanatorium, Madanapalle, grant to —	441
--	-----

Biswanath Das Mahasayo, Briman—

Question re Estates Land Act Committee	635
Question re Imperial services under Local Government, expenditure on —	780
Question re Imperial Police Service, Indianisation of —	286-287
Question re Oriya speaking tracts, amalgamation of —	434-435
Question re Revenue Divisional Office, Chatrapur, notices of adjournment of suits in —	771-772
Question re Revenue Divisional Officer, Chatrapur, disposal of rect suits by the —	771
Question re State aid to Industries, applications for —	742, 794
Question re Villages, regrouping of —	259-260

Chidambara Nadar, Mr. A.—

Question re arms, grant of licences for—to Nadars in Tinnevely district	280
Question re cotton plants, the enforcement of the order for removing —	782
Question re house-sites in Koriyur village, Nanguneri taluk	749-750
Question re karnams Summoning of — to headquarters by the tahsildars, etc.	394
Question re Kudiramoli reserve in Tinnevely district	17
Question re Madakulam tank, repair to the —	421
Question re Nadar representation in Tinnevely district board	291
Question re Registration department, Sub-registrars and clerks in the	730-731
Question re Reserve forest in Poichaloor village	18
Question re Sivakasi taluk board	43
Question re Toddy-tapping by Nadars in Nanguneri taluk	726
Question re Travelling allowance for jurors and assessors	

Q—cont.

PAGE

Questions and Answers—cont.

Fernandez, Rao Bahadur Cruz—

Question re Tutuorin harbour works, tenders for—	651
Question re Tutuorin harbour works jetty, prohibition of people landing at the —	781

Gopala Menon, Mr. C.—

Question re Coimbatore Agricultural College, scholarships to graduates of—for studying abroad	53
Question re house building societies. Advance to—in Malabar	788
Question re political offences, persons convicted of—	19
Question re Queen Mary's College. Fees in —	734
Question re railway development, schemes of—	22
Question re State aid to industries, report of Special Officer re—	58
Question re Villupuram-Trichinopoly chord line, the—	409-410

Gopalan, Rao Sahib P. V.—

Question re Arkonam railway station, Indian refreshment room at the —	271
Question re Cochin harbour works, Expenditure on the—	268-269
Question re copyist establishment	635-636
Question re copyists, status of—	275-276
Question re Ezhuthachan community, material and educational progress of the — of Malabar	300
Question re fish manure, fish guano and fish oil, Quantity of—railed from the West Coast	453
Question re fish-curing salt, alleged theft of—in the West Coast	304
Question re fish curing yards in the West Coast	55, 85
Question re fish-curing yards, price of salt in —	54-55
Question re Fisheries Training Institute, Calicut	790-791
Question re Fisheries Training Institute, Calicut	430-431
Question re Government commercial concerns, audit of—	304-305
Question re Government Fisheries experimental station, Tanur	454, 478
Question re Madras Government Cannery, sale of goods produced in the	271-272
Question re railways, overcrowding in—	

Gurusami, Mr. L. C.—

Question re Post office in Kamalapuram village, access to the—	628-629
Question re land revenue, remission of—in South Kanara	747
Question re Mappilla prisoners, release of—	267
Question re Muhammadans, nomination of—to the local bodies	292
Question re Muhammadan representation among District Educational Officers	299
Question re Muhammadan representation in district secondary education boards	298-299
Question re Muhammadan representation in district secondary education boards	271
Question re passport for a Muhammadan student to go to England	428
Question re police station, abolition of, in a tract in South Kanara	443
Question re scholarships to Muhammadan students in South Kanara	294
Question re taluk headquarter hospitals, management of—	

Hamid Sultan Marakkayyar, Mr. V.—

Question re Co-operative societies for the benefit of Muhammadans	735-736, 793
Question re district secondary education boards, nominations to the	444

Koti Reddi, Mr. K.—

Question re bomb manufacture in Ceded districts	774
Question re conscience clause in the grant-in-aid Code	784-785
Question re total prohibition	787
Question re vernacular, as compulsory medium of instruction	784

Krishnan Nayar, Diwan Bahadur M.—

Question re Ezhuthachan community, special concessions to members of the— of Malabar	786
--	-----

Krishna Rao Pantulu, Rao Bahadur A. S.—

Question re cattle-breeding farm, Chintaladevi, Nellore district	732-733
Question re forest grievances in Nellore district, committee to report on—	762
Question re Irrigation works in Nellore	639-640
Question re Land Revenue Settlement Bill, introduction of—	393
Question re Land Revenue Settlement Bill Committee, recommendation of the—	392-393
Question re Lee Commission, additional appointments in the province due to recommendations of the —	290
Question re medical relief in rural areas	783
Question re Reforms, opinion of the Local Council on the working of the—	429
Question re Reforms enquiry, consultation with Local Government on the—	290-291
Question re secondary schools. Grants-in-aid to—	49

Questions and Answers—cont.

Q—cont.

PAGES

Madurai, Hon. Lieut. N.—

Question re 'Adi-Andhras' and 'Adi-Dravidas' in Military, adoption of the term of —	627
Question re 'Adi-Dravidas' and 'Adi-Andhras' being called Panchamas and Paraivas ..	724
Question re communal representation in recruitment of combatants and non-combatants ..	408
Question re depressed class students in certain districts, grant for free books, slates, etc. to —	659
Question re ex-Indian officers, appointment of — to local bodies ..	654
Question re ex-Military men, establishment of, in the Police department ..	626-627
Question re ex-soldiers, distribution of lands among —	750
Question re Non-commissioned officers, etc., representation of, in the panchayats of the Presidency ..	654-655

Mahabala Hegde, Mr. B.—

Question re cattle-grazing in Uppinangadi taluk ..	763
Question re floods, damage to agriculture by the recent — ..	747
Question re Reserved forests, concession to collect leaves for manure from ..	763
Question re sandalwood trees, theft of — ..	763
Question re Sessions court of Mangalore, Malayalam interpreter in the — ..	771

Maruthavanam Pillai, Mr. C.—

Question re Cauvery Settlement ..	281
Question re 'poverty certificates' grant of, by the members of district and taluk boards ..	439
Question re Tanjore Mirasidars, levy of interest on the arrears of kist due from ..	391
Question re Valavanad and Manankondan drainage channels, opening of ..	423

Moosa Sait Sahib, Mr.—

Question re civil courts, arrears in — ..	273
Question re Deputy collectors, selection list of — ..	14
Question re District Munsif, transfer of — ..	273
Question re Muhammadan deputy collectors, appointment of, in the co-operative department ..	602
Question re Muhammadan representation in the Educational department in Ganjam ..	443
Question re Muhammadan representation in the Revenue department in Ganjam ..	251-252

Muttayya Mudaliyar, Mr. C.—

Question re Veterinary aid in Chingleput district ..	745-746
--	---------

Muttayya Mudaliyar, Mr. S.—

Question re Court of wards, administration of estates under the — ..	261
Question re General election, statement published in the Administration report about the — ..	395
Question re Indian Law Reports ..	773
Question re Land Revenue, collection of, in the Tanjore district ..	391
Question re Muttayar—Repairs to the embankments of the ..	862
Question re State aid to Industries Act, operation of the — ..	742-743

Narasimha Raju, Rao Bahadur C. V. S.—

Question re Irrigation sources in Vizagapatam district ..	281
---	-----

Natesa Mudaliyar, Rao Bahadur C.—

Question re Kaye, appointment of Mr.—as Superintendent of Police ..	775
Question re Police, preferment of provincial police officers to District Superintendentships of — ..	774
Question re Provincial Police Officers, preferment of, to vacancies due to retirement on proportionate pension — ..	774

Peddiraju, Mr. P.

Question re Balaji Rao Nayudu Gani Diwan Bahadur T., resignation of — of the presidency of the Kistna district board ..	653
Question re communal service inams, resumption of, in the Kistna district — ..	611
Question re delta districts, increase in the number of sections in the — ..	639
Question re Fruit Preserving Institute, Coonoor — ..	742
Question re holidays, conversion of certain, into working days ..	413
Question re house-sites, etc., lands intended for, sub-division of — ..	765

PAGES

Q—cont.

Questions and Answers—cont.

Peddiraju, Mr. P.—cont.

Question re Kistna district, bifurcation of — ..	384-385
Question re Kistna district board, bifurcation of — ..	653
Question re Kistna district, reclassification of soil in ..	392
Question re Narasapur taluk, localisation of manual wet lands and irrigation of lands in — ..	605-616
Question re Paddy-breeding demonstration farm in Kistna ..	450-451
Question re Penal settlement for illegal watering levied in Godavari and Kistna deltas ..	390
Question re Ramachandra Rao, Mr. K., judicial proceedings against Editor of the 'Congress' ..	414-415, 461
Question re Survey stones, destruction of, in the Kistna district ..	764-765
Question re Unguturu and Nallacherla forest reserves, inconveniences to villagers in the neighbourhood of ..	401
Question re Vijjeswaram head sluices and the construction of a weir at Chidipi, the state of — ..	638

Prabhakaran Tampan, Mr. K.

Question re Survey charges ..	609
-------------------------------	-----

Raghuchandra Bellal, Mr. K.—

Question re Jain honorary and bench magistrates in South Kanara ..	641
Question re Jais, nomination of — to local bodies ..	449
Question re Jains, recognition of the — as a separate community ..	607

Raja of Ramnad, The—

Question re Inspector-General of Prisons ..	405
Question re Sivaganga Zamindari, management of the — ..	758-759

Ramachandra Reddi, Mr. B.—

Question re Executive Engineer and sub-overseer of Lebur section, Nellore district ..	643
Question re Executive Engineer and sub-overseer of Nellore, the conduct of the — ..	287-288
Question re Kanigiri reservoir, silting up of the canal feeding the — ..	638-639
Question re Vocational training in schools ..	295

Ramalinga Reddi, Mr. C.—

Question re Ambur Mission school, allegations against the headmaster of — ..	296-298
Question re backward communities, regulations for the representation of — in the Council ..	279
Question re British Empire Exhibition, extension of trade due to Indian exhibits at the — ..	451-452
Question re Collectors and certain heads of departments, transfers of — ..	436-437, 471
Question re 'Congress,' conviction of the Editor of the — ..	278
Question re Editors' Table privileges ..	288-289, 315
Question re Estates Land Act, amendment to the — ..	272-273, 314
Question re Famine relief in Anaparthi ..	389
Question re fire, marine, etc., insurances, payment of premia by the Government on — ..	645
Question re floods, gratuitous relief to sufferers affected by — ..	747-748
Question re Gupta, Mr. B., hunger strike of — ..	402-403
Question re Lee Commission, proposals of the — ..	648
Question re Malabar Tenancy, report of Mr. Innes and Mr. Ellis re — ..	424-425
Question re Mannargudi Conference, prohibition orders at the — ..	637-638
Question re Mappillas, alleged distress among — ..	267-268
Question re Mappillas, release of — ..	268
Question re meetings and conferences prohibited last year — ..	276-277
Question re prisoners, convicted of political offences, release of — ..	275
Question re prisoners detained under regulation II of 1819 ..	402, 456-460
Question re prohibition order on Mr. Satvamurti, mode of execution of ..	277-278
Question re 'Swarajya', withdrawal of Editors' Table privileges from — ..	264
Question re Varadarajulu Nayudu, Dr. P., prohibition order on — ..	407

Raman, Rao Bahadur P.—

Question re Thiyya representation in excise and salt departments ..	787-788
---	---------

Questions and Answers—cont.

Q—cont.

PAGE

Rama Rao, Rao Sahib U.—

Question re Government ink factory, manufacture of ink in the —	307
Question re Government Press, Assistant Superintendent of the —	289
Question re Government Press, Assistant Superintendent of the, advertisement for the post of —	647
Question re Government Press, employees of the, applications for leave from —	431-432
Question re Government Press, examiners in the —	645-646
Question re Jam factory at Coonoor	741
Question re Kasaragod fishermen, memorial of —	56
Question re medical inspection of schools, scheme for —	47, 658
Question re Naduvattam factory, damage to the — by fire	396
Question re quinine, export of — from the Naduvattam factory to the Federated Malay States	260-261
Question re quinine, sale of — at the Naduvattam Government factory	396
Question re quinine, sale price of —	612
Question re salt, sale of — in Kasaragod	56
Question re Silvan hotel, Vepery, issue of licence to —	51
Question re Veterinary officer, IV Circle, headquarters of —	57

Rameswara Rao, Mr. G.—

Question re Assam tea plantations, climatic conditions of the area of —	768-769
Question re Assam tea plantations, recruitment of labourers to — from Anantapur	625-626
Question re currency note, legal rights of the finder of a —	258
Question re Editors' Table, the privileges of the —	262-263
Question re education cess, earmarking of the — for new schools	785
Question re famine administration, change of policy in —	604
Question re famine-affected areas during current year	387-389
Question re fodder, supply of — in Anantapur district	254
Question re labour, recruitment of — in the Presidency	405-407
Question re loan applications from Penukonda	746-747
Question re loans to ryots for digging wells for irrigational purposes	754
Question re Presidents, elected — for Anantapur municipality and Dharmavaram taluk board	651-652
Question re profession-tax, assessment of — by the Anantapur municipality	652-653
Question re profession-tax, assessment of — by the municipalities	438-439
Question re Rayapuram Medical school, stipends to students in the —	656-657
Question re relief works, revision of task tables relating to —	603
Question re revenue and expenditure, additional — during the last three years	780
Question re ryots, loans to — in Anantapur district	603-604
Question re Sangameswaram project, progress of the —	415-416
Question re Tadipatri taluk, resettlement in —	257-258
Question re temperance in Anantapur	447-448
Question re toddy shops, the closing of — in declared famine areas	728-729
Question re tolls, collection of — on the road between Kodikonda and Hindupur	438
Question re Veterinary college, stipends to the students in the —	745
Question re water-supply to the tanks of Agali and other villages from the Swarnamuki river	605

Ranganatha Mudaliyar, Mr. A.—

Question re forest office at Harpanahalle	18
Question re forest office building at Adoni	18
Question re high school at Adoni, location of the —	658

Ratnaswami, Mr. M.—

Question re Christian clerks of the Nellore Collectorate	383
Question re depressed classes, co-operative credit societies for the benefit of the —	738-738
Question re famine conditions in Polur and relief measures	747
Question re budget for forests, calculation of surplus or deficit in the —	620
Question re copyist establishment, revision of salaries of the —	412
Question re depressed classes in South Kanara, assignment of disafforested lands to —	750-751
Question re deputy collectors, transfer of —	385

PAGE

Q—cont.

Questions and Answers—cont.

Saldanha, Mr. J. A.—cont.

Question re district secondary educational boards, representation of Europeans and Indian Christians in the —	443-444, 473-475
Question re European and Anglo-Indian Educational institutions, grants-in-aid to —	618-619
Question re European and Indian Christian Homes, Asylums, etc., grants to —	618, 661-668
Question re ex-military men, appointments of	269-270
Question re ex-service men, assignment of lands to — in Malabar and South Kanara	254-255
Question re ex-war service men, applications for posts in South Kanara from —	408
Question re first-grade colleges of the West Coast, science course in the —	785
Question re forest exploitation department, staff of the —	621-622
Question re forest exploitation in South Kanara	265
Question re forest exploitation system, extension of — to certain areas	784-765
Question re forest parishayat system, extension of — to persons in South Kanara	611-612
Question re gun licences, grant of — to persons in South Kanara	638
Question re Irrigation Bill, proceedings of the select committee on the —	772-773
Question re Irrigation Bill, select committee on the —	655, 669
Question re Leper asylums in the Presidency	44
Question re Leper Act, extension of the —	447, 476-477
Question re liquor manufactured by Messrs. Parry & Co.	294-300
Question re M.E.S. and P.E.S., distinction between the —	31
Question re Members of Government, tours of —	656
Question re Miller's Leper Asylum, Mangalore, subsidy to the —	731-732
Question re Minister for Education, tour of the hon. the — in southern districts	49-50
Question re non-Government colleges, grants to —	446-447
Question re prohibition in the Presidency	612-613
Question re quinine, sale of — in malarial areas	765-766
Question re rangers, pay and allowances to the —	603
Question re religious institutions, grant to —	763-764
Question re reserved forests, free supply of green and dry leaves from —	439-434
Question re Retrenchment committee and the Lee Commission, result of the proposals of —	291
Question re salt, refined, production of —	288
Question re services, selection boards, etc., for recruitment to the various —	644
Question re staff selection board, appointments by —	727-728
Question re sugar factories in the Presidency	394
Question re surveys in South Kanara	255
Question re travellers' bungalows, disposal of lands attached to —	60
Question re University academic council, lecturers in the —	

Sarvarayudu, Mr. K.—

Question re Ellore division, local tyranny and oppression in the —	775
Question re Kistna district, bifurcation of the —	746

Sasibhushan Rath Mahasayo, Sriman—

Question re Agency fituri	755-757
Question re opium emigration to Assam and Burma	760-762
Question re district secondary education boards	659-660
Question re Editors' Table, privileges of the —	759-760
Question re forests, reclassification of the — in the Presidency	401
Question re Glue factory	743-744
Question re Government House gardens, officer in charge of the —	772
Question re Indian Christians, representation of — in the services	731
Question re Irrigation Bill, His Excellency Lord Goschen and the Select committee on the —	638
Question re irrigation works in Ganjam, repairs of —	424
Question re Jam factory, Coonoor	791
Question re Madhavahoridra-Goomsur anicut, Ganjam	424
Question re Members of the Legislative Council who are contractors of Government	640-641
Question re private forests, leasing of — by Government	766
Question re profession-tax, abolition of — in Nannilam taluk	655
Question re Ruseellkonda saw mills	622

Satyasmurti, Mr. S.—

Question re Abdul Karim Sabib Bahadur, Khan Bahadur Saiyid, Deputy Superintendent of Police	427-428
Question re Adi-Dravida, nomination of an — to the Negapatam Taluk Board	440

Questions and Answers—cont.

Satyamurti, Mr. S.—cont.

Question re attachment notice, forms of address in —	256
Question re Bharata Asramam Members, alleged arrest of — near Moore Market.	413
Question re British Empire Exhibition, contribution of the Raja of Parakkudi to the Madras Court of the —	733-734
Question re British Empire Exhibition, expenditure on the — by the Local Government	452
Question re Cauvery settlement, the —	282
Question re Chingleput district board, nomination of Mr. M. K. Reddi to the —	36-37
Question re Christian Adi-Dravidas, assignment of a tank in — in Pannaipuram village	397
Question re Collector of Madras, duties discharged by the —	599-601
Question re constables, suspension of certain — at Kumbakonam	426-427
Question re convicts, treatment of — in the Vellore Central Jail	622-624
Question re co-operative department, annual report of the —	53-54
Question re Corporation engineer, appointment of Mr. Madley as —	38
Question re Council secretaries, appointment of —	26-27
Question re Courtallam waterfalls	398-400
Question re Courts, hours of attendance in —	23
Question re Criminal Tribes Act, administration of —	16
Question re Darbar at Palghat for presentation of sanads	409
Question re deck passengers, alleged behaviour of the police towards the — at south landing stage in the Madras Harbour	426
Question re depressed classes in Chidambaram, access to public tanks and wells for the —	613-615
Question re depressed classes, alleged grievances of the — in Salem district	396-397
Question re distillery experts, appointment of —	50
Question re district boards and municipalities, principle of nomination to the —	410
Question re district judges, recruitment of —	274-275
Question re donkeys, licence fees on —	34
Question re drink, prohibition of — in famine-affected areas	729
Question re electric inspector	279-280
Question re equipment grant to schools	49
Question re Excise Committee of Bombay, report of the —	300
Question re Fituri operations in 1924	15-16
Question re Flagstuffs, iron — in public offices	52
Question re General hospital, ambulance car in the —	441-442
Question re Godavari collectorate, appointments in —	599
Question re Government commercial concerns, audit of —	30-31, 70
Question re Government of India Act, examination by the Local Government of the working of the —	436
Question re Government grant with local bodies, disposal of unspent —	35
Question re Government pensioners, freedom of — to join Congress	29, 30
Question re Government press, Examining department of the —	646-647
Question re Government press, qualification of examiners in —	32
Question re Government silk farm at Coonoor	791
Question re Government textile institute, etc., admission into —	792
Question re Grant-in Aid Code, introduction of special trains for —	770
Question re Gupta, Mr. B., hunger-strike of —	445
Question re Hindi, recognition of — as vernacular under the Madras Education Rules	19-20
Question re Honorary Presidency magistrates, appointment of —	48
Question re Hookworm campaign in Madras	611
Question re Imperial Bank Fraud case	782-783
Question re Indian Christians of Ambur	24
Question re Indian and European boys in European schools, alleged discrimination between the —	16-17
Question re Indian refreshments in South Indian Railways	619, 620, 664-666
Question re Indian Territorial Force	21
Question re Indigenous medical school, opening of an —	20, 21
Question re Industrial schools, aided in the Presidency	656
Question re Industrial schools, duties, etc., of the Inspector of —	455
Question re Inks manufactured in the Government factory	57
Question re Inspector-General of registration	305-307
Question re Irrigation Bill, alleged opening by His Excellency of the meeting of the select committee on the —	52
	282

Questions and Answers—cont.

Satyamurti, Mr. S.—cont.

Question re Irrigation Bill committee, meetings of the —	25, 26
Question re Jam factory at Coonoor	739-740
Question re Judges of the High Court, increase in the number of the —	636-637, 770
Question re Kannambadi agreement, award of 1914 in regard to the —	421
Question re Kannambadi agreement, despatch of — to Government of India	416
Question re Kannambadi agreement, matters relating to the —	422
Question re Kannambadi agreement, opinion of Government on the —	423
Question re Kannambadi agreement, opinion of the mirasdars of Tanjore and Trichinopoly on the —	419-420
Question re Kannambadi agreement, papers placed before the Secretary of State in regard to the —	421
Question re Kannambadi agreement, publication of the —	283
Question re Kannambadi agreement, ratification of the —	419
Question re Kannambadi agreement, representation of Tanjore mirasdars regarding the —	423
Question re Kannambadi agreement, rights of Tanjore, etc., mirasdars as affected by the —	418-419
Question re Kannambadi agreement of 1892, terms of the —	418, 461-470
Question re Kannambadi agreements of 1892 and 1924, difference between the terms of —	417-418
Question re Kannambadi dam, construction of — by the Mysore Government	419
Question re Kannambadi project, conference regarding the —	422
Question re Kannambadi project, proposals of the Mysore Government on —	416-417
Question re Kannambadi project in 1915, the —	420
Question re Kannambadi question, settlement of the — by compromise	420-421
Question re Kannambadi question, settlement of the — by compromise	415
Question re Khaddar, wearing of — by Government servants	862
Question re kist, payment of — for lands irrigated by the Manniar channel	792
Question re lace industry, appointment of a European Missionary lady to conduct the survey of —	14-15
Question re land revenue, assessment of — in Tanjore	751-752
Question re land revenue, permanent settlement of — in the Presidency	257
Question re Land Revenue Settlement Bill	45, 444
Question re Law college, re-organization of the —	618
Question re Lee Commission, proposals of the —	728
Question re liquor shop, location of a — in Ootacamund	449
Question re liquor shops, removal of — by the municipalities and local bodies	448-449
Question re liquor shops, triplicate, sale of liquor in the —	781
Question re Local Fund Audit department, filling up of vacancies in the —	301-302
Question re Madras Corporation, power of the — to settle sites for toddy and arrack shops	738-739
Question re Madras School of Arts	30
Question re Madras Engineering Service, promotions to —	252-253
Question re Mannargudi conference, prohibition of —	266-267
Question re Mappila prisoners, release of —	37-38
Question re Mayavaram municipal council, Viswakarma, etc., representation in the —	432-433
Question re Member of the Legislative Council, all-god unfair reference to a — by a public servant	744-745
Question re Minister for Development, tour of the hon. the — to Tiruchengode	450
Question re Minister for Education, speech of the hon. the — at Trichinopoly regarding the services	450
Question re Minister for Education, tour of the hon. the — in the southern districts	43
Question re Minister for Local Self-Government, tour of the hon. the — at Berhampur	274
Question re Ministerial staff, appointment of — in the District Court of North Malabar	770
Question re Mufassal courts, supervision of — by Judges of the High Court	24-25
Question re Mullikadu Irrigation project	291-292
Question re Municipal administration, Government review of the —	442
Question re Municipal dispensary, removal of — in the Tiruvathiur High Road	89-90
Question re Municipal limits, extension of — and Mambalam scheme	34
Question re Municipalities, nomination to —	294
Question re non-Government secondary schools, standardization of salaries in —	294-295
Question re officials, nomination of — to Central legislatures	440
Question re Palamottiah municipality, exclusion of Vannarpet from the —	

Q—cont.

PAGES

Questions and Answers—cont.

Satyamurti, Mr. S.—cont.

Question re passenger traffic between Kodikarai, Kodikadu and Ceylon ..	629-630
Question re Police in Tinnevely, investigation of crimes by the — ..	426-426
Question re power loom worked by the Basel Mission ..	32
Question re prisoners, quality of food supplied to — in the Rajahmundry jail ..	625
Question re prisoners, Regulation of 1819 about giving provisions in lieu of allowances to — ..	405
Question re Profession-tax, levy of — by the Tanjore municipality ..	42
Question re Public Works Secretariat, clerical establishment of the — ..	428-429
Question re Railway strike at P. danur ..	411-412
Question re Ramaoandra Rao, Mr. K., imprisonment of — ..	404-405
Question re Rangaswami Ayyangar Mr. K. R., appointment of — as Public Prosecutor of Trichinopoly ..	414
Question re Rayapuram hospital, the creation of a new post in the — ..	442
Question re Reforms inquiry ..	436
Question re Reforms inquiry, non-official co-operation in the — ..	435-436
Question re Reforms in the Presidency, departmental enquiry into the working of the — ..	651
Question re Registration department, treatment of subordinates in the — ..	729-730
Question re resettlement, resolution of the 'Trichinopoly mirasdars' conference on — ..	608
Question re resettlement in Tanjore ..	15
Question re Revenue subordinates, alleged punishment of — by the Collector of South Arcot ..	384
Question re Russellkonda saw mills, working of the — ..	766-767
Question re Salem college, Government grant to — in pre-reform period ..	45
Question re Salem district secondary education board, elected president for — ..	36
Question re Salem municipal council, financial condition of — ..	33
Question re Salem municipal council, printing work on behalf of the — ..	33-34
Question re salt bags, re-weighing of — in Madras ports ..	21
Question re segregation camp at Thattaparai ..	411
Question re South Indian Railway, constitution of the Advisory Board of the — ..	657
Question re spinning course, introduction of — in schools ..	392
Question re Srirangam Temple Repairs committee, report of the — ..	23
Question re Sub-judge's court, location of — at Karaikudi ..	597-599
Question re suits, etc., duration of — in the Courts of district munsifs and subordinate judges ..	263, 308-313
Question re 'Swarajya', withdrawal of editors' table privileges from — ..	266, 257
Question re Tanjore resettlement ..	446
Question re toddy, penalty for not tapping — in Salem district ..	728
Question re toddy shop, licence for a — in Tirukazhikundram ..	448
Question re toddy shops, etc., licensing of — in the city ..	445
Question re toddy shops rental, petition from Mr. Chelliah Goundar regarding — ..	445-446
Question re toddy shops, picketing of — ..	302
Question re toddy shops and arrack shops, sites of — power of the City Corporation to settle — ..	450
Question re Trichinopoly Congress office, etc., alleged police trespass into — ..	612-613
Question re Trichinopoly settlement ..	608-609
Question re University of Madras, grant to — ..	45, 46
Question re Vexatious and Frivolous Suits Act of 1922 ..	22
Question re Viceroy, visit of His Excellency the — arrangements at Madura in connexion with the — ..	427
Question re village panchayat court of Changam, conduct of elections to the — ..	284
Question re villages in South Arcot, regrouping of — ..	610-611
Question re Zavitsky, alleged police espionage on — ..	284-286

Sitayya, Mr. M.—

Question re Ellore canal bund ..	640
Question re fishing, right of — in the Kollair lake ..	753
Question re second crop lands in Ellore and Kaikalur ..	606

Siva Rao, Mr. P.—

Question re crime in Adoni and Alur taluks ..	778
Question re District Superintendent of Police, Bellary, summer exodus of the — ..	778-779
Question re free studentships for secondary public schools ..	786
Question re 'inter-communication of offences' ..	777

Q—cont.

PAGES

Questions and Answers—cont.

Siva Rao, Mr. P.—cont.

Question re K. Da. and suspects, Bellary, under the present District Superintendent of Police ..	778
Question re Police department, punishments in the — in the Bellary district ..	776
Question re Police sports, Bellary, and Carr compassionate fund, tickets for the — ..	776-777
Question re Police transfers in Bellary ..	778
Question re Reserved departments, standing committees of the Legislative Council for — ..	781
Question re resettlement rates, enhanced — for lands under the Tangabhadra channels ..	754
Question re Revenue subordinates, time-scale of pay for unpassed — ..	746
Question re 'River Guard system' for the 'Ghat Talaiyari system' ..	777
Question re Veterinary hospital for the western taluks of Bellary ..	792

Srinivasa Ayyangar, Mr. R.—

Question re Adi-Dravidas, assignment of disafforested tracts in Vriddhaobalam taluk to the — ..	386-387
Question re Deputy collectors, transfer of — ..	386
Question re Engineering officers, transfer of — ..	643
Question re land mortgage banks, opening of — in the Presidency ..	453
Question re Madura picketers, number of — in the Cuddalore jail ..	414

Srinivasan, Mr. R.—

Question re depressed classes, prohibition of entry of — into courts and public offices in Chidambaram ..	861-862
Question re depressed classes, pupils of, admission into the taluk board elementary school at Porto Novo ..	786
Question re reconverted Hindu students of the depressed classes, eligibility of — for educational concessions ..	864

Uppi Sahib, Mr. K.—

Question re Mappilla education ..	786
Question re Mappilla prisoners, labour in Assam by — ..	769
Question re Mappilla prisoners, lending of the services of — to the railway contractors ..	404
Question re Mappilla prisoners, release of — ..	404
Question re Mappillas, promotions, etc., of — to the Provincial services in the Revenue and Police departments ..	769-770
Question re Mappillas, re-arrest of certain — ..	268

Veerian, Mr. R.—

Question re Adi-Dravida hostel, Madras ..	616-618, 661
Question re Adi-Dravidas, admission of — in a caste school ..	660
Question re Adi-Dravidas, designation of — in Government records ..	52-53
Question re Attur taluk, alleged famine conditions in — ..	253-254
Question re cattle, alleged slaughtering of — in Anthoniapuram ..	653-654
Question re coolies, alleged exodus of — from the Anamalai plantations ..	769
Question re depressed classes, appointment of members of the — as honorary bench magistrates ..	27-28
Question re depressed classes, assignment of lands to — ..	397-398
Question re depressed classes, assignment of poramboke land for — in Chidambaram taluk ..	615-616
Question re depressed classes, drinking water-supply for the —, Chandragiri taluk board ..	437, 472
Question re depressed classes, grievances of — in Sanyasiagraharam village — ..	41
Question re depressed classes, huts of — damage by fire to — in Omalur taluk ..	618
Question re depressed classes, pathway for — construction of — at Kamalapuram ..	439
Question re depressed classes, representation of — in the district educational councils ..	657-658, 671-672
Question re depressed classes, representation of — in district secondary education board ..	46
Question re depressed classes, representation of — in the inspectorate of co-operative societies ..	734-735
Question re depressed classes, representation of — in the local boards and municipalities ..	41

Q—cont.

Questions and Answers—cont.

Veerian, Mr. R.—cont.

Question re depressed classes, representation of — in the Registration department	303
Question re depressed classes, representative of, treatment to, at the Union board meeting, Singanallur	42
Question re drinking water-supply to railway passengers	32
Question re Excise Advisory committee	726-727
Question re Government Technical examinations, depressed classes in the —	32-33
Question re pensions, rules relating to —	290
Question re scavengers, pay of — in the Presidency	437-438
Question re Schools of commerce, opening of — in the districts	46, 47
Question re tanneries owned by Government	741
Question re third-class passengers, waiting accommodation for — at the Coimbatore railway station	410-411
Question re Tinnevely municipality, abolition of a dispensary by the —	393
Question re toddy shops in Kumbakonam, mahasars for removal of —	302-303
Question re toddy shops in Tinnevely municipality, location of —	725-726
Question re Village Panchayat courts, elections to —	25, 29

Venkataramana Ayyangar, Mr. C. V.—

Question re Patro's speech at Guntur, the hon. Sir A. P.—	862-864
---	---------

Venkataranga Reddi, Rao Bahadur C.—

Question re Police, shooting accident at Markapur — service of the head constable in the —	779
Question re Police, shooting of a head constable at Markapur by the circle inspector	779
Question re Sitanagaram settlement, the —	757

Yashya Ali Sahib, Mr.—

Question re Coast Light Establishments in the Presidency	649-651
Question re Councilman committee, report of the — regarding the expansion of technical education	792
Question re criminal settlements in the Presidency, the —	632-636, 667-668
Question re deputy collectors, acting — increments to —	385-386
Question re elementary Education Act and the Grant-in-aid Code, Amendments to the —	296
Question re Forest panchayats, reclassification of —	264-265
Question re Glue factory and the Jam factory, working of the —	742
Question re Government commercial concerns, commercial accounting in —	429-430
Question re Governor, staff and household of His Excellency the — expenditure on —	401-402
Question re Headquarter hospitals, closing of — on Sundays	294
Question re Hydro-electric survey	280
Question re Kazis, appointment of — under the Kazis Act	606-607
Question re Kazis, endowments for the maintenance of — in the Presidency	392
Question re Lingayat community, alleged criminal prosecution of certain members of the —	637
Question re Mappilla prisoners, release of —	624-625
Question re Members of Council, free supply of papers to —	284
Question re minor irrigation works in Nellore district	753
Question re Muhammadan charitable endowments under the management of local boards, etc.	442
Question re Muhammadan compounder, Headquarter hospital, Guntur — Promotion to the —	293-294
Question re Muhammadan representation in the Revenue department in Ganjam	252
Question re Muhammadan training school, opening of a — in Nellore	786-787
Question re poramboke lands, transfer of — to local bodies	652
Question re prisoners, accommodation and release of — in the Presidency	767-768
Question re Provincial finances, present condition of —	644-645
Question re Retrenchment committee, recommendations of the —	289
Question re schools, new—opening of —	295-296
Question re State Aid to Industries Act, loans under the —	307
Question re Village panchayats	292
Question re villages, regrouped restoration of —	609-610

Q—cont.

Quinine—	
Question re export of — from the Naduvattam factory to the Federated Malay States	260-261
Question re sale of — in malarious areas	612-613
Question re sale of — at the Naduvattam factory	393
Question re sale price of —	612

R

Raghuchandra Bellal, Mr. K.—

See Questions and Answers.

Railway development—	
Question re schemes of —	22
Railway passengers—	
Question re drinking water-supply to —	22
Railway projects—	
Question re appointment of a committee to report on —	630-632
Railway strike—	
Question re — at Podanur	411-412
Railways—	
Question re overcrowding in —	271-272

Raja of Panagal, the hon. the—

Bills—	
City Municipal Act (Amendment) Bill, the Madras —	500
District Municipalities Act (Amendment) Bill, the Madras —	339, 340
Local Authorities Entertainments Tax Bill, the Madras —	351-352, 356, 357, 358, 363-364
Local Boards Act (Amendment) Bill, the Madras —	818, 819, 820, 822
Stage Carriages and Hackney Carriage Act (Amendment) Bill, the Madras —	338, 339
Town-Planning Act (Amendment) Bill, the Madras —	341, 342, 345, 349
Condolence resolution	88
Demand for supplementary grant re Kala Azar investigation	100, 101
Motion re Council Secretaries, salary of —	113-114, 115, 117, 333-335
Lee Commission report	884
Standing Order No. 54, amendment to —	337

Raja of Parlukimedi—

Question re contribution of the — to the Madras Court of the British Empire Exhibition	733-734
--	---------

Raja of Ramnad—

Observation re the circulation of the alphabetical list of interpellators	316
See Questions and Answers.	

Rajahmundry jail—

Question re quality of food supplied to prisoners in the —	625
--	-----

Rajappa, Mr. P. S.—

Motion re Mettur project	112
----------------------------------	-----

Ramaiah Ayyar, Mr. T. R.—

Bill—	
Malabar Tenancy Bill	718-721, 800-811
Oath of office	383

Ramaiah Rao, Mr. K.—

Question re conviction of — Editor of the 'Congress'	278, 404-405, 414-415, 461
--	----------------------------

Ramaiah Reddi, Mr. B.—

See Questions and Answers.

Ramalinga Chettiyar, Rao Bahadur T. A.—

Bills—	
District Municipalities Act (Amendment) Bill, the Madras —	840
Malabar Tenancy Bill	712, 713
Condolence resolution	88-89
Discussion re nomination of members to Select Committees	349
Discussion re seating arrangement of members	351
Motion re Council Secretaries, salary of —	325-328, 335
Motion re Lee Commission report	874-879, 885, 914

Ramalinga Reddi, Mr. C.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	795, 793, 797, 798, 799, 800, 839-841, 845, 846, 850, 854, 856, 857, 858
Bills—	
Local Boards Act (Amendment) Bill, the Madras —	818, 819, 820
Malabar Tenancy Bill	514, 676, 680, 713, 715, 721
Discussion <i>re</i> nomination of members to Select Committee	849-850
Discussion <i>re</i> seating arrangement of members	851
Point of order <i>re</i> the admissibility of certain motions which are not recommendations to Government	865-867, 869, 870-871
<i>See</i> Questions and Answers.	
Raman, Rao Bahadur P.—	
<i>See</i> Questions and Answers.	
Ravan Menon, Mr. K. P.—	
Bill—	
Malabar Tenancy Bill	811-813
Oath of office	597
Rama Rao, Rao Sahib U.—	
Bills—	
City Municipal Act (Amendment), the Madras —	498
Local Authorities Entertainments Tax Bill, the Madras —	352-354
Registration of nurses, etc.	495
Demand for supplementary grants <i>re</i> Kala Azar investigation	101
Motion <i>re</i> Lee Commission report	887-890
<i>See</i> Questions and Answers	
Ramaswami Ayyar, the hon. Mr. C. P.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	845-849
Adjournment motion <i>re</i> Provincial autonomy, grant of —	120, 125
Bills—	
Civil Courts Act (Amendment) Bill, the Madras —	479-480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 492-493, 494
District Municipalities Act (Amendment) Bill, the Madras —	339, 340
Irrigation Bill, Select Committee on the — Addition of a member to the —	94, 95
Local Authorities Entertainments Tax Bill, the Madras —	352, 362, 364
Malabar Tenancy Bill	674-676, 677, 678, 679, 680, 681, 682, 721
Registration of nurses, Bill for —	494, 495, 497
Stage Carriages and Hackney Carriage Act (Amendment) Bill, the Madras —	337, 338, 339
1924	341, 349
Town-Planning Act (Amendment) Bill, the Madras —	479
Demand for supplementary grant <i>re</i> repairs to minor irrigation works in Ganjam	478
Discussion <i>re</i> date and duration of September meeting	815
Discussion <i>re</i> chairman of the Select Committee on the Malabar Tenancy Bill	858, 859, 860
Discussion <i>re</i> council sitting on 23rd August 1924	115, 119, 120, 320
Motion <i>re</i> Council Secretaries, salary of —	102-107, 108, 109, 110, 111, 112-113
Motion <i>re</i> Mettur project	864-870, 871, 872
Motions that are not recommendations to Government, point of order <i>re</i> admissibility of —	337
Standing Order No. 54, Amendment to the —	
Rameswara Rao, Mr. G.—	
Motion <i>re</i> Mettur project	107
<i>See</i> Questions and Answers	
Ranganatha Mudaliyar, Mr. A.—	
<i>See</i> Questions and Answers.	
Rangaswami Ayyangar, Mr. K. R.—	
Question <i>re</i> appointment of — as public prosecutor, Trichinopoly	414
Rangaswami Nayudu, Mr. G.—	
Question <i>re</i> —, Assistant Registrar of Co-operative Societies, Kurnool	783-789
Rangers—	
<i>See</i> Forest Department.	

Ratnaswami, Mr. M.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	796, 799, 842-844
<i>See</i> Questions and Answers.	
Rayapuram hospital—	
Question <i>re</i> creation of a new post in the —	442
Rayapuram Medical School —	
Question <i>re</i> stipends to students of Ceded districts in the —	656-657
Reforms—	
Question <i>re</i> opinion of the Council on the working of —	429
Reforms inquiry—	
Question <i>re</i> consultation with the Local Government and leading representatives of this Province on the —	290-291
Question <i>re</i> departmental enquiry into the working of the —	651
Question <i>re</i> non-official co-operation in the —	435-436
Question <i>re</i> —	435
Registration Department—	
Question <i>re</i> clerks of the —	635-636
Question <i>re</i> representation of depressed classes in the —	303
Question <i>re</i> representation of Indian Christians in the —	731
Question <i>re</i> sub registrars and clerks in the —	730-731
Question <i>re</i> subordinates in the, treatment of —	729-730
Regrouping—	
<i>See</i> Villages.	
Regulation II of 1819--	
Question <i>re</i> prisoners detained under —	402, 456-460
Question <i>re</i> prisoners under, provisions in lieu of allowances to —	406
Relief Measures—	
Question <i>re</i> — in Polur and neighbouring taluks	747
Relief works—	
Question <i>re</i> revision of task tables relating to --	603
Religious institutions—	
Question <i>re</i> grants to --	603
Remission—	
<i>See</i> Land Revenue.	
Rent suits--	
Question <i>re</i> disposal of — by the Revenue Divisional Officer, Chattrapur	771
Reserved Departments--	
Question <i>re</i> appointment of Standing Committees for —	781
Reserved Forests--	
Question <i>re</i> concession to collect leaves for manure from the —	763
Question <i>re</i> free supply of green and dry leaves from the -- in the South Kanara	763-764
Question <i>re</i> in Poichalur village	18
Resettlement--	
Question <i>re</i> enhanced -- rates for lands under the Tungabhadra channels	754
Question <i>re</i> resolution of the Trichinopoly Mirasidars' Conference against --	608
Question <i>re</i> — in Iedpatri taluk	257-258
Question <i>re</i> Tanjore --	15, 256, 257
Question <i>re</i> -- of Trichinopoly	608-609
Retrenchment Committee--	
Question <i>re</i> recommendations of the —	289
Question <i>re</i> result of proposals of the —	433-434
Revenue, additional—	
Question <i>re</i> -- during the last three years	780
Revenue Divisional Officer, Chattrapur--	
<i>See</i> Rent suits.	
Revenue Settlement Bill—	
<i>See</i> Land Revenue Settlement Bill.	
Revenue Subordinates--	
Question <i>re</i> alleged punishment of — by the Collector of South Arcot	881
Question <i>re</i> time-scale of pay for unpassed —	746

	PAGES
Tanjore Settlement— Question <i>re</i> —	490-492
Tanjore and Trichinopoly Mirasidars— See Kannambadi agreement.	254-257
Tanneries— Question <i>re</i> — owned by Government	741
Task tables— Question <i>re</i> revision of — relating to relief works	603
Technical education— Question <i>re</i> report of the Couchman Committee regarding the expansion of—	792
Temperance— Question <i>re</i> — in Anantapur	417-448
Textile Institute— See Government Textile Institute.	
Third-class passengers— Question <i>re</i> waiting accommodation for — at the Coimbatore railway station	410-411
Thiyyas— Question <i>re</i> representation of — in the Excise and Salt departments	787-788
Time-limit— — to the speakers in <i>re</i> Malabar Tenancy Bill ..	806
Time-scale of pay— Question <i>re</i> — for unpassed revenue subordinates	746
Tinnevely Municipality— Question <i>re</i> abolition of a dispensary by the— ..	398
Question <i>re</i> location of toddy shops in— ..	725-726
Toddy and Arrack shops— Question <i>re</i> power of the City Corporation to settle sites for—	301-302, 450
Toddy shop— Question <i>re</i> license for a — in Tirukashikundram	728
Toddy shop rental— Question <i>re</i> petition from Mr. Chelliah Gounder regarding —	445
Toddy shops— Question <i>re</i> —	
Question <i>re</i> closing of — in famine-declared areas	302
Question <i>re</i> location of — in Polur union	728-729
Question <i>re</i> location of — in Tinnevely municipality	787
Question <i>re</i> mahazars for removal of — in Kumbakonam	725-726
Question <i>re</i> picketing of —	302-303
Question <i>re</i> licensing of — in the city	445-446
Toddy tapping— Question <i>re</i> alleged criminal prosecution of certain Lingayats for giving up —	687
Question <i>re</i> — by Nadars in Nanganeri taluk	735
Question <i>re</i> penalty for not tapping — in Salem district	446
Question <i>re</i> trees for —	302
Tolls— Question <i>re</i> collection of — on the road between Kodikonda and Hindupur	438
Tour— Question <i>re</i> — of the hon. the Minister for Development to Trichengode	744-745
Question <i>re</i> — of the hon. the Minister for Education in the southern districts	450, 731-732
Question <i>re</i> — of members of Government	31
Town-Planning Act (Amendment) Bill, Madras— See Bills.	

	PAGES
Transfer— Question <i>re</i> — of Collectors and certain heads of departments ..	486-487, 471
Question <i>re</i> — of Engineering officers ..	648
Question <i>re</i> — of poramboke lands to village panchayats or local bodies ..	652
Transfers— Question <i>re</i> Police — in Bellary ..	778
Travellers' Bungalows— Question <i>re</i> disposal of lands attached to — ..	255
Travelling Allowance— Question <i>re</i> — for jurors and assessors ..	862
Trichinopoly Congress Office— Question <i>re</i> alleged trespass of police into the — ..	642-643
Trichinopoly Mirasidars' Conference— Question <i>re</i> resolution of — against resettlement ..	608
Trichinopoly Resettlement— Question <i>re</i> — ..	608-609
Trichinopoly-Villupuram Chord line— Question <i>re</i> — ..	409-410
Triplicane liquor shops— See Liquor shops.	
Tuberculosis Sanatorium, Madanapalle— Question <i>re</i> grant to — ..	441
Tuticorin Harbour Works— Question <i>re</i> tenders for — ..	651
Tuticorin Harbour Works jetty— Question <i>re</i> prohibition of people from landing at the — ..	781
U	
Unguturu Forest Reserves— Question <i>re</i> inconvenience to villagers in the neighbourhood of — ..	401
University Academic Council— Question <i>re</i> lecturers in the — ..	50
University of Madras— Question <i>re</i> grant to — ..	45-46
Uppi Sahib, Mr. K.— Bill—Malabar Tenancy Bill ..	696-698, 699
— Malabar Tenancy Bill, discussion <i>re</i> the time limit to the speakers on — ..	810
— Malabar Tenancy Bill, Select Committee on the, — ..	816
Motion <i>re</i> Narayana Menon, release of Mr. P — ..	838
See Questions and Answers.	
V	
Vaidyanatha Ayyar, Mr.— Question <i>re</i> — overseer of Lebur section, Nellore district ..	643
Valavanar— Question <i>re</i> opening of — ..	423
Vannarpet— Question <i>re</i> exclusion of — from Palancot'ah municipality ..	440
Varadarajulu Nayudu, Doctor— Question <i>re</i> prohibition order on — ..	407
Veerian, Mr. R.— Access of — to Kamalapuram Post office, Question <i>re</i> ..	628-629
Adjournment motion <i>re</i> provincial autonomy, grant of — ..	128
Motion <i>re</i> Council Secretaries, salary of — ..	835
Motion <i>re</i> Lee Commission report	882, 897
Motion <i>re</i> public roads, wells, use of — by members of the depressed classes	827-828
See Questions and Answers.	
Vellingiri Gounder, Mr. V. C.— Motion <i>re</i> Mettur project ..	107

Vellore Central Jail—	
Question re treatment of convicts in the —	622-624
Venkatachalam Chetti, Mr. Sami—	
Adjournment motion re Collector of Malabar	853
Bills—	
City Municipal Act (Amendment) Bill, the Madras —	497-498, 501
Local Authorities Entertainments Tax Bill, the Madras —	364-366
Town-Planning Act (Amendment) Bill, the Madras —	341-342
Stage Carriages and Hackney Carriage Act (Amendment) Bill, the Madras —	237
Demand for supplementary grant re kala azar investigation	101
Motion re Council Secretaries, salary of —	114, 115-116, 322, 323, 329, 331-333
Motion re Lee Commission report	882-885
Point of order re papers on the table, practice of laying —	94, 819
See Questions and Answers.	
Venkataramana Ayyangar, Mr. C. V.—	
Adjournment motion re provincial autonomy, grant of —	85, 125
Bill—	
District Municipalities Act (Amendment) Bill, the Madras —	340
Local Authorities Entertainments Tax Bill, the Madras —	358, 361-362
Motion re Lee Commission report	379-382
Motion re Mettur project	106
See Questions and Answers.	
Venkatarama Sastriar, Mr. T. R.—	
Bills—	
Civil Courts Act (Amendment) Bill, the Madras —	484
Town-Planning Act (Amendment) Bill, the Madras —	344
Venkataramareddi, Rao Bahadur C.—	
See Questions and Answers.	
Venkatareddi Nayudu, Rai Bahadur Sir K.—	
Adjournment motion re provincial autonomy, grant of —	128-131
Adjournment motion re Collector of Malabar, speech of —	850-852
Bill — City Municipal Act (Amendment) Bill, the Madras —	500
Discussion re Council sitting on 28th August 1924	859
Motion re Lee Commission report	901, 905-907
Point of order re motions which are not recommendations to Government, admission of —	871-872
Vernacular—	
Question re— as compulsory medium of instruction	784
Veterinary aid—	
Question re—in the Chingleput district	745-746
Veterinary College—	
Question re stipends to students in the — belonging to Ceded districts	745
Veterinary hospital—	
Question re — for the western taluks of Bellary	792
Veterinary officers—	
Question re headquarters of — of the IV circle	57
Vexatious and Frivolous Suits Act of 1922—	
Question re—	22
Viceroy's visit—	
Question re arrangements at Madura in connexion with —	427
Vijeswaram head sluices—	
Question re the capacity of —	838
Village Panchayat Court(s)—	
Question re conduct of elections to the — of North Arcot district	284
Question re election to —	28-29

Village panchayats—	
Question re—	299
Question re nomination of non-commissioned officers, etc., to—	654-655
Question re transfer of poramboles to—	652
Villages—	
Question re regrouping of —	259-260
Question re regrouping of — in South Arcot district	610-611
Question re re-inclusion of certain — now in Divi taluk under the Bandar taluk	601-602
Question re restoration of regrouped —	609-610
Villupuram-Trichinopoly Chord line—	
Question re—	409-410
Vocational training—	
Question re — in schools	396
W	
Water-supply—	
Question re — for the depressed classes at Pillari Kuppam, Chendragiri taluk board	437, 472
Question re — in Vellore town	782
Weir—	
Question re construction of a — at Chidipi	638
Wet lands—	
Question re irrigable — in Bhimavaram taluk	606
Y	
Yahya Ali Sahib, Mr.	
Adjournment motion re provincial autonomy, grant of —	135-136
Bills—	
Civil Courts Act (Amendment) Bill, the Madras—	486, 487
Local Authorities Entertainments Tax Bill, the Madras—	362
Local Boards Act (Amendment) Bill, the Madras —	816-820
Motion re — Council Secretaries, salary of —	331
See Questions and Answers.	
Z	
Zavitski, Mr.—	
Question re alleged police espionage of —	284-286

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency the Rt. Hon. the *Viscount* GOSCHEN OF HAWKHURST
G.C.I.F., G.B.E. Took his seat on 14th April 1924.

Members of the Executive Council.

1 The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SABIB Bahadur
K.C.I.F., Member in charge of Revenue. Took his seat on 17th December
1920 and is in charge of the following portfolios :—

Boilers.	Land Revenue.
Census.	Mines.
Constitution of districts, divisions and taluks.	Pounds and special funds.
Economic condition (including prices and wages).	Stamps.
Escheats.	Treasure trove.
Famine.	Wild animals.
	Yeomials and hereditary pensions.

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

Administration report.	Labour (including factories).
Agency and Laccadives.	Malabar affairs (including law and order in Malabar).
Air-craft.	Military.
Arms and explosives.	Passports.
Civil supplies.	Pilgrims to the Hedjaz.
Court of Wards and Zamindars.	Political (other than matters relating to Indian States).
Criminal Tribes Act.	Press and registration of books.
Depressed classes.	Railways.
Ecclesiastical.	Reformatories.
Emigration.	Rewards for saving life and property.
European education.	Staff and household of His Excellency the Governor.
Foreigners.	
Forests (including cinchona).	
Government Houses	
Jails.	

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

Breach of Contract Act.	Legislative.
Certificate of age and qualifica- tion.	Magistracy.
Civil Justice.	Miscellaneous Judicial heads.
Criminal Justice (including peti- tions for mercy).	Police including Criminal Investi- gation Department.
Elections.	Report on matters of political and administrative importance.
Fortnightly report.	Regulation of medical and other professional qualifications and standards.
Electricity (including hydro- electric schemes).	State prisoners.
Irrigation.	Translators to Government.
Landlord and tenant.	

4. The hon. Mr. R. A. GRAHAM, C.S.I., I.O.S., Finance Member. Took his seat on 26th April 1924 and is in charge of the following portfolios:—

Central subjects—

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

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

Ministers.

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

Adulteration of foodstuffs.
Local.
Medical.
Municipal.

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

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

Education.
Excise.

Public Works.
Registration.

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

Agriculture.
Co-operative Societies.
Fisheries.

Industries.
Veterinary.
Weights and Measures.

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

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

Deputy President.

Diwan Bahadur P. KESAVA PILLAI.

Panel of Chairmen.

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

Secretary to the Council.

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

Assistant Secretary to the Council.

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

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name of constituency.
1. Abbas Ali Khan Bahadur ...	Madura, Trichinopoly cum Srirangam M. Urban.
2. Abdul Hye Sahib Bahadur ...	Ceded Districts M. Rural.
3. Abdul Wahab Sahib, Munshi ...	Northern Circars M. Rural.
4. Abdulla Ghatala Sahib Bahadur ...	North Arcot cum Chingleput M. Rural.
(Council Secretary).	
5. Adinarayana Chetti, T. ...	North Arcot N.-M. Rural.
6. Anjaneyulu, P. ...	Guntur N.-M. Rural.
7. Ankinedu Prasad Bahadur, S. R. Y. ...	North Landholders II.
8. Appavu Chettiyar, D. ...	Salem N.-M. Rural.
9. Ari Gowder, H. B. ...	Nilgiris N.-M. Rural.
10. Arpudaswami Udayar, S. ...	Tanjore cum Trichinopoly Indian Christian.
(Council Secretary).	
11. Arumuga Nadar, P. K. S. A. ...	NOMINATED for Nadars.
12. Bhanaji Rao, A. V. ...	Vizagapatam N.-M. Urban.
13. Biswanath Das Mahasayo, Sriman ...	Ganjarg N.-M. Rural.
14. Chidambara Nadar, A. ...	Madura N.-M. Rural.
15. Congreve, C. R. T. ...	Madras Planters.
16. Cruz Fernandez, Rao Bahadur. ...	Ramnad cum Tinnevelly Indian Christian.
17. Davies, R. W. ...	NOMINATED. (Secretary to Government, Finance Department.)
18. Davis, J. A. ...	NOMINATED for Anglo-Indians.
19. Devendrudu, N. ...	NOMINATED for Adi-Andhras.
20. Ellappa Chettiyar, Rao Sahib S. ...	Salem N.-M. Rural.
21. Ezhirajulu Nayudu, Diwan Bahadur P. C. ...	Guntur N.-M. Rural.
22. Gangaraju, M. ...	Kistna N.-M. Rural.
23. Ghouse Mian Sahib, Muhammad. ...	Central districts M. Rural.
24. Gopala Menon, C. ...	S. I. Chamber of Commerce.
25. Gopalan, Rao Sahib P. V. ...	NOMINATED for Mukkuvans or Fishermen.
26. Graham, C.S.I., I.C.S., The hon. Mr. R. A. ...	EX-OFFICIO.
27. Guruswami, L. C. ...	NOMINATED for Arundhatayas.
28. Habib-ul-lah Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Muhammad. ...	EX-OFFICIO.
29. Haji Qasim Sahib Bahadur, Khan Bahadur Haji Abdullah. ...	South Kanara M. Rural.
30. Hawkins, P. ...	NOMINATED for the Irrigation Bill. (Secretary to Government, Public Works (Irrigation) Department.)
31. Kesava Pillai, Diwan Bahadur P. (Deputy President). ...	Anantapur N.-M. Rural.

Name of member.	Name of constituency.
32. Khalif-ul-lah Sahib, Khan Bahadur P. ...	Madura cum Trichinopoly M. Rural.
33. Knapp, K.C.I.E., C.S.I., C.B.E., I.C.S., The hon. Sir Arthur. ...	EX-OFFICIO.
34. Koti Reddi, K. ...	Cuddapah N.-M. Rural.
35. Krishna Rao Pantulu, Rao Bahadur A. S. ...	Nellore N.-M. Rural.
36. Krishnan Nayar, Diwan Bahadur M. (Chairman). ...	Malabar cum Anjengo N.-M. Rural.
37. Krishnaswami Nayudu, Rao Bahadur K. ...	North Arcot N.-M. Rural.
38. Kuppuswami, J. ...	Guntur N.-M. Rural.
39. Legh, E. W., C.I.E., I.C.S. ...	NOMINATED. (Secretary to Government, Revenue Department.)
40. Madhava Raja, V. ...	Malabar cum Anjengo N.-M. Rural.
41. Madurai, Hon. Lt. ...	NOMINATED for Adi-Dravidas.
42. Mahabala Hegde, B. ...	South Kanara N.-M. Rural.
43. Mallesappa, T. ...	NOMINATED for Lingayats.
44. Marakkavar, V. Hamid Sultan. ...	Tanjore M. Rural.
45. Marthandam Pillai, P. N. ...	Tinnevelly N.-M. Rural.
46. Maruthavanam Pillai, C. ...	Tanjore N.-M. Rural.
47. Mathai, Dr. John ...	NOMINATED.
48. Moidu Sahib, T. M. ...	Malabar cum Anjengo M. Rural.
49. Moore, C.I.E., 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 Tinnevelly 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. Muttayya Mudaliyar, C. ...	Chingleput N.-M. Rural.
56. Muttu Chettiyar, P. C. ...	Ramnad N.-M. Rural.
57. Narasimhacharlu, Rai Bahadur T. M. ...	Cuddapah N.-M. Rural.
58. Narasimha Raju, Rao Bahadur C. V. S. ...	Vizagapatam N.-M. Rural.
59. Narayanan Nambudripad, Rao Bahadur O. M. ...	NOMINATED for Nambudiris.
60. Narayanaswami Pillai, T. M. ...	Trichinopoly N.-M. Rural.
61. Natesa Mudaliyar, Rao Bahadur C. ...	Madras N.-M. Urban.
62. Nicholson, L. C. ...	Madras Trades.
63. Noyce, C.S.I., C.B.E., F. ...	NOMINATED. (Secretary to Government, Development Department.)
64. Obalesappa, B. ...	NOMINATED for Maruthuvakulars (Barbers).
65. Paddison, G. F., C.S.I., I.C.S. ...	Do. (Commissioner of Labour and Protector of the Depressed Classes).

Name of member.	Name of constituency.
66. Pantulu Ayyar, V., alias Venkatarama Ayyar.	Tanjore N.-M. Rural.
67. Partridge, P. W.	Madras European.
68. Patro, The hon. Rao Bahadur Sir A. P. (Minister).	Ganjam N.-M. Rural.
69. Peddiraju, P.	Kistna N.-M. Rural.
70. Ponnuswami Nayudu, C.	Madura N.-M. Rural.
71. Ponnuswami Pillai, K. S.	NOMINATED for Protestant Christians.
72. Prabhakaran Tampan, K.	West Coast Landholders.
73. Premayya, G.	NOMINATED for Adi-Andhras.
74. Raghuoandra Bellala, K.	Do. for Jains.
75. Raja of Kurupam	Northern Landholders I.
76. Raja of Panagal, The hon. 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 Kallars.
80. Rama Rao, Rao Sahib U.	South Kanara N.-M. Rural.
81. Raman, Rao Bahadur P.	NOMINATED for Tiyyas.
82. Ramachandra Ayyar, T. R.	Do. for Malabar Tenancy Bill.
83. Raman Menon, K. P.	Do. do.
84. Ramachandra Reddi, B.	Nellore N.-M. Rural.
85. Ramachari, Rao Sahib K. V. (Chairman).	Madura N.-M. Urban.
86. Ramalinga Chettiyar, Rao Bahadur T. A.	Coimbatore N.-M. Rural.
87. Ramalinga Reddi, C.	Chittoor N.-M. Rural.
88. Ramaswami Ayyar, C.I.E., The hon. Mr. C. P.	EX-OFFICIO.
89. Ramaswami Mudaliyar, A.	Chingleput N.-M. Rural.
90. Rameswara Rao, G.	Anantapur N.-M. Rural.
91. Ranganatha Mudaliyar, A.	Bellary N.-M. Rural.
92. Ratnaswami, M. (Chairman)	Central Districts Indian Christian
93. Rencontre, A. E.	Anglo-Indian.
94. Ross, Thomas McKenzie	Madras Chamber of Commerce.
95. Sagaram, P.	NOMINATED for Setti-Balijas.
96. Saldanha, J. A.	West Coast Indian Christian.
97. Samuel, J. D.	Northern Circars Indian Christian.
98. Sarabha Reddi, K.	Kurnool N.-M. Rural.
99. Sarvarayudu, K.	Kistna N.-M. Rural.
100. Sasibhushana Rath Mahasaya, Sriman.	Ganjam N.-M. Rural.
101. Satyamurti, S.	Madras University.
102. Seetayya, M.	Kistna N.-M. Rural.
103. Seturatnam Ayyar, M. R.	Trichinopoly N.-M. Rural.
104. Simpson, Kt., Sir James	Madras Chamber of Commerce.
105. Sitarama Reddi, K.	South Arcot N.-M. Rural.
106. Siva Rao, P.	Bellary N.-M. Rural.
107. Sivagnanam Pillai, The hon. Diwan Bahadur T. N. (Minister).	Tinnevely N.-M. Rural.

Name of member.	Name of constituency.
108. Srinivasan, R.	NOMINATED for Adi-Dravidas.
109. Srinivasa Ayyangar, R.	South Arcot N.-M. Rural.
110. Subbarayan, Dr. P.	South Central Landholders.
111. Subrahmanya Pillai, K. Chavadi.	Tinnevely cum Palamcottah N.-M. Urban.
112. Sundaramurti, P. V. S.	NOMINATED for Adi-Dravidas.
113. Suryanarayanamurti Nayudu, Diwan Bahadur K.	Cocanada N.-M. Urban.
114. Symons, C.B.E., I.M.S., Major-General Thomas Henry.	NOMINATED.
115. Tangavelu Pillai, Rao Sahib T. C. (Council Secretary).	Trichinopoly cum Srirangam N.-M. Urban.
116. Tanikachala Chettiyar, Rao Bahadur O.	Madras N.-M. Urban.
117. Tyagaraya Chettiyar, Kt., Diwan Bahadur Sir P.	Madras N.-M. Urban.
118. Uppi Sahib, K.	Malabar cum Anjengo M. Rural.
119. Varada Achariyar, S.	NOMINATED for the Madras Irrigation Bill.
120. Veerian, R.	NOMINATED for Adi-Dravidas.
121. Vellingiri Gounder, V. C.	Coimbatore N.-M. Rural.
122. Venkatachala Padayachi, K.	South Arcot N.-M. Rural.
123. Venkatachalam Chettiyar, S.	Madras N.-M. Urban.
124. Venkatarama Sastriyar, T. R.	NOMINATED (Advocate-General).
125. Venkatareddi Nayudu, Kt., Rao Bahadur Sir K.	Godavari N.-M. Rural.
126. Venkataramana Ayyangar, C. V.	Coimbatore N.-M. Rural.
127. Venkataranga Reddi, Rao Bahadur C.	Kurnool N.-M. Rural.
128. Venkatapati Razu, P. C.	Vizagapatam N.-M. Rural.
129. Venkataratnam, B.	Godavari N.-M. Rural.
130. Vijayaraghava Mudaliyar, Diwan Bahadur W.	North Arcot N.-M. Rural.
131. Virappa Chettiyar, Rao Bahadur P. K. A. C. T.	Ramnad N.-M. Rural.
132. Yahya Ali Sahib, Janab Muhammad.	East Coast M. Rural.

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

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

VOLUME XIX.

Monday, the 18th August 1924.

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur
L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.) in the chair.

I

NEW MEMBERS.

The following members were sworn in :--

Sir JAMES FLETCHER SIMPSON, Kt.

Mr. THOMAS MCKENZIE ROSS.

M.R.Ry. T. M. NARAYANASWAMI PILLAI Avargal.

MUHAMMAD GHOUSE MIAN SAHIB Bahadur.

II

OPENING OF THE SESSION BY HIS EXCELLENCY THE GOVERNOR.

His Excellency the Governor who just then arrived at the Council Chamber addressed the Council as follows :—

MR. PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL,—“ This is the first occasion that I have had the privilege as Governor of welcoming the Members of the Legislative Council at the beginning of a session.

“ I can assure you that I can follow your proceedings with deep interest which will not be lessened by the fact that I have had some legislative experience in both Houses of Parliament in England.

“ It is a matter of sincere regret to us that we are meeting to-day under the shadow of a great calamity to this Presidency, a calamity which has evoked a wide and heartfelt expression of sympathy throughout India, in which to-day we sincerely join.

“ It is part of the fate of this country that from time to time it should suffer from famine, flood, storm or epidemics, but it is many a year since it has been visited by a disaster of such intensity, which has affected so wide an area.

“ The Government are fully alive to the necessity for prompt action. They have already taken measures to deal with the immediate and urgent needs of the sufferers and they are now engaged in hastening their plans for restoring communication by road and bridge and canal and for repairing the damage which has been done to irrigation works. They recognize the two-fold gain of a speedy commencement of the work.

[18th August 1924]

"The restoration of through traffic will assist the trade and the necessary work will give employment to a large number of persons who otherwise would now be unemployed and who are suffering materially from the effect of the floods.

"A fund for the relief of distress has been started in Madras which I hope will meet with generous response not only from the citizens of this Presidency but from many parts of India. To those who have helped us in the hour of our distress we return our most grateful thanks.

"In this Presidency community of sorrow and a desire to help have bound together in joint enterprise men of different races, castes and politics who have worked together with singleness of purpose for the relief of the suffering. We earnestly hope that such efforts combined with those of the Government will do much to alleviate the distress.

"The chief measure to be brought before the assembly this session will be the Irrigation Bill.

"One of the first items of business in this session of the Council will be the consideration of a resolution to be moved on behalf of the Government asking for the approval of the Council for the Mettur project. As hon. Members of this House are well aware, this project will serve two great and beneficial purposes, firstly, the reservoir when completed will safeguard and ensure the irrigational needs of the delta tracts and render them much freer from any possible apprehensions of scanty supplies in times when water is greatly needed for agricultural operations. In the second place, the construction of the reservoir will open up certain upland tracts in the Tanjore and adjoining districts and will serve the object of giving a fixed occupation to the Kallar community whose reclamation and whose progress are matters of anxious concern to the Government. The Mettur scheme has been rendered possible by means of the execution and ratification of the Cauvery agreement. It is needless for me to enter into the details concerning the scheme, but I cannot help advert to the circumstance that the present and past technical advisers of my Government have come to the deliberate conclusion that the agreement is one which is evidently satisfactory in character and conceived in the interests of this Presidency. It must not also be forgotten that the conclusion of the agreement was rendered possible mainly through the good offices of the irrigation expert to the Government of India who is as much concerned as anyone else with the protection of the interests and the rights of this Presidency. It is a matter of satisfaction to my Government and will, I am sure, be a matter of satisfaction to the people affected that a longstanding controversy which has hindered irrigational progress both in Madras and Mysore for a long series of years has been set at rest by a compromise which has secured the approval of those best competent to judge of its merits.

"The labours of the Select Committee on the Irrigation Bill have been concluded and the Bill itself is after publication of the amended draft likely to be introduced in September. It is clear from a perusal of the revised Bill that many changes have been effected and many amendments carried in the committee of a very important nature. My Government has been actuated by the idea that it is their duty to respect vested interests as far as possible and give effect to the decisions of the highest courts in the land while at the same time preserving to the State an ultimate right of control

18th August 1924]

and regulation over resources of water-supply and irrigation works in order to promote the greatest good of the greatest number. It is to be hoped that the Council will recognize that the object of the Government has not been to confiscate any private rights but merely to secure for itself certain essential rights but for which irrigational progress would be impossible and further to get an adequate return to the State without which the construction of large and beneficial works would be impossible of achievement.

"Another important measure which this House will have to consider is the one designed to amend the Civil Courts Act. The object of the amendment is *inter alia* to secure expeditious and economical disposal of cases and to obviate the necessity of the establishment of temporary courts with their attendant cost and inconvenience. This measure will, I am sure, be welcomed by all sections in this House and outside as I know the feeling is very strongly entertained that justice delayed is often tantamount to justice denied.

"There are other measures likely to engage the attention of this Council but I need not discuss all of them. I should like, however, to mention the Bill to secure the Registration of Nurses and Midwives; its object is to insist that nurses and midwives who perform responsible duties should possess certain minimum qualifications and to provide for the discipline and control which are necessary in the interests of the community.

"You will also have before a Bill of which the object is to empower local authorities to levy taxes on entertainments and other amusements, which it is hoped will enable these local bodies to equip themselves with additional resources.

"The Home Member and the Law Member and I have received a deputation on behalf of the janmis and another on behalf of the Malabar tenants. It is admitted on all hands that the question of the formulation, amendment and codification of the law relating to tenancy in Malabar—a subject which has of late evoked considerable interest—is by no means simple of solution. It was my hope that it would be possible to secure the co-operation and assent of at least the majority of those on either side who are affected or are likely to be affected by such an enactment. I cannot forget that as Governor of this Presidency I am charged by His Majesty under the Instrument of Instructions and indeed even otherwise with the protection of the rights of minorities; and although *kanamdars*, *verumpattamdars* and the actual cultivators of the soil constitute the vast bulk of those interested in the problem, yet I cannot but pay due heed to the representations and interests of the janmis who have in practice for a long series of years been recognized as the proprietors of the soil to an extent and degree unknown elsewhere in India. In saying this I do not forget that the validity and expediency of the janmis' contention have been questioned but the narration of these circumstances will itself furnish an index of the complexity of the problem.

"It will be the duty of the Legislative Council in its consideration of this measure not to ignore vested interests while attempting to secure comparative fixity of tenure to those who may in its opinion be entitled thereto. Even though it has not been possible so far to discover a formula which will represent the points of ultimate agreement between the parties, I yet hope that after the introduction of this measure into the Council and during its

[18th August 1924]

subsequent stages an attempt will be seriously made to devise a measure which will not be regarded on the one hand as subversive or confiscatory in character and on the other hand will confer on those legitimately entitled to it the enjoyment of those rights of property and its ~~use~~ ^{year} which are justly cherished in this country especially by the actual cultivator of the soil who is particularly tenacious of his homestead and his farm.

"I am sure that hon. Members of this House will remember in dealing with this topic that it is one of the tests of wisdom and responsibility of Parliaments and Councils to protect the rights of minorities as well as to safeguard and advance the rights of every class of His Majesty's subjects.

"At the present moment a Reforms Committee is sitting to consider the working of the Reform Scheme. As the matter is now *subjudice*, it would not be fitting for me to discuss it to-day. I will content myself by saying that all those who have at heart the peace and happiness of this province and the welfare of her people, aye, and of the other parts of India too, will pray that the result of these deliberations may conduce to the future prosperity of this country.

"Gentlemen, the session is now open and your deliberations will begin.

"I am confident that you will bring to bear upon them a calm mind, a sober judgment, a breadth of view, because it is only by so doing that you can maintain the dignity of your Council, and be true to the responsibility which is imposed upon you as representatives of the people." (Cheers).

His Excellency then left the Council Chamber.

III

REMARKS OF THE HON. THE PRESIDENT ON SUPPLEMENTAL QUESTIONS.

The hon. the PRESIDENT :—"Hon. Members will probably agree with me that the time has come for reviewing, in the light of the experience gained during the last two sessions, the practice of this House in dealing with supplementary questions. It must be admitted to the credit of the House that a great many questions have been asked and answered on matters of first-rate importance, whereby the necessity for resolutions, costing more time and labour, has been avoided. To the same end supplementary questions have been freely asked by hon. Members and as freely answered by the Government. It is possible that, but for this mutual co-operation, a protest might have been raised long ago against the practice, which has lately sprung up, of treating certain questions as so many circumstances, I would have been loath to interfere with the discretion of the House in this matter, or might have waited until some one proposed an effectual remedy by amending the Standing Orders. I felt, however, that habitual disregard of rules was not a matter to be viewed with indifference and in particular that it was incumbent on me to interfere on behalf of those hon. Members whose questions on any given day might happen to be set down for answer towards the end of question time, but who, in the present circumstances, have not the opportunity of putting a single supplemental question because other hon. Members have exhausted the hour by asking supplemental questions. Moreover I have to draw the attention of all hon. Members to another serious inconvenience with which we are all threatened. Owing to the enormous number of original questions which are

[18th August 1924]

[The President]

asked now-a-days and whose very number constitutes a grave problem calling urgently for remedy, it becomes necessary to put down some two hundred questions or more to be answered on the first and second days of each monthly sitting of the House: but at the present daily average rate of supplemental questions, it is impossible that anything like 200 questions could be answered within the allotted hour. It is, therefore, advisable on this account also that we should come to an early understanding as regards supplemental questions. I do not wish to set down a numerical or a time limit to supplemental questions, although it is easy to deduce maximum limits from the best practice of legislative assemblies elsewhere: but I would submit the following points for the earnest consideration of hon. Members who may have to ask or to answer supplemental questions :—

"(1) A supplemental question being one asked without notice, it is imperative that the questioner and the hon. Member of the Government who proposes to answer him should alike pause when such a question is, or is about to be, asked, and consider whether the rules on the subject of questions would allow it, and in particular, (a) whether the supplemental question is strictly a demand for information, or is a point submitted, however courteously, for consideration by the Government, in which latter case it would be entirely within the discretion of the Government whether to promise to consider the new point or to decline to do so; (b) whether the question bears, as it ought to do, on a 'matter of fact regarding which an answer has been given,' or is an invitation to discuss an analogous case, a legal point, a point of interpretation, a point of general decorum, and so on, in short, a preliminary to a debate on no one question in particular, which may bid fair to last for 15 or 20 minutes. Instances of such infringements of the rule regarding supplemental questions are to be found in any number in the official reports of questions asked during the last session.

"(2) After the first two or three supplemental questions have been put, even greater care has to be exercised afterwards than before, in scrutinizing further supplemental questions, as it is generally at this stage that extraneous matter, either remotely or not at all connected with the answer to the original question, is apt to crop up.

"When some necessary experience is available as to how far these checks prove effective in practice, and in case it is found that the number of questions set down for each day is still such that it cannot be disposed of conveniently during question time, I would suggest that definite proposals be made to amend the Standing Orders. In the meanwhile I would ask hon. Members to endeavour to reduce the number of original questions by carefully pruning them so as to avoid the several pitfalls enumerated in my predecessor's speech, dated 12th October 1921. I am not yet in a position to add to the catalogue of hints so carefully drawn up by him: but I am tempted to attach a corollary to the following observation which he then made :—'Where the questioner has information about the truth of which he is not certain, and he wishes to have it verified by a reference to the Government, the question must be put in a form such as would indicate that wish clearly'. I find that in very many cases, where a question begins with the formula 'whether it is a fact that...' the questioner is in no uncertainty as to the correctness of his information but wishes to extract from the Government an admission, to be made use of either in a later part of the same question or in a supplemental question. In these cases it would tend to

[The President]

[18th August 1924]

avoid prolixity of questioning and at the same time to secure simplification of answers, if instead of asking first a question as to whether a certain fact was admitted and then a second question calling for information on the basis of that admission, a single question was put, calling at once for the desired information."

IV

QUESTIONS AND ANSWERS.

11-30 a.m.

[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.]

Deputy Collectors.

Selection list of Deputy Collectors.

1 Q.—Mr. MUHAMMAD MOOSA SAIT SAHIB: Will the hon. the Member for Revenue be pleased to state—

- (a) whether the lists of tahsildars and other officials found fit for deputy collector's posts are prepared and revised annually by Government and appointments made by Government from such annual lists; and
- (b) whether the lists of persons qualified for tahsildar's and deputy tahsildar's posts are also prepared and revised annually?

A.—The hon. Member is referred to the answer given to question No. 769 at the meeting of the Legislative Council held on 26th March 1924.

Settlement.

Assessment of land revenue in Tanjore.

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

- (a) whether his attention has been drawn to the resolution of a conference of the Tanjore mirasidars passed at Mayavaram in March 1924;
- (b) whether in view of the economic grievance which exists in the district the Government propose to redress the same by remitting or reducing the enhanced assessment; and
- (c) if not, the reasons why the Government wish to deviate from the provision of the Land Revenue Settlement Bill that 18½ per cent increase of assessment is the maximum leviable in cases of percentage increases of assessment in consequence of re-settlement?

A.—(a) Government have received no copy of the resolution but have seen the newspaper account of the proceedings of the conference referred to.

(b) & (c) The attention of the hon. Member is invited to the Press Communiqué, dated 19th May 1924.

[18th August 1924]

Mr. S. SATYAMURTI:—"Sir, may I ask the hon. Member for Revenue whether he has considered the case of the increased assessment on lands which is less than 25 per cent, because the Government Order is that in cases where the assessment is 25 per cent, there shall be a reduction? May I ask if the Government have considered the case of other lands whose assessment is less than 25 per cent, that is 18½ per cent, and why they have not granted exemptions on those lands?"

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"The communiqué was the result of a consideration of all the questions involved."

Resettlement in Tanjore.

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

- (a) whether his attention has been drawn to the resolutions of the Tanjore Mirasidars' Conference at Mayavaram held in March 1924;
- (b) whether he has satisfied himself that there is genuine economic discontent in the district over the re-settlement rates; and
- (c) what steps, if any, the Government propose to take to allay that discontent?

A.—The hon. Member is referred to the answer to question No. 2.

Agency Fituri.

Fituri operations in 1924.

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

- (a) the occasions when the Police actually came into contact with the fituri this year, i.e., 1924;
- (b) the directions in which the local population are expected to co-operate with the Police in terminating the operations of the fituri; and
- (c) the reasons why the local population refuse to co-operate with the Police, and the remedies, if any, which the Government propose to adopt?

A.—(a) Assuming that the question refers to actual collisions with the rebels, the information for 1924 wanted by the hon. Member is briefly (1) that on the 19th January the rebels murdered an intelligence constable, (2) that on 19th April the Assam Rifles surprised and fired on a party of rebels and (3) that contained in the press communiqués dated the 7th and 16th May and 5th, 10th, 16th and 25th June and 9th July 1924.

(b) The main directions in which the local population are expected to co-operate with the Police are (1) that they should seize and deliver up to the authorities any rebels who come to their villages or, should this not be practicable, that they should give immediate information of such visits to the authorities and (2) that they should not harbour any of the rebels or assist them with food and supplies.

(c) The main reasons appear to be fear of reprisals from the rebels and a yielding to the arguments of disaffected persons. The obvious remedial measures are to capture the rebels and to arrest and remove persons known to be disaffected.

[18th August 1924]

Mr. S. SATYAMURTI:—"May I ask the hon. the Home Member what class of persons he includes under the phrase 'disaffected persons' in clause (c) of the answer, whether they include anyone except the rebels, and, if so, who they are?"

The hon. Sir ARTHUR KNAPP:—"I do not consider that that phrase ought to need any further explanation. It includes everyone who, in the opinion of the local officers, is disaffected. I am afraid I cannot add to that."

Mr. S. SATYAMURTI:—"Does it mean that the phrase includes people against whom there is no ground for proceeding in law, but against whom the officers concerned have some suspicion of their disaffection?"

The hon. Sir ARTHUR KNAPP:—"I may perhaps mention that the answer to clause (c) already answers my hon. Friend's question. It shows that we have drawn an obvious distinction between capturing rebels and arresting and removing persons disaffected. If his question is whether the term 'disaffected' refers only to rebels, my answer is clearly in the negative."

Mr. S. SATYAMURTI:—"May I ask, what are the powers of Government under which they can arrest and remove persons known to be disaffected?"

The hon. Sir ARTHUR KNAPP:—"The Agency Commissioner has powers to deal with State prisoners under the Regulation of 1819."

Criminal Tribes Act.

The administration of the Criminal Tribes Act.

5 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state whether the Government have any intention of appointing a representative non-official committee to investigate and report on the administration of the Criminal Tribes Act among the Kallars of Madura?

A.—The Government are not aware of any reasons that would justify the appointment of such a committee and have no present intention of appointing a committee.

Mr. P. S. RAJAPPA:—"May I ask whether the Government have been receiving any reports from Madura on the administration of the Criminal Tribes Act?"

The hon. Sir ARTHUR KNAPP:—"I did not hear my hon. Friend quite clearly; but if he asks whether we have been receiving any reports, I may say that we are receiving periodical reports from Madura, and, to the best of my belief, Sir, they have been published."

Ecclesiastical.

The Indian Christians of Ambur.

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

(a) whether the Indian Christians of Ambur have formed themselves into a separate congregation with the Reverend Isaac as their pastor;

[18th August 1924]

(b) whether he applied for a licence to solemnize Christian marriages and

(c) whether the licence was refused and why?

A.—(a) The Government understand that the Reverend Isaac is trying to found a Church of his own but that it has not taken a permanent shape.

(b) Yes. He applied to the District Magistrate of North Arcot for a licence.

(c) The District Magistrate refused to recommend the application to Government on the ground that there was no proved necessity for the grant of a licence to the Reverend Isaac since there were other persons at Ambur licensed to solemnize Christian marriages.

Mr. S. SATYAMURTI:—"May I ask whether, when the Church takes a permanent shape, if it does, the Government will grant the licence for solemnizing marriages?"

The hon. Sir ARTHUR KNAPP:—"I do not think I am required to reply to a hypothetical question."

The hon. the PRESIDENT:—"I should be obliged if hon. Members would, before putting supplementary questions, indicate the very subdivision, whether lettered or numbered, to which the question refers, and secondly, if they would not go back upon a clause which has already formed the subject-matter of a supplementary question. They are requested to ask questions in an order as far as possible."

Forests.

Kudiramoli reserve in Tinnevely district.

7 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Home Member be pleased to state—

(1) whether it is a fact that the Kudiramoli reserve forest in Tinnevely district, whose boundary runs within one-eighth of a furlong to the south of the village Katchnavelai, is a source of trouble and annoyance to the villagers and the trouble has been aggravated by the introduction of Tinnevely-Tiruchendur Railway line which runs between the village and the forest;

(2) whether the Government propose to take any steps to mitigate the trouble;

(3) whether the District Collector and the District Forest Officer of Tinnevely have made any recommendations about the matter;

(4) whether any petition has been submitted to the Government by the villagers; and

(5) if so, whether the Government have passed any orders on the petition?

A.—(1) The villagers of Katchnavelai have complained of the proximity of the reserve to the village.

(3) After full discussion between the District Forest Officer, the Collector, the Conservator of Forests and the Chief Conservator, it has been decided to disforest a belt of forest half a mile in width adjoining this village. Pending formal disforestation, the belt has been thrown open to free grazing.

[18th August 1924]

(4) Yes. Three petitions have been received.

(2) & (5) The Government are awaiting the proposals for diaforestation.

Mr. T. ADINABAYANA CHETTIYAR :—"Does the Government propose to assign the lands disafforested to the ryots in the village?"

The hon. the PRESIDENT :—"The Government say that they are awaiting proposals."

The reserve forest in Poichaloor village.

8 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Home Member be pleased to state—

(1) whether it is a fact that the boundary line of the reserve forest in Poichaloor village in Madura district runs through the village; and

(2) if so, whether the Government have taken any steps to remove the boundary line?

A.—(1) Yes.

(2) The matter is under consideration.

The occupation of the forest office building at Adoni.

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

(a) whether, as a result of the transfer of the Forest ranger's office from Adoni to Bellary, the forest office building in Adoni fell vacant;

(b) whether any applications for its occupation, and, if so, from whom, were received; and

(c) how the building has been finally disposed of, whether permanently, or temporarily, to whom, by whom and on what terms?

A.—(a) Yes; on account of the abolition of the Adoni range.

(b) An application for its occupation was received from Pastor P. Bhushanam of the Telugu Village Mission, Adoni, through the Collector of Bellary.

(c) The building has been let temporarily to the Mission on a monthly rental of Rs. 10.

The forest office at Harpanahalli.

10 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member and the hon. the Minister for Development be pleased to state—

(a) whether the office of the forest ranger, Harpanahalli range, Bellary district, has been abolished;

(b) whether the building hitherto in use for the forest office at Harpanahalli is now vacant; and

(c) whether proposals are under consideration by the Government to open a veterinary dispensary at Harpanahalli?

A.—(a) The Harpanahalli range has not been abolished.

(b) The question does not arise.

(c) It is proposed to open a veterinary dispensary at Harpanahalli in 1925-26, if funds permit.

18th August 1924]

Jails.

The number of persons convicted of Political offences.

11 Q.—Mr. C. GOPALA MENON: Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) the number of persons convicted of political offences in the years 1920, 1921, 1922 and 1923;

(b) the number of persons relieved

(1) on their prayers for being pardoned,

(2) by Government as a matter of grace;

(c) the number of persons who came out of the jails after serving their full term; and

(d) the number of women convicted for such offences?

A.—The hon. Member is informed that the Government do not recognize any classification of offences as "political offences". If he will specify the sections under the Indian Penal Code for which he requires information, the Government will consider whether it can be collected.

The hunger-strike of Mr. Balasubramanyam Gupta.

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

(a) the reasons for the hunger-strike of Mr. Balasubramanyam Gupta, a prisoner in the Cuddalore Jail;

(b) whether his grievances have been redressed; and

(c) whether he is treated as a special class and, if not, why not?

A.—(a) The Superintendent's refusal to allow him luxuries which are not permissible under the rules.

(b) No; such special diet as was advised by the medical officer was allowed.

(c) As the Government received no application from the court that tried the prisoner to place him in the special division, he was not so placed. The application lies within the discretion of the court.

Mr. S. SATYAMURTI :—"As the answer to clause (c) is framed, may I take it that even after the magistrate recommends a prisoner to be placed in a special division, the Government have further discretion in the matter?"

The hon. Sir ARTHUR KNAPP :—"Yes, Sir. The proposal is made by the Court subject to confirmation or acceptance by the Government."

Mr. S. SATYAMURTI :—"If that is so, may I ask, with reference to the same clause, whether the Government have any reasons why this Balasubramanyam Gupta should not be treated as a special class prisoner?"

The hon. Sir ARTHUR KNAPP :—"Because, Sir, there has been no proposal from the Court to that effect."

Mr. S. SATYAMURTI :—"Therefore, Sir, may I take it that if the Court does not make a proposal, the Government cannot take any action in the matter at all?"

The hon. Sir ARTHUR KNAPP :—"That is the rule as it stands."

[18th August 1924]

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I ask what were the luxuries which this poor prisoner asked the Superintendent to be allowed to him?"

The hon. Sir ARTHUR KNAPP:—"I am afraid I must have notice of that question."

Military.

The Indian Territorial Force.

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

(a) whether the Government of Madras encouraged the enrolment of Government servants in the Indian Territorial Force and how;

(b) whether the Government servants trained in the Territorial Force were given pay and allowances equivalent to the corresponding ranks of His Majesty's Indian Forces in addition to their ordinary civil pay during the period of their training;

(c) whether the pay and allowances given to these candidates were recovered by the Accountant-General, and why;

(d) what are the privileges gained by joining the force referred to in paragraph 9 of the Press Communiqué, dated 5th November 1921, and whether they have been published; and

(e) whether any other local Government has collected the pay and allowances from these Government servants after having been trained?

A.—(a) The hon. Member is referred to G.O. No. 768, Public, dated 5th November 1921,* and G.O. No. 889, Public, dated 21st December 1921,† wherein the Government have expressed a desire that District Officers should do their best to make the Territorial Force popular.

(b) & (c) The pay of Government servants undergoing training is regulated by G.O. No. 825, Public, dated 13th October 1922. A copy of the Government Order is attached.‡ In some cases recovery of pay had to be made where military pay (less than the civil pay of the individuals) was drawn in addition to the latter.

(d) The privileges attached to membership of the Territorial Force include the following:—

(1) The grant to officers of Honorary King's Commission with the title of 2nd Lieutenant and Lieutenant with the social advantages of rank and precedence conferred by such a commission.

(2) The privilege of being a part of the Defences of India.

(3) The assistance of all Service Associations which are organized for the welfare of the members of the Indian Army.

(e) The Government have no information.

* Vide Appendix I (1) on page 58 infra. † Vide Appendix I (2) on page 71 infra.
‡ Vide Appendix I (3) on page 72 infra.

18th August 1924]

Mr. S. SATYAMURTI:—"In answer to clauses (b) and (c) it is stated: 'In some cases recovery of pay had to be made where military pay (less than the civil pay of the individuals) was drawn in addition to the latter.' May I know the reasons?"

The hon. Sir ARTHUR KNAPP:—"The reasons, I think, Sir, are explained in the Government Order which has been placed on the table, viz., the existence of the rule under which a member of the Territorial Force could draw either military or civil pay, whichever was more, but was not entitled to draw both."

Passports.

The segregation camp at Tattaparai.

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

(a) whether at the Tattaparai segregation camp, three hundred to four hundred passengers are compelled to occupy wards 1 and 2 which cannot accommodate more than fifty;

(b) whether the latrines are so close to the dining halls as to make the atmosphere obnoxious;

(c) whether it is a fact that the supply of good water is inadequate for bathing or drinking and the meals are of very inferior quality;

(d) the nature of the accommodation provided for passengers who undertake their own cooking;

(e) whether the passengers are prevented from bringing their own provisions into the camp;

(f) whether passengers frequenting India on business and even having prominent vaccination marks are compelled to get themselves re-vaccinated; and

(g) whether a commission of inquiry is proposed to be appointed to inquire into the working of the camp?

A.—(a) to (g) The Government are calling for a report from the Commissioner of Labour.

Railways.

Indian refreshment in South Indian railways.

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

(a) whether the South Indian Railway Company intend to run Indian refreshment rooms themselves instead of through contractors; and

(b) whether the Company propose to consult public opinion before they take this step?

A.—The Government have no information.

Mr. S. SATYAMURTI:—"May I know if the Government will call for the information, especially in view of the communiqué published in the press, I believe, yesterday or the day before, that the Railway Company proposes to do this?"

[18th August 1924]

The hon. Sir ARTHUR KNAPP :—"No, Sir. I am afraid I cannot undertake to intervene any further in a matter of this kind which my hon. Friend knows is not under our control, but is under that of the Government of India."

Drinking water-supply to passengers at railway stations east of Calicut.

16 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware that the water supplied to passengers at several stations from Calicut eastwards is often mud-coloured and undrinkable;

(b) whether it is a fact that several passengers refuse to take such impure water for drinking purpose and hence they suffer very much;

(c) who is supposed to check this at various stations from Calicut eastwards; and

(d) if the Government have no information at all, whether the Government will be pleased to call for the information?

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

(d) No. The matter is one which can most appropriately be mooted in the Local Advisory Committee of the South Indian Railway on which the Legislative Council is represented.

Schemes of railway development in the Presidency.

17 Q.—Mr. C. GOPALA MENON: Will the hon. the Home Member and the hon. the Minister for Local Self-Government be pleased to state the various schemes of railway development in the Presidency whether in the shape of main lines or branches which are (a) under proposal; and (b) under construction?

A.—(a) A list of the branch lines which have been proposed as District Board lines is appended.* As regards main lines and branch lines undertaken by the Railway Board, the Government are unable to make any statement as to the intention of the Railway Board, except in regard to the Nilambur-Shoranur line which has been sanctioned.

(b) There are no lines in this Presidency actually under construction at present.

Acts.

Vexatious and Frivolous Suits Act of 1922.

18 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the Government propose to extend to this Presidency the Vexatious and Frivolous Suits Act, 1922?

A.—The Government have no such intention at present.

* Vide Appendix II on page 72 infra.

[18th August 1924]

Civil Justice.

Hours of attendance of District Judges, etc., in Courts.

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

(a) whether all District Munsifs, Subordinate Judges, Magistrates of all classes, and District Judges, attend Court at 11 a.m. and rise at 5 p.m. with half an hour's interval for lunch;

(b) if the Government have no information, whether they will be pleased to call for the same; and

(c) whether the Government have any intention of issuing orders, enforcing regular court hours?

A.—The recognized court hours are from 11 a.m. to 5 p.m. with an interval for lunch.

In the absence of specific complaints of irregular attendance, the Government see no reason to call for information or to issue orders on the subject.

Mr. S. SATYAMURTI:—"May I ask if the hon. the Law Member's attention has been drawn to the striking evidence of Mr. J. C. Adam, Public Prosecutor, before the Civil Justice Committee that one of the causes of delay is that Indian Judges attend Court at 1-30 p.m., when they have got to attend at 11 a.m.? In view of that statement by a responsible officer of the Crown, will the hon. the Law Member undertake to investigate the matter further?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Though the statement was made by Mr. Adam, I think he was exaggerating. There are individual cases, but I do not think he was right in his general statement."

Mr. S. SATYAMURTI:—"If there are individual cases, Mr. President, may I ask the hon. the Law Member to find out how many of such individual cases there are?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Now and then we do receive complaints regarding individual cases, and they are dealt with at once, and I undertake so to do in all cases."

Location of Subordinate Judge's Court at Karaikudi.

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

(a) whether there is any proposal to locate a subordinate judge's court at Karaikudi; and

(b) whether a first-class Bench Magistrate's Court is to be located at Pallathur?

A.—(a) No.

(b) Yes.

[18th August 1924]

Criminal Justice.*The alleged Imperial Bank fraud case.*

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

(a) whether Mr. Nugent Grant has been appointed Special Public Prosecutor to conduct the Imperial Bank fraud case, before the High Court also;

(b) the remuneration to be paid to him; and

(c) whether the Advocate-General was asked to conduct the prosecution and, if not, why not?

A.—(a) Yes.

(b) Rupees 175 a day.

(c) No. Mr. Grant, who appeared before the Chief Presidency Magistrate, is conversant with the facts of the case.

Mr. S. SATYAMURTI:—"May I ask with reference to the answer to clause (a) of my question, when Mr. Nugent Grant was appointed Special Public Prosecutor, especially with reference to the answer of the hon. the Law Member in this House to my long list of questions, whether it was before or after that?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think the particulars will appear in the communiqué which at 3 p.m. will be placed on the Table of this House, and my present recollection is that it was after."

Mr. S. SATYAMURTI:—"With reference to the answer to clause (b), may I ask whether to the knowledge of the hon. the Law Member, Mr. Nugent Grant is receiving an additional remuneration from the Imperial Bank also?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I want notice."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I enquire if there is any understanding as regards that, as to whether the Imperial Bank pays the whole or a portion of the Rs. 175?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"None."

Mr. C. V. VENKATARAMANA AYYANGAR:—"The answer to clause (b) is that the remuneration to be paid is Rs. 175?"

The hon. the PRESIDENT:—"It will be by Government."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have said that there is none."

The RAJA OF RAMNAD:—"Is it permissible for Special Public Prosecutors to receive remuneration from Parties?"

The hon. the PRESIDENT:—"The question does not arise."

Irrigation.*Mullikadu irrigation project*

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

(a) whether about 45 years ago an irrigation project near Mullikadu, a hamlet for Moliyanur, a village about ten miles from Bommidi railway station, was taken on hand with a view to construct a dam across the Vanayar river and a lakh of rupees was spent on the same;

[18th August 1924]

(b) whether the project was abandoned, and if so, the reasons; and

(c) whether the Government propose to renew the project?

A.—(a), (b) & (c) The work of constructing a reservoir across the Vanniar near Mullikadu was started in 1878 as a famine-relief work, but was subsequently stopped on engineering grounds as the famine subsided and the necessity for affording relief ceased. The Government have no information as to the amount then spent on the work. The project cannot be taken up now as there is not enough water in the river after allowing for existing irrigation lower down.

Meetings of the Irrigation Bill Committee.

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

(a) the cost of the meeting of the Select Committee on the Irrigation Bill at Madras in April 1924;

(b) the business transacted there; and

(c) the reasons why the further meetings of the Select Committee were decided to be held at Ootacamund?

A.—(a) The travelling allowance so far claimed by members of the Committee for attending its meeting in April 1924 at Madras is Rs. 2,799-9-0.

(b) The business transacted at Madras was preliminary in character and had reference to the procedure to be adopted as to hearing counsel on behalf of the various interests affected and as to the evidence to be let in.

(c) The reason was that the Committee decided by a majority to hold the further sittings at Ootacamund.

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member to give us 11-15 a.m. a rough estimate of how much more travelling allowance will have to be paid with reference to clause (a)?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"None after this evening at 6 p.m.; because it is confidently expected that in about 30 or 35 minutes the work of the Irrigation Committee will be finished and the rough draft will then have to be prepared and published."

Mr. S. SATYAMURTI:—"I am afraid I have been misunderstood. I am asking with reference to clause (a) of my question. I am asking what according to the present expectations is the approximate amount which is likely to be claimed in addition to the amount given in the answer?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I cannot give any definite answer; but it will not be much more."

Mr. S. SATYAMURTI:—"May I ask with reference to clause (b) whether the business which is specifically mentioned may not have been transacted by correspondence?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Possibly; but the Committee thought otherwise."

[18th August 1924]

Mr. S. SATYAMURTI :—" With reference to clause (c) of my question, may I know what were the reasons that actuated the majority to come to that decision? I presume the hon. the Law Member was one of the majority? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The hon. the Law Member was not one of the majority, because he did not vote." (Laughter.)

Legislative.

The appointment of Council Secretaries.

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

- (a) the reasons why paid Council Secretaries were appointed in spite of the recommendation of the Retrenchment Committee to the contrary;
- (b) the duties now actually discharged by them; and
- (c) whether all of them are non-residents of Madras?

A.—(a) Under section 52 (4) of the Government of India Act, it is within the Governor's discretion to appoint Council Secretaries.

(b) The Government regret it is not possible to give any details of the work actually turned out by the Council Secretaries. The duties that are to be performed by them are given on page 101 of Volume II of the Madras Legislative Council Manual.

(c) The headquarters of the Council Secretaries have been fixed at Madras.

Mr. S. SATYAMURTI :—" With reference to clause (b) of my question, may I know why the Government thought it was not possible to give any details of the work actually turned out by the Council Secretaries? Is it because it was too much or is it because it was too little? " (Laughter.)

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Because they did the work presumably which is indicated as their functions at page 101 of Volume II of the Madras Legislative Council Manual."

Mr. S. SATYAMURTI :—" I have the answer here and I will give the reference to the hon. the Law Member if he wants. I had the pleasure of asking a number of questions a few months back about these duties and the hon. the Law Member categorically stated then that none of those duties to his knowledge were performed by the Council Secretaries. May I ask whether the present answer is a mere reference to the section or from his own knowledge? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The subject of Council Secretaries is no doubt within my portfolio inasmuch as the work of the Legislative Council is part of the duties which I have to discharge as a Member of the Executive Council. But the Council Secretaries having been appointed to assist the Ministers in the actual details of work by way of aid and assistance to the Ministers, they will be within their special knowledge."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know whether any duties were assigned by His Excellency the Governor in the last term? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Not specifically excepting in so far as those duties are included in the answer."

18th August 1924]

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Are any duties now assigned to the present Secretaries? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I have nothing more specific to give than what I have already indicated."

Mr. S. SATYAMURTI :—" With reference to clause (c), may I know whether they have got their headquarters at Madras? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" They do not derive any advantage by having their headquarters elsewhere."

Mr. S. SATYAMURTI :—" It is not an answer to my question, Sir. I can understand the Government declining to answer this question. The present Secretaries are non-residents of Madras. Have they now their official headquarters at Madras? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It is so. Their headquarter is at Madras."

Mr. S. SATYAMURTI :—" May I know if they reside in Madras? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I may assure the hon. Member on the highest authority that though they do not reside in Madras, when their services are required, they will be available in Madras."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Do they receive any travelling allowance when they come to Madras? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I have answered that question in the negative."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Do they travel at their own expense? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" That is the idea."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" How often have they travelled during last month? "

The hon. the PRESIDENT :—" I am sorry I cannot allow that question. It hardly arises from this question."

The hon. the RAJA OF PANAGAL :—" They are part-time officers."

Magistracy.

Appointment of members of the depressed classes as honorary bench magistrates.

25 Q.—Mr. R. VEERIAN: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that applications were received from the members of the depressed classes, Coimbatore town, for the post of honorary bench magistrate, Coimbatore town;

(b) if so, how many applications were received within the last six months;

(c) the reason for not considering any of the applications received from the members of the depressed classes favourably;

[18th August 1924]

- (d) whether it is a fact that posts of honorary magistrates were offered to members belonging to non-depressed classes;
 (e) if the Government have no information, whether the Government will be pleased to call for the information;
 (f) who is the appointing authority;
 (g) whether it is a fact that a post of honorary magistrate, Coimbatore town (first class), has fallen vacant now;
 (h) all the qualifications that are required to get the appointment; and

(i) in how many places the members of the depressed classes have already been appointed as honorary magistrates (first class and second class) together with their names and addresses?

A.—(a) to (e) One mahazar was received by the District Magistrate requesting the appointment of a member of the depressed classes as a bench magistrate; also an application from the gentleman named in it. After careful consideration the District Magistrate did not find it possible to recommend his appointment.

(f) The Government.

(g) Yes.

(h) In making recommendations the District Magistrate takes into account the status, character and education of the gentlemen whose names are considered and also whether they will be able to attend the sittings regularly. This latter consideration is specially important as attendance at the benches in the district has been far from regular.

(i) The hon. Member is referred to the Civil List.

Mr. R. VEERIAN:—"May I know whether the Government strictly adhere to the principle with reference to appointments in the case of all communities?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"In so far as I understand the question, Yes?"

Elections to village panchayat courts.

26 Q.—Mr. R. VEERIAN: Will the hon. the Law Member be pleased to state—

(a) the number of village panchayat courts in each district in the Presidency, constituted under the Madras Village Courts Act, 1888, as amended by Madras Act No. II of 1920;

(b) whether it is a fact that during the time of election of members to the village panchayat courts, the announcement regarding the date of election is made known by beat of tom-tom only in caste quarters ignoring the depressed classes quarters, though the latter are situate within the jurisdiction of the courts;

(c) whether it is a fact that elections are generally held in dwelling houses belonging to caste people where the members of the depressed classes have no free access at all, instead of in public places where all classes of people can have free access;

18th August 1924]

(d) whether it is a fact that no member of the depressed classes has got through the election in any of the panchayat courts in the whole of the Presidency up to this;

(e) if not, whether the Government will be pleased to state the names of the depressed class people who got through the elections, with the names of their respective places; and

(f) if the Government have no information with reference to questions (a) to (e), whether the Government will be pleased to call for the information?

A.—(a) The hon. Member is referred to the appendix to G.O. No. 2410, Law (General), dated the 2nd October 1923, which has been placed on the Editors' Table.

(b) & (c) Instructions have since been issued to see that announcements regarding dates of elections are invariably made in quarters of the depressed classes also and that the elections are held in places to which members of the depressed classes may have free access.

(d) & (e) The Government have no information.

(f) In view of the answers to clauses (b) & (c) above, the Government do not consider that any useful purpose will be served by calling for the information.

Mr. R. VEERIAN:—"With reference to clause (e) may I know whether the Government intend amending the Panchayat Court Act so as to have compulsory nomination of the depressed classes as it will not be possible for them to get through election?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Clause (e) asks whether the Government will be pleased to state the names of the depressed classes people who got through the elections. The answer is that the Government have no information. I submit, Mr. President, that the present question for compulsory nomination is rather a suggestion for action than a question for information."

Pensions.

Freedom of Government pensioners to join Congress.

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

(a) whether a Government pensioner is at liberty to join the Congress as at present constituted, consisting of co-operators as well as non-co-operators;

(b) if not, the reasons; and

(c) whether the pension of a Government servant was recently stopped because he joined the Congress?

A.—(a) & (b) Each case will have to be dealt with on its merits and decided with reference to the political attitude and conduct of the pensioner. The Government are not prepared to give a general opinion.

(c) No.

[18th August 1924]

Mr. S. SATYAMURTI:—"In view of the importance of this subject, may I ask the hon. the Law Member with reference to clauses (a) and (b) whether the Government have not certain general considerations which govern the decision of such matters and if so what they are?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"They have certain general considerations in mind. But it will be impossible to give an off-hand answer to such a question. They will refer to the attitude and activity of the person because Government do not penalise a man because he is attached to a particular institution."

Mr. S. SATYAMURTI:—"May I ask therefore whether if a person is a co-operator and he joins the Congress his pension won't be stopped, whereas if the person is a non-co-operator and he joins the Congress he will not be allowed to draw his pension?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The question of joining the Congress is entirely vague. It depends upon the programme which the man sets to himself. If the Congress sets up a programme which the Government thinks is subversive then it will interfere. Normally it will not."

Public Works Department.

Promotions to the Madras Engineering Service.

28 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether in October 1922, the members of the upper subordinate establishment of the Public Works Department were assured by the then Chief Engineer that they are eligible for acting, temporary and permanent promotions to the new Provincial Engineering Service; and

(b) whether from October 1923 the policy of the Government has been changed and the reasons therefor?

A.—(a) & (b) The Government announced, in an order dated 6th September 1922, that members of the upper subordinate establishment will be eligible for officiating, temporary and permanent promotions to the Madras Engineering Service by strict selection and this policy has not been departed from.

Finance.

Audit of Government commercial concerns.

29 Q.—Mr. S. SATYAMURTI: Will the hon. Member for Finance be pleased to state with reference to the answer given to Question No. 661 at the meeting held on the 20th March 1924—

(a) whether in the advertisement which appeared in the newspapers, inviting applications for the audit of Government commercial concerns, it was stated that Government wanted only full-timed men;

(b) the reasons why Messrs. Fraser & Ross were chosen on a part-time basis; and

(c) whether in inviting applications for next year, the Government have any intention of making it clear that part-time accountants may apply?

[18th August 1924]

A.—(a) The answer is in the negative.

(b) Messrs. Fraser & Ross were not selected on part-time or full-time considerations. They were selected because it was considered that, among the applicants, Messrs. Fraser & Ross would provide the most satisfactory service to Government.

(c) No new applications are being invited for next year.

Mr. S. SATYAMURTI:—"With reference to clause (b) of my question, may I ask whether the Government recognize that in having appointed Messrs. Fraser & Ross without inviting applications on a part-time basis, it is likely that equally competent men, if not more competent men, could be got for this work and whether they will consider the desirability of inviting new applications in view of the injustice done?"

The hon. Mr. R. A. GRAHAM:—"Government are perfectly satisfied with their work at present and see no reason to do anything of the kind."

Tours of Members of Government.

30 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Finance be pleased—

(a) to give a statement of the tours made by the Members of the Executive Council and Ministers from the 1st of December 1923 to the end of April 1924 showing the place or places to which the tours were made, what each tour cost the Government and the objects of each of them;

(b) to give a statement showing the tours made by the Members of the Executive Council and Ministers to South Kanara district from 1st June 1922 to 31st October 1923 showing the objects and costs of each of them;

(c) to state on what principle and subject to what system these tours of hon. Members of the Executive Council and Ministers are undertaken and whether, having regard to the constant tours of the Collectors, Divisional Officers, Inspectors-General, Directors and other heads of departments in the Presidency and in the districts and their reports, it is not possible to curtail these tours; and

(d) to state what arrangements are made for the residential accommodation of the hon. Members of the Executive Council and Ministers when they halt and stay at any place?

A.—(a) & (b) Statements* are laid on the table showing the tours made by Members of the Executive Council and Ministers from the 1st of December 1923 to the end of April 1924, and so far as information is readily available, the tours made by Members of the Executive Council and Ministers to South Kanara between the 1st of June 1922 and 31st of October 1923 with the cost of each. The object of each tour was probably mentioned in the newspapers at the time, but the hon. Member can no doubt ascertain it from the Member or Minister concerned.

(c) Members of the Executive Council and Ministers undertake tours generally for the purpose of acquainting themselves at first hand with matters of local importance affecting the departments which they administer. Tours are not undertaken which are not considered necessary.

(d) The Government make no arrangements.

* Vide Appendix III on page 73 infra.

[18th August 1924]

Power-loom worked by the Basel Mission.

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

(a) the year in which power-looms were set up and worked in their factory by the late Basel Mission weaving establishment at Cannanore;

(b) the outturn of cotton goods by the power-looms of the above factory, and the amount of excise duty leviable thereon up to 1921-22; and

(c) whether the excise duty was collected, and if not, why?

A.—(a) In the year 1913.

(b) Information is not available as to the quantity of cotton goods produced in the factory prior to August 1920 when the Commonwealth Trust, Limited, took charge of it; from August 1920 to October 1922 the outturn amounted to 177,546 lb. and the excise duty leviable thereon was Rs. 11,611-9-11.

(c) This amount was collected. No excise duty was collected on the outturn prior to August 1920. The Basel Mission Industrials failed to submit the returns required by the Cotton Duties Act and the omission continued during and after the War when the concern was under Government control. The omission was first brought to the notice of the Collector of Malabar in 1922. It was not possible then to recover the amount that fell due before August 1920 when the concern came under its present management, the Commonwealth Trust, Limited.

Mr. S. SATYAMURTI:—"With reference to the last three lines of the answer to clause (c) may I ask the reason why it was not possible to recover the amount?"

The hon. Mr. R. A. GRAHAM:—"My impression is that there are no records available. There is no means of finding out how much cotton was produced before the factory was handed over to the Commonwealth Trust."

Government Press.*Qualifications of examiners in the Government Press.*

32 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state whether it is a fact that five persons without university or technical qualifications were for the first time entertained during the recent reorganization of the Government Press as examiners on Rs. 60-4-100 in preference to candidates possessing better qualifications and possessing long service in the Press and, if so, the reasons?

A.—The answer is in the negative.

Government Technical Examinations.*Candidates belonging to the depressed classes at the Government Technical Examinations.*

33 Q.—Mr. R. VEERIAN: Will the hon. the Member for Finance be pleased to furnish a statement of the number of students belonging to the depressed classes who appeared for the various Government Technical Examinations during the past two years?

[18th August 1924]

A.—In 1922-23, 20 candidates appeared for the elementary grade examination, 4 for the intermediate and 1 for the two combined—total 25. In 1923-24, 31 appeared for the elementary grade and 5 for the intermediate—total 36.

Press.*Printing work on behalf of the Salem Municipal Council.*

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

(a) whether the Superintendent, Government Press, wrote to the Salem Municipal Council asking them to refuse the tender of the 'Lakshmi Vilas' Press for printing work, as it had a non-co-operator as its proprietor;

(b) whether the Superintendent, Government Press, sent a copy of a Government Order containing a black list of printing presses in the province to the Salem Municipal Council; and

(c) whether the Government will place the list on the table of the House?

A.—The answer is in the negative. It is a fact however that the Superintendent of the Government Press, when asked for his remarks on certain tenders received for the printing work of the council, enquired of the chairman why a tender had been invited from the Lakshmi Vilas Press.

Mr. S. SATYAMURTI:—"With reference to the last few lines of the answer to this question, may I ask why the Superintendent, Government Press, enquired of the Chairman why a tender had been invited from the Lakshmi Vilas Press?"

The hon. Mr. R. A. GRAHAM:—"I take it, Sir, that the hon. Member has had his information from the Lakshmi Vilas Press and knows that the objection taken by the Superintendent was that the press was run by a non-co-operator."

Mr. S. SATYAMURTI:—"Therefore may I take it, Sir, that the Superintendent had instructions from the Government to enquire and find out whether a press was run by a non-co-operator or not?"

The hon. Mr. R. A. GRAHAM:—"No, Sir."

Mr. S. SATYAMURTI:—"Did the Superintendent act on his own responsibility in the matter?"

The hon. Mr. R. A. GRAHAM:—"I presume so, Sir."

Mr. S. SATYAMURTI:—"Does the Government approve of his having so acted?"

The hon. the PRESIDENT:—"It is not a supplementary question."

Salt.*Reweighing of duty-paid salt bags in the Madras ports.*

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

(a) whether it is a fact that duty-paid salt bags from the Bombay Customs Department to ports in this Presidency are being reweighed at the rate of 1 per cent of the bags; and

[18th August 1924]

(b) the reasons therefor, and if any excess duty was collected?

4.—(a) Five per cent of each consignment of duty-paid salt imported from Bombay to the west coast ports of the Madras Presidency is checkweighed. If such checkweighment shows an excess of 1 per cent in weight, the whole consignment is reweighed and duty is collected on the excess weight, if any.

(b) This is done to prevent malpractices.

Local Boards and Municipal Councils.

Nominations to municipalities.

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

(a) the policy underlying nominations to municipalities by Government; and

(b) whether these nominations are primarily intended to secure the representation of Muhammadans, backward classes and minorities?

A.—The attention of the hon. Member is invited to sub-section (3) of section 7 of the Madras District Municipalities Act, 1920.

Elected President for the Devakottai Taluk Board.

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

(a) why the Taluk Board of Devakottai, Ramnad district, was deprived of its right to elect its own president; and

(b) whether there is any proposal to make Karaikudi a municipality?

A.—(a) The Ramnad and Devakottai taluk boards were formed into the Ramnad, Sivaganga and Devakottai taluk boards. In this trifurcation the Ramnad Taluk Board was the least affected while the Sivaganga and Devakottai taluk boards were practically reconstituted. There is no question of withdrawal of elective privilege when a taluk board is reconstituted as it is started afresh.

(b) No.

Licence fees on donkeys imposed by certain municipalities.

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

(a) the reasons why certain municipal councils like those of Trichinopoly and Srirangam have imposed licence fees on donkeys within their areas; and

(b) whether the washermen in those areas have protested against these licence fees being levied?

A.—(a) The hon. Member is referred to sections 98 and 103 and rule 20 (1) of Schedule IV of the Madras District Municipalities Act, 1920.

(b) The Government have received no complaint.

18th August 1924]

Disposal of unspent balances of Government grants in the hands of local bodies.

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

(a) whether he directed all local bodies to return the balance of unspent Government grants soon after he assumed charge;

(b) whether the grants were given for specific purposes, without any time-limit being fixed; and

(c) the sum of money realized by this method and the use made of the same?

A.—(a) The Financial Relations Committee in their report dated 17th November 1920 condemned the system of pre-payment of Provincial grants to local bodies and recommended the institution of a system of post-payment of such grants. They pointed out that some of the grants made to local bodies had not been utilized for years and that the unspent balances at the end of 1918-19 amounted to Rs. 53.92 lakhs in the case of local boards and Rs. 21.55 lakhs in the case of municipal councils. These large balances were a standing temptation to several local bodies to sanction increases in recurring expenditure beyond their normal income and to overdraw their accounts in the treasury: the local bodies consequently drifted into deficits of considerable dimensions. The Government considered it necessary to put a stop to these evils and accepted the principle of post-payment of grants. With a view to facilitate the introduction of the system they directed local bodies to surrender grants in the following cases before 7th March 1921:—

(1) Grants given for works which had not been started or for which contracts had not been entered into before 3rd March 1921.

(2) Savings on completed works which had not been appropriated under proper authority to other works before 3rd March 1921.

Local bodies were given time until 31st March 1922 to complete the works which had been started or for which contracts had been entered into before 3rd March 1921 and in most of the cases in which the local bodies failed to do so they were required to refund the unspent balances of the grants.

(b) The grants were given for specific purposes and though no time limit was fixed it was expected that local bodies would carry out the works within a reasonable time. Local bodies however did not utilize the grants for years.

(c) A sum of Rs. 26.72 lakhs has so far been refunded to Government. A portion of the grants resumed was re-allotted to local bodies on the principle of post-payment. A grant of Rs. 7.07 lakhs was provided for the purpose during the three years ending 1923-24, but the expenditure incurred by local bodies amounted to only Rs. 4.6 lakhs and grants equivalent to this amount were paid to local bodies.

[18th August 1924]

The financial condition of the Salem Municipal Council.

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

- (a) whether the Salem Municipal Council suffers from financial stringency owing to frequent outbreaks of plague in the town;
- (b) whether the Government would not allow the council to postpone re-payment of the unspent amount of grants; and
- (c) whether the Government charges an interest of $7\frac{1}{2}$ per cent on the amount not refunded and whether the Minister has taken legal advice before charging interest?

A.—(a) The town suffered badly from plague in 1920-21 and its finances were affected in that year. It was practically free from plague in 1921-22 and though plague prevailed in 1922-23 and 1923-24 it was not so severe as to cause financial stringency. The finances of the council have improved steadily from 1921-22 and the council has a large balance to its credit. It has badly neglected the collection of its revenues and had at the end of 1922-23 uncollected arrears of Rs. 1,34,881.

(b) The Government have already allowed the council to repay a large portion of the unspent grants in four annual instalments.

(c) Interest is charged at $7\frac{1}{2}$ per cent per annum only on the grants which the council has been allowed to refund in instalments. The Government do not consider it necessary to take legal advice.

MR. S. SATYAMURTI:—"With reference to the answer to clause (c) may I know why the Government did not take legal advice in the matter?"

THE HON. THE RAJA OF PANAGAL:—"That is entirely left to the discretion of the Government."

MR. S. SATYAMURTI:—"I know that, Sir. But I assume, Sir, that Government exercise their discretion according to certain well-known canons. May I know the reason why legal advice was not taken in this matter?"

THE HON. THE RAJA OF PANAGAL:—"Sir, they thought it was not necessary to do so."

The nomination of Mr. M. Krishnaswami Reddi to the Chingleput District Board.

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

- (a) the grounds on which Mr. M. Krishnaswami Reddi was nominated as a Member of the Chingleput District Board and how the vacancy was caused;
- (b) whether Mr. M. K. Reddi is a resident of that district; and
- (c) whether four of the relations of Mr. M. K. Reddi are already members of the district board;
- (d) the communities in the Chingleput district not represented on the board;

18th August 1924]

(e) whether Mr. M. K. Reddi was nominated with a view to his succeeding his father as president of the district board; and

(f) whether the Government have any intention of enacting rules disqualifying nominated members from being elected as presidents of district boards?

A.—(a) Mr. M. Krishnaswami Reddi was appointed as the Government considered that he would be a useful member of the board. The vacancy was caused by the resignation of Mr. P. Duraiswami Pillai.

(b) The Government are so informed.

(c) & (d) The Government have no information. A list of the members of the district board is laid on the table* for the hon. Member's information.

(e) Mr. Krishnaswami Reddi was elected by the district board as its president.

(f) The Government have no such intention.

MR. S. SATYAMURTI:—"With reference to clause (b) of this question may I ask by whom the Government were so informed and whether they believe it to be true?"

THE HON. THE RAJA OF PANAGAL:—"Sir, as the result of an enquiry the Government were informed that it was desirable to nominate him."

MR. S. SATYAMURTI:—"Sir, with reference to the answer to clause (d), may I ask whether the Government have no information as to the communities in the Chingleput district not represented on the board in view of the declared policy of the Ministry that they want to have unrepresented communities on these boards?"

THE HON. THE RAJA OF PANAGAL:—"They have the information."

MR. S. SATYAMURTI:—"But the answer is that the Government have no information."

THE HON. THE RAJA OF PANAGAL:—"It does not follow that because they belong to that community. They are relations of that particular individual."

MR. S. SATYAMURTI:—"I am referring to the answer. The answers unfortunately are given to both (c) and (d) together. In (c) I ask about the relationship. I am not going to examine Government further about it. I am asking with regard to the communities of the sitting members."

THE HON. THE PRESIDENT:—"If the hon. Member turns to page 40 he will find the communities stated there."

Viswakarma, etc., representation in the Mayavaram Municipal Council.

42 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state whether he has received any memorials from the Viswakarma, Marathuvakula and Kaikola Mudali communities of Mayavaram town praying for representatives of their communities being nominated as members of the local municipal council and whether the Government propose to take any action thereon?

* Vide Appendix IV on page 75 infra.

[18th August 1924]

A.—The answer is in the affirmative. A person belonging to the Kaikola community has been appointed as a member of the Mayavaram Municipal Council. The Government understand that the Maruthuvakula and the Viswakarma communities are too few in number to require separate representation on the Municipal Council.

The appointment of Mr. Madeley as Corporation Engineer.

43 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 Corporation of Madras have recently passed a resolution agreeing to appoint Mr. Madeley as a Consulting Engineer on a salary of Rs. 1,500 a month, he being bound only to stay in Madras for not less than six months in a year and not less than 15 days in a month;

(b) whether the Government are satisfied that any responsibility for the execution of the drainage scheme for the city can be considered to be vested in Mr. Madeley under such an agreement;

(c) whether any arrangement has been made whereby supervision by a responsible engineer is secured for the execution of the drainage and water works;

(d) whether under the proposed arrangement the responsibility for the satisfactory execution of these works will rest on Mr. Madeley or on his assistants;

(e) in view of the substantial contribution made by the Government towards these works, whether the Government will take necessary steps for the responsibility of the execution of these works being vested in an engineer of established reputation, who will contract to serve the Corporation for a period sufficient to complete the works expeditiously; and

(f) whether the Government are aware that, according to the agreement between Mr. Madeley and the Corporation, the former is appointed virtually as the purchasing agent of the Corporation, while having to exercise his powers as consulting engineer and passing authority as well of the Corporation, and whether they approve of the arrangement?

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

(b) A Consulting Engineer is not responsible for the execution of the scheme.

(c) The Engineers to whom the works have now been entrusted are competent to carry them out and no outside supervision is necessary.

(d) The responsibility for the proper execution of the works rests upon the Engineers to whom the execution has been entrusted.

(e) The arrangement now made was approved by Government and they see no need for a change.

(f) Mr. Madeley will advise on the acceptance or rejection of particular goods. He will thus be a passing authority and not a purchasing agent.

Mr. S. SATYAMURTI:—“May I ask with reference to clause (f) whether the Government have considered this aspect, that Mr. Madeley who will advise the Corporation will also decide what goods have to be purchased, and whether these two duties are not conflicting?”

The hon. the RAJA OF PANAGAL:—“It is a matter to be considered more by the Corporation.”

[18th August 1924]

The expansion of the city municipal limits and the Mambalam Scheme.

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

(a) whether the Government recently issued any notification or notifications expanding the municipal limits of Madras; if so, on what dates, and the extent of the area newly included according to the notifications in each instance;

(b) whether the Government consulted the Corporation of Madras before issuing the said notifications; if not, why;

(c) the object of the Government in expanding the city limits;

(d) whether it is a fact that without such expansion the city possesses a wide area obviating the consideration of expansive scheme for the relief of congestion which present so much difficulty in other towns less happily situated and that we have ample places for expansion for housing the poorer classes;

(e) whether the Government have decided the extent of financial accommodation to be given to the Corporation for the execution of the Mambalam scheme;

(f) if so, the extent and the conditions subject to which the accommodation is to be given;

(g) whether the Government have received any communication from any public body or private person regarding the legality of the acquisition proceedings taken in the Mambalam area;

(h) whether competent legal opinion has been taken by the Government in regard to objections raised against the acquisition proceedings and, if so, whose opinion and to what effect; and

(i) whether any suits are now pending in regard to the legality of the acquisition or the value awarded?

A.—(a) A notification was issued and that on 22nd January 1924, extending the municipal limits of the City of Madras. The extent of the area newly included is approximately 1,280 acres.

(b) The answer is in the negative. The Government are not bound by law to consult the Corporation; the Corporation was more-over aware that the taking over of the Mambalam area involved the extension of the municipal limits.

(c) The object was to enable the Corporation to execute the Mambalam town-planning scheme and to control developments in the lands adjacent to the scheme area in order that they may be made to harmonize with the scheme.

(d) It is impossible to estimate exactly the future housing requirements of the City, but the Government are advised that, so far as the situation can be visualized at present, an expansion of the nature of the Mambalam extension is eminently desirable.

(e) & (f) The Corporation having consented to undertake the execution of a portion of the scheme, the Government have advanced a loan of Rs. 5 lakhs for the purpose, repayable in ten equal annual instalments with interest at 6 per cent per annum.

[18th August 1924]

- (g) The answer is in the affirmative.
- (h) The Government have taken competent legal opinion on the point but they are not prepared to disclose the legal advice given to them.
- (i) The Government have at present no information.

Mr. S. SATYAMURTI :—" With reference to the answer to clause (d) of the question, may I ask by whom the Government are so advised ? "

The hon. the RAJA OF PANAGAL :—" May I have the question repeated, Sir ? "

Mr. S. SATYAMURTI :—" The answer to clause (d) is that the Government are advised. May I ask by whom the Government are so advised ? "

The hon. the RAJA OF PANAGAL :—" Several experts including the present Director of Town-Planning have advised the Government that it is necessary to have the Mambalam extension."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I ask the hon. the Minister for Local Self-Government whether it is proposed to amend the Town-Planning Act in order to get over the legal difficulty under contemplation ? "

The hon. the RAJA OF PANAGAL :—" Yes. Difficulties have been experienced in transferring a scheme from the City Improvement Trust to the City Corporation of Madras, and it is with a view to get over these difficulties that the amendments are proposed."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I ask the hon. the Minister for Local Self-Government whether there is any enabling clause in the Act empowering Government to extend the City municipal limits without consulting or giving an opportunity to the municipality concerned to express its opinion on such extensions ? "

The hon. the RAJA OF PANAGAL :—" The Government are not bound to consult the Corporation if they want to extend the limits."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I explain that the Madras Corporation is invested with the power of administering the Act in the City ? As defined in the Act, the City consists of certain limits . . . "

The hon. the PRESIDENT :—" I think we are going into a legal question."

Mr. S. SATYAMURTI :—" With reference to clause (h) of the question, may I ask whose legal opinion they have taken ? My question is there already, but it has not been answered."

The hon. the RAJA OF PANAGAL :—" The opinion of the Advocate-General was taken."

Mr. S. SATYAMURTI :—" May I ask the reasons why the Government are not prepared to disclose the opinion of the Advocate-General ? "

The hon. the RAJA OF PANAGAL :—" The Government think it unnecessary to disclose it."

18th August 1924]

Alleged grievance of the depressed classes in Sanyasiagraharam village, Tinnevely.

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

(a) whether it is a fact that a Municipal Council meeting of Tinnevely was held on or about the 9th instant when the attention of the Council was drawn to a mahazar signed by forty-two rate-payers of Sanyasiagraharam asking the chairman to employ only high caste coolies for repairing their roadways ;

(b) whether the depressed classes are prohibited from passing through this Sanyasiagraharam ;

(c) whether there is any board fixed at the entrance warning the members of the depressed classes not to pass through the Sanyasiagraharam ;

(d) if not, what is the reason for not allowing the non-caste coolies to repair the Sanyasiagraharam ;

(e) whether it is a fact that only the Brahman rate-payers object to the employment of depressed class coolies in repairing the Sanyasiagraharam ;

(f) whether it is a fact that the scavengers of the municipality who are also the members of the depressed classes are not prohibited to pass through the Sanyasiagraharam by the Brahmans to do their legitimate duties in removing street rubbish and night-soil from their houses ; and

(g) whether the Government will be pleased to call for information and place it on the Council table ?

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

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

(e) & (f) The answer is in the affirmative.

(d) & (g) Please see the report of the Chairman placed on the table. *

Mr. R. VEERIAN :—" With reference to clause (e) of the question, may I know why the Brahman rate-payers are invested with powers so as to object to the employment of depressed class coolies in repairing the Sanyasiagraharam ? "

The hon. the RAJA OF PANAGAL :—" That is a matter to be tested in a court of law."

Representation of depressed classes in the local boards and municipalities.

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

(a) the full names and the addresses of the members belonging to the depressed classes representing the said classes in all the municipalities, district boards, taluk boards and union boards in the Presidency ;

(b) if the Government have no information in the case of taluk boards and union boards, whether the Government will be pleased to call for the information and furnish the same ;

* Vide Appendix V on page 76 infra.

[18th August 1924]

(c) the names of the different municipalities, district boards, taluk boards and union boards to which no member belonging to the depressed classes has been nominated as yet; and

(d) if the Government have no information with reference to taluk boards and union boards, whether the Government will be pleased to call for the information and furnish the same?

A.—The hon. Member is referred to the Madras Year Book, 1924, wherein the names of members belonging to the depressed classes on the district and taluk boards and on municipal councils will be found. The Government have no information as to the addresses of these members. The Government have no information in regard to union boards nor do they consider it necessary to call for the information.

Treatment of the representative of the depressed classes at the union board meeting, Singanailur.

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

(a) whether it is a fact that one Mr. Mari, a member of the Singanailur union board, Coimbatore taluk, representing the depressed classes, is made to sit separately at a distance in a lower place than other members on account of pollution at the time of the union board meeting; and

(b) if the Government have no information, whether the Government will be pleased to call for the information?

A.—Mr. Mari sits separately and at a lower seat than the other members of the board. The Government are informed that this is because he himself is unwilling to sit with the other members.

Mr. R. VEERIAN:—“May I know whether it is a fact that Mr. Mari is given a lower seat than the other members of the board?”

Levy of profession-tax by the Tanjore municipality.

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

(a) whether the Tanjore municipality has levied profession-tax on the mirasidars of the district who occasionally reside at Tanjore;

(b) the principle on which that tax is levied on them; and

(c) whether the Government have interfered in the matter, in what direction, and why?

A.—(a) The Chairman, Municipal Council, Tanjore, assessed the mirasidars resident in the municipality to profession tax, but the municipal council cancelled the assessments on appeal.

(b) The hon. Member is referred to sections 93 and 95 of the Madras District Municipalities Act, 1920.

(c) In one case the municipal council by cancelling the assessment lost an income legally due to it. The Government pointed out to the municipal council that in cancelling the assessment it abused its powers and acted to the detriment of its interests and warned it that they would be compelled to take action under section 41 (1) of the District Municipalities Act, if it continued to abuse its powers.

18th August 1924]

The tour of the hon. the Minister for Local Self-Government to Berhampur.

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

(a) the nature and amount of public business which took him to Berhampur in April 1924;

(b) the business transacted at the special meeting of the Ganjam District Board convened during his visit; and

(c) the grounds on which he replied to the district board and stated that had the Provincial contribution been reduced, money would have been found for Ganjam roads?

A.—(a) The main object of the visit was to inspect the roads and bridges in the district damaged by the cyclone of November 1923. The site of the railway bridge over the Rushikulya river was also inspected in connexion with a proposal to have a combined road and railway bridge.

(b) The following business was transacted:—

19th April 1924—Consideration of the draft address to be presented to the hon. the Chief Minister.

20th April 1924—Presentation of the address.

(c) The argument was that if the Local Government had been relieved of a portion of the Provincial contribution to the Government of India, that amount would have been available for expenditure by the Local Government and that a portion of such expenditure would presumably have taken the form of grants to local bodies.

Mr. S. SATYAMURTI:—“With reference to clause (a) of the question, may I ask if from November 1923 to April 1924 the roads and bridges damaged were not repaired?”

The hon. the RAJA OF PANAGAL:—“Yes, most of them were not repaired.”

Mr. S. SATYAMURTI:—“With reference to clause (b), may I ask by whom the draft address was considered?”

The hon. the RAJA OF PANAGAL:—“I cannot give that information because I am not in possession of it.”

Mr. S. SATYAMURTI:—“How does it happen to be the business of a meeting convened for the purpose of meeting the hon. the Chief Minister?”

The hon. the RAJA OF PANAGAL:—“It is none of the business of the Minister to answer that question.”

Sivakasi Taluk Board.

50 Q.—MR. A. CHIDAMBARA NADAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether the Government are aware of the condition of the Sivakasi Taluk Board with regard to its finance;

(2) how long the board has worked with a deficit balance and whether the Government have contributed any amount to restore the board to its working condition;

[18th August 1924]

(3) whether the Government are aware of the persistence of the members of the board in the matter of raising the land-cess from $1\frac{1}{2}$ to 3 pies;

(4) whether any steps have been taken in that direction;

(5) whether it is a fact that the salaries of the taluk board schools are unpaid for the last three months; and

(6) whether the G.O. No. 958, L. & M., dated 11th April 1924, is to be in force till the formation of a new board by re-election?

A.—(1) Yes.

(2) The taluk board has had a deficit from 1921–22. The Government have not made any contribution to the taluk board to wipe off its deficit.

(3) & (4) The taluk board has resolved not to enhance the rate of the additional cess from $1\frac{1}{2}$ to 3 pies. The financial condition of the board is engaging the attention of the Government.

(5) The Government have no information.

(6) G.O. No. 958, L. & M., dated 11th April 1924, has nothing to do with the formation of a new board by re-election.

51 Q. }
52 Q. } Cancelled.

Medical.

Policy of Government regarding the extension of the Lepers Act.

53 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased to state what is the policy of Government in extending the operations of the Lepers Act (Act III of 1898) and affording asylums to lepers in this Presidency?

A.—The policy of the Government has been indicated in G.O. No. 352, Medical, dated 8th July 1920, and G.O. No. 868, P.H., dated 22nd July 1921, copies of which were laid on the table in reply to Question No. 683, dated 12th October 1921. The construction of the leper settlement at Tirumani near Chingleput for the compulsory segregation of lepers is in rapid progress. As soon as it is completed, steps will be taken to bring the Act into operation in this Presidency.

Education.

Government grant to the Salem College during pre-Reform period.

54 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Salem College got a grant of Rs. 6,000 for help in giving salaries to teachers during the year previous to the inauguration of the Reforms; and

(b) whether the grant has been stopped, and if so, the reasons?

A.—In 1920–21 the Government sanctioned a special subsidy of Rs. 6,360 towards the revision of the scale of salary of the staff employed in the Salem Municipal College. As the subsidy was specifically limited to one year, it was not continued in succeeding years. The college is, however, in receipt of another grant of Rs. 6,000 which is being paid year after year.

18th August 1924]

Elected President for the Salem District Secondary Education Board.

55 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether the Salem Municipal Council has declined to send a representative to the Salem district secondary education board, until the board is empowered to elect its own president;

(b) whether Rao Bahadur T. Subrahmanya Ayyar has resigned his membership of the board as a protest against the answer of the hon. the Minister for Education to my question as to the claims of Mr. S. Ellappa Chettiyar to be nominated as president of the board; and

(c) whether the Government have any intention of throwing open the presidentship of the board to election, and if not, why?

A.—(a) & (b) Yes.

(c) The hon. Member is referred to the answer given to clause (a) of question No. 347 asked at the meeting of the Legislative Council held on the 8th February 1924.

The reorganization of the Law College.

56 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether he has received and considered the report of the Law College Reorganization Committee;

(b) whether the Government have passed orders thereon, and, if not, when they will pass orders; and

(c) whether the report and the Government's orders thereon will be placed on the table of the House?

A.—(a) & (b) The report is under the consideration of Government.

(c) The question will be considered.

Grants to the University of Madras.

57 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether he has received any report from the University of Madras for grants to that body being paid, year after year, without the restriction of lapsing if they are not spent within the year;

(b) whether the Government have decided the principles of giving grants to the University; and

(c) whether they will place all the connected papers and their final orders on the table of the House?

A.—(a) Two communications on the subject were received—one from the Vice-Chancellor and the other from the Registrar of the University.

(b) Yes.

(c) A copy of rules framed to regulate the payment of grants to the fund of the Madras University under section 44 (2) (a) and (b) is placed on the table.* The Government do not consider it necessary to publish the connected correspondence.

* Vide Appendix VI on page 79 infra.

[18th August 1924]

Mr. S. SATYAMURTI:—"With reference to the statement in Appendix VI, in answer to clause (c) of this question, that 'any balance remaining unspent out of the grant paid in the previous year will not lapse but will be taken in abatement of the grant due for the quarter succeeding that in which the savings come to the notice of Government,' may I ask the hon. the Minister for Education to consider whether such grants at least may be made to the University without any lapse either directly or indirectly?"

The hon. Sir A. P. PATRO:—"It is a suggestion for action and not a question for information."

The hon. the PRESIDENT:—"Quite right."

Representation of depressed classes in the district secondary education boards.

58 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) the full names and the addresses of the members belonging to the depressed classes representing the said classes on the different district secondary education boards;

(b) how many district secondary education boards have been created; and

(c) if no member belonging to the depressed classes has been appointed, whether the Government will be pleased to state the reason for not appointing to the district secondary education boards?

A.—(a) & (c) The constitution of the district secondary education boards does not provide separately for the representation of different communities; it has in view primarily the representation of interests. In making nominations, however, the Government bear in mind the claims of members of the depressed classes.

The hon. Member is referred to Notifications Nos. 299 and 300, dated 12th October 1923, published on pages 874-878 of Part I-B of the *Fort St. George Gazette*, dated 16th October 1923, in which the names of elected and nominated members of the several boards have been published.

(b) Twenty-four.

Opening of schools of commerce in the districts.

59 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government intend starting a school of commerce in each district except in Calicut and the Madras City;

(b) whether any non-Government school of commerce has been recognized by Government and given aid;

(c) if so, the names of all such schools of commerce with their respective places; and

(d) whether there are any Government schools of commerce except in Calicut and Madras City?

A.—(a) The Government have no intention at present of opening a school of commerce in each district. The question of opening one to serve the needs of the northern districts of the Presidency is now under consideration.

[18th August 1924]

(b) & (c) The attention of the hon. Member is invited to supplemental table No. 48 appended to Part II of the Report on Public Instruction for 1922-23.

(d) No.

Mr. R. VEERIAN:—"With reference to the answer to clause (a), may I know whether the Government have any intention of opening one school of commerce for the south?"

The hon. Sir A. P. PATRO:—"The matter will be considered."

Medical inspection of schools.

60 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education be pleased to state—

(a) the number of Government and aided schools in which medical inspection of school children is now being conducted in the Presidency; and

(b) the amount actually expended on this account during the past three years?

A.—(a) The Government have no information as regards aided schools. No medical inspection is at present made in any of the Government schools.

(b) The amount of expenditure from Provincial funds has been as follows:—

	RS.
1921-22	3,717
1922-23	5,569
1923-24	2,172

No information is available as to the expenditure from other sources.

Rao Sahib U. RAMA RAO:—"The answer to clause (a) is 'No medical inspection is at present made in any of the Government schools.' Is it because that Government schools do not require any medical inspection?"

The hon. Sir A. P. PATRO:—"They do require it. The question is under consideration."

Rao Sahib U. RAMA RAO:—"In regard to clause (b), the answer is that no information is available as to the expenditure from other sources. Will the hon. the Minister get the information?"

The hon. Sir A. P. PATRO:—"I do not think it is worth while to get the information."

Rao Sahib U. RAMA RAO:—"It is said that in 1921-22, Rs. 3,717 were spent on medical inspection from Provincial funds, Rs. 5,569 in 1922-23 and only Rs. 2,172 in 1923-24. May I ask the hon. the Minister for Education whether it is considered that the medical inspection of schools is necessary or not?"

The hon. Sir A. P. PATRO:—"The general policy is indicated that medical inspection is necessary."

[18th August 1924]

Recognition of Hindi as vernacular under the Madras Educational Rules.

61 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether the Government propose to recognize 'Hindi' as a 'vernacular' under the Madras Educational Rules; and
(b) if not, why not?

A.—Hindi is not a 'vernacular' of this province and it was not recognized as such in the Educational Rules. Where Hindi is the mother-tongue of a pupil, neither the Madras Educational Rules nor the rules under the Elementary Education Act prohibit the imparting of instruction in Hindi to such pupils.

MR. S. SATYAMURTI:—"In view of the well-known and widespread movement to make Hindi a common language in this country, will the hon. the Minister for Education consider the desirability of amending the Educational Rules to make Hindi also a subject of study in the Government, aided and other schools? I hope the hon. Minister will not say that I am making a suggestion for action."

The hon. the PRESIDENT:—"It is a suggestion for action. I am afraid this is trespassing on the time of other hon. Members who might put supplementary questions on the remaining questions. The hon. Member had better give notice of a separate question."

Grants-in-aid to secondary schools.

62 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) what is the amount of grants-in-aid to secondary schools in 1923-24 in this Presidency;
(b) the principles on which the amount of the grant is made to depend on the contribution made by the management out of their own resources;
(c) the reasons why the Government do not make the amount of the grant depend on the quantity and quality of the work done in each school;
(d) whether Sir Henry Stone, the then Director of Public Instruction admitted in 1916 that this state of things is by no means satisfactory and that the system of grants-in-aid requires modification; and
(e) the reasons why the system has not been modified all these years and whether the Government intend modifying the system in the near future?

A.—(a) The amounts of teaching grants paid to secondary schools in 1923-24 were as follows:—

	LAKHS
Secondary schools for boys	RS. 5.6
Do. for girls	1.2064

- (b) & (c) It is an important element in the Grant-in-Aid system that part of the expense of the aided institution should be provided by the management from its own resources and the principle of sharing the net cost equally between Government and the management is considered equitable.

18th August 1924]

The hon. Member is also referred to rule 35 of the Grants-in-Aid Code.

- (d) Sir Henry Stone considered that the system of grants-in-aid to secondary schools required modification in certain respects.
(e) The Government have been paying special grants towards the improvement of the salaries of teachers in aided schools since 1920. The general question of modifying the system of aid to secondary schools is under consideration.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"With reference to clause (e) of the question, may I know if the proposals for the modification of the system of grants-in-aid have been under consideration for more than ten years?"

The hon. Sir A. P. PATRO:—"I do not know the previous history of the last ten years. So far as I know, it has been under consideration for the last few months."

Equipment grants to schools.

63 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether, during the last year or two, furniture, library and other equipment grants have altogether been stopped and the reasons why; and
(b) whether the Director of Public Instruction has issued communications to the schools this year stating that, even in respect of grants for science apparatus and appliances, managers cannot be sure of how much grant they will receive and when, and the reasons why?

A.—(a) In the years 1922-23 and 1923-24 grants for equipment other than science apparatus and chemicals were suspended on account of financial stringency. This restriction has since been removed.

- (b) A copy of the circular issued by the Director is placed on the table.*

Grants to non-Government colleges.

64 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Education be pleased to state with figures how the grants to non-Government colleges in the budget estimate for 1924-25 under various headings have been or are to be distributed among the constituent colleges and the affiliated colleges and allotted to the several colleges in Malabar and South Kanara, as compared with such grants in the years 1921-22, 1922-23 and 1923-24?

A.—A statement giving the required information for the years 1921-22, 1922-23 and 1923-24 is placed on the table.† Figures for 1924-25 (except in the case of equipment grants so far disbursed which are given in the statement) are not yet available.

MR. J. A. SALDANHA:—"Will the hon. the Minister for Education place the information before this House when it is available in regard to the year 1924-25?"

The hon. Sir A. P. PATRO:—"It will be published in the report of the Director of Public Instruction which will be available to the public."

* Vide Appendix VII on page 81 infra.

† Vide Appendix VIII on page 82 infra.

[18th August 1924]

Mr. J. A. SALDANHA :—"The report for 1924-25 will be published only in 1926?"

The hon. the PRESIDENT :—"That is not what the hon. the Minister has stated, and the question does not arise."

Mr. S. SATYAMURTI :—"Turning to Appendix VIII, will the hon. the Minister for Education explain to the Council what seems to be staggering in respect of the figures? The Madras Christian College gets Rs. 35,756 as teaching grant, Pachaiyappa's College Rs. 1,454, St. Joseph's College Rs. 14,218, American College, Madura, Rs. 11,286, St. Aloysius' College Rs. 12,134. How does it happen that the Pachaiyappa's College gets such a miserable grant, while most of the mission colleges get enormous grants from public funds?"

The hon. Sir A. P. PATRO :—"The distribution of the grants is made by the Director of Public Instruction and it is done in accordance with the rules laid down in the Grants-in-Aid Code."

Mr. S. SATYAMURTI :—"May I ask if the Director of Public Instruction is not an officer of Government under the Ministry of Education?"

The hon. Sir A. P. PATRO :—"He is guided by the rules in the Grants-in-Aid Code."

Mr. S. SATYAMURTI :—"May I ask if the rules say that the mission colleges should get thirty times the grant made to other colleges?"

The hon. the PRESIDENT :—"I do not think the hon. Member is right in pursuing the question in that direction."

Lecturers in the University Academic Council.

65 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education be pleased to name the University Lecturers appointed who are now in the Madras University Academic Council without any salary and special duty, apart from their own work in their own colleges, and what was the object of creating such lectureships?

A.—The hon. Member is referred to section 23 (i) (5) of the Madras University Act and the University Registrar's notification at pages 1018-1020 of Part I-B of the *Fort St. George Gazette*, dated 27th November 1923.

Excise.

The appointment of Distillery Experts.

66 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education be pleased to state whether Eurasians without qualifications are preferred for appointments as distillery experts when qualified Indians with necessary training are available; and, if so, the reasons?

A.—No. Officers with previous experience in distillery work are appointed as distillery officers provided they are otherwise suitable.

[18th August 1924]

The issue of licence to the proprietor of Silvan Hotel, Vepery, by the excise licensing board.

67 Q.—Rao Sahib U. RAMA RAO : Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the excise licensing board, Madras, issued a licence to the proprietor of the Silvan Hotel, Vepery, for the opening of a liquor bar on his premises opposite the Doveton College;

(2) whether it is a fact that no notice was put up on the premises and no previous intimation of any kind was published in the Gazette or in the Press with regard to the opening of this bar and this subject was not even included in the agenda of the meeting of the licensing board of the 24th March 1924;

(3) whether it is a fact that an appeal has been preferred to the licensing board protesting against the action of the board in issuing a licence for the opening of a bar in close proximity to schools, colleges and churches, signed by the heads of these institutions; and

(4) what action has been taken on this appeal?

A.—(1) No. The excise licensing board is not empowered to issue abkari licences. No bar licence has been issued to the proprietor of the Silvan Hotel, Vepery, but the Collector granted him a hotel licence under which liquor can be sold only to the residents in the hotel for their own consumption and for that of their guests or to casual visitors requiring liquor with a meal or meals supplied to them.

(2) Yes. It is not necessary under the rules to issue notice of a proposal to grant a hotel licence. The subject was not included in the agenda at the meeting of the excise licensing board held on the 24th March, but as the members present had no objection to the discussion of the question the subject was taken up.

(3) & (4) Two petitions were received by the President of the Excise Licensing Board. The President inspected the locality after giving notice to the petitioners and requesting them to meet him on the spot but they did not appear. After inspection of the locality, the President considered the issue of a hotel licence to be unobjectionable as it would not in any way cause inconvenience to the public or the educational and religious institutions in the neighbourhood.

Rao Sahib U. RAMA RAO :—"May I know what the distance is between the Doveton College and the bar?"

The hon. Sir A. P. PATRO :—"I have not seen the bar" (Laughter.)

Mr. SAMI VENKATACHALAM CHETTI :—"With reference to the answers to clauses (3) and (4), may I ask the hon. the Minister for Excise whether the Collector of Madras who granted the licence in the first instance and the President of the Licensing Board who inspected the locality later and considered the site unobjectionable are one and the same person?"

The hon. Sir A. P. PATRO :—"The Collector is the President of the Licensing Board."

[18th August 1924]

Public Works Department.*Iron flagstaffs in the public offices.*

68 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) when iron flagstaffs were put on in the premises of the public offices in this Presidency;
- (b) how many have been put up and at what cost; and
- (c) whether the Government have any intention of ordering the removal of those flagstaffs in the interests of economy?

A.—Iron flagstaffs have not been put up in any public office.

Registration.*The Inspector-General of Registration.*

69 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether the Inspector-General of Registration is in the habit of leaving the headquarters without any intimation to the Government or to the office;
- (b) whether it is a fact that he has allowed one of his office peons to work in his son-in-law's house;
- (c) whether the Inspector-General attends the office, and if so, during what hours and on what days; and
- (d) whether it is a fact that he keeps six peons and one camp clerk in his house?

A.—(a) No.

(b) The answer is in the negative.

(c) When at headquarters the Inspector-General attends office at the usual office hours except when he visits any of the subordinate offices situated in or near Madras.

(d) As many peons as are necessary are detailed by turns with a view to attend on the Inspector-General whilst at headquarters, to accompany him on tours of inspection and to carry tapals to and from the Inspector-General's residence out of office hours and on holidays, as in the case of other heads of departments. A shorthand typist attends on the Inspector-General at his bungalow, whenever necessary, to take down his notes and drafts and to typewrite confidential correspondence.

The designation of Adi-Dravidas in Government records.

70 Q.—Mr. R. VEERIAN: With reference to my question No. 877, will the hon. the Minister for Education be pleased to state—

- (1) whether it is not a fact that the reproachful and degrading word 'Parayan' has already been expunged by the Government from their records;

[18th August 1924]

(2) whether it is not a fact that a postcard, dated 21st February 1924, was addressed officially by the Sub-Registrar's office, Coonoor, to one 'Sami Parayan,' son of 'Mara Parayan,' Birithal Estate, Hullikal, Coonoor, without adding 'Mr.' before his name; and

(3) whether the Government will be pleased to make enquiries?

A.—(1) In G.O. No. 817, Law (General), dated 25th March 1922, the Government directed that the term 'Adi-Dravida' or 'Adi-Andhra' should be adopted in place of 'Panchama' or 'Pariah' in all official documents, if any member of the community preferred to be so called.

(2) Yes.

(3) The Government have made enquiries and they do not propose to interfere with the discretion of the registering officers in the matter of using the prefix 'Mr.' or 'M.R.Ry.' to the names of parties according to their status.

Mr. R. SRINIVASAN:—"May I ask, with reference to clause (1) of the question, whether it is not stated in the same Government Order that the term 'Adi-Dravida' should be adopted in place of 'Panchama' or 'Pariah' in all official documents if any member of the community prefers to be so called?"

The hon. Sir A. P. PATRO:—"That is so. The Government Order is very specific in the matter."

Agriculture.*Scholarships to graduates of the Coimbatore Agricultural College for studying abroad.*

71 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Development be pleased to state whether scholarships to young Indian graduates of the Coimbatore Agricultural College will be granted for being trained abroad in cotton research with a view to improve the quality of cotton grown in this province and increase the area for such cultivation?

A.—The Indian Central Cotton Committee award scholarships for cotton research to distinguished graduates of Indian Universities including those who take the B.Sc. (Ag.) degree from the Coimbatore Agricultural College. The Government do not therefore consider it necessary to institute separate scholarships.

Co-operation.*The Co-operative Department.*

72 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

- (a) the reasons why the annual report of the Co-operative Department for the year ending 30th June 1923 has not yet been published;
- (b) the reasons why Madras spends 6 lakhs of rupees on the officials and inspectors in the department;
- (c) the number of societies per lakh of people in Madras as compared with the Punjab and Burma; and

[18th August 1924]

(d) whether the department intends to hand over the direction and control of the movement to non-officials?

A.—(a) The report was published at the beginning of May. The delay in publication was mainly due to the pressure of urgent Council work in the Secretariat.

(b) The staff of the department was greatly increased in 1920 as the outcome of a resolution passed by the Legislative Council on 5th April 1919 recommending in particular that a much larger number of officers (with staff) should be appointed to promote the creation of new societies.

(c) The figures for 1922-23 which are the latest available are as follows:—

Madras	...	...	...	...	19.9
Punjab	...	...	...	...	45.6
Burma	...	...	...	...	46.7

Madras has, however, 12.4 members of primary societies to each thousand inhabitants against 11.9 in Burma and 11.7 in the Punjab.

(d) The question of delegating to non-official agency more and more work connected with the organization and control of co-operative societies is one which continually engages the attention of Government. As regards the progress so far made in this direction, the hon. Member is referred to the report published in G.O. No. 1671, Development, dated 14th November 1923.

Fisheries.

Price of salt in Government fish-curing yards.

73 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

(a) the issue price of salt prevailing in Government fish-curing yards before 1st April 1924;

(b) after 1st April 1924;

(c) if there is an increase, to what causes is the increase due;

(d) whether such an increase was recommended by the Fisheries Department;

(e) whether the people affected by the increase were consulted;

(f) whether the Government have received any memorial from the people affected complaining against this increase in the price of salt; and

(g) what steps the Government have taken to alleviate their grievances?

A.—(a) to (e) The hon. Member is referred to G.O. No. 292, Development, dated 14th February 1924, which has been placed on the Editors' Table.

(f) The answer is in the affirmative.

(g) The Government have directed that the situation should be closely watched but at present are unable to sanction any reduction in the issue price of salt as this would only mean the continuance of the heavy losses sustained in past years on the working of the yards.

[18th August 1924]

Rao Sahib P. V. GOPALAN:—“With reference to the answer to clause (e) of my question, may I ask the hon. the Minister for Development to point out to me in what part or section of that Government Order it is shown that the parties affected by the increase have been consulted? I do not find anything of the kind.”

The hon. the PRESIDENT:—“I must ask the hon. Member to satisfy himself and to satisfy this House if that is the case. In case he is not able to find the answer there it will be quite right for the hon. Member for Government to answer his further question. It is not clear if the hon. Member is quite sure.”

The fish-curing yards in the West Coast.

74 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

(a) how many fish-curing yards there are on the West Coast;

(b) what is the total cost of maintaining them;

(c) how many salt sub-inspectors there are in charge of the fish-curing yards;

(d) what salary each of them draws; and

(e) whether there is no way to curtail the expenses?

A.—(a) 51, excluding a yard at Malpe the cost of which is recovered from a private party.

(b) Rs. 69,000 a year (in round figures), exclusive of the charges for the purchase and transport of salt.

(c) The designation ‘Sub-Inspectors’ was changed to ‘Yard Officers’ on the transfer of the yards to the control of the Fisheries Department. There are now 32 Yard Officers in charge of the yards on the West Coast.

(d) A statement showing the names of the Yard Officers and the salary they drew on 1st April 1924 is annexed.*

(e) Until the Fisheries Department has had experience of the working of the yards, it is not possible to say whether the expenditure can be curtailed.

Rao Sahib P. V. GOPALAN:—“With reference to clause (e) of my question, I may say that in the Government Order referred to in the previous question it was stated that more than 25 per cent of the existing number of fish-curing yards were under the control of the department for the past five or six years. Am I to presume then that even after an experience of five or six years they have not got practical experience in the working of the yards?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“It is only from the 1st of April this year that the fish-curing yards have come under the operation of the Fisheries Department.”

Rao Sahib P. V. GOPALAN:—“In the Government Order referred to, it is said that 13 out of the 51 yards in the West Coast were under the actual control of the Director of Fisheries for the past five or six years. Then, may I ask if that is no sufficient practical experience of working these yards?”

[18th August 1924]

Sale of salt in Kasaragod.

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

- (a) the average quantity of salt issued per annum for fish-curing purposes at Kasaragod in South Kanara district;
- (b) the average amount realized by the sale of salt per annum;
- (c) the difference between the issue price at the yards and the current market price outside; and
- (d) the cost of establishment maintained at the yard?

A.—(a) & (b) The average quantity of salt issued and the average amount realized during the last five years were 972 maunds 36 seers and Rs. 608-1-0 respectively.

(c) Rs. 1-4-0 per maund.

(d) Rs. 462 per annum.

Kasaragod fishermen's memorial.

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

- (a) whether a memorial has been received from the Mukkava fishermen of Kasaragod praying for a reduction in the price of salt; and
- (b) if so, what action has been taken on that memorial?

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

(b) The memorialists were informed that the Government were unable to accede to their request. The Government have directed that the situation should be closely watched but, for the present, are unable to sanction any reduction in the issue price of salt as this would only mean the continuance of the heavy losses sustained in past years on the working of the yards.

Industries.*Report of Special Officer regarding State aid to industries in other countries.*

77 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Development be pleased—

- (a) to state whether the Local Government have received any report from the Special Officer, Mr. A. Y. G. Campbell, C.I.E., sent on duty to England for collecting information regarding the methods by which State aid is afforded to industries in various countries; and
- (b) if the answer to the above is in the affirmative, to place that report on the table of the House?

A.—Mr. Campbell's report was not submitted to this Government but to the Government of India. It has not been published and the Government are therefore unable to place it on the table of the House. The hon. Member's attention is, however, invited to the articles by Mr. Campbell which were published in the Journal of Indian Industries and Labour for August and November 1922.

18th August 1924]

The Inspector of Industrial Schools.

78 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

- (a) the actual duties performed by the Inspector of Industrial Schools;
- (b) the cost involved in his inspection and the money he distributes as grants-in-aid; and
- (c) whether his work cannot be done by the experts in the department?

A.—(a) The duties actually performed by the Inspector of Industrial Schools are the efficient supervision, control and direction of all the industrial schools both Government and aided in the Presidency.

(b) The hon. Member is referred to the Budget Estimates for 1924-1925 under 35-B. Industries—(iii) Industrial Education.

(c) The Inspector of Industrial Schools is an expert in his own line and his duties could not suitably be carried out by any other expert in the department.

Mr. S. SATYAMURTI:—“With reference to clause (a) of the question, may I know how many industrial schools are there in the Presidency, both Government and aided?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“About 45.”

Mr. F. NOYCE:—“I think it is 46, but I am not absolutely certain.”

Veterinary.*Headquarters of the IV Circle officer of the Civil Veterinary department.*

79 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Development be pleased to state whether it is a fact that the headquarters of the IV Circle Officer of the Civil Veterinary department have under G.O. No. 1437, dated the 4th October 1923, been located in Madras while his jurisdiction extends from Madras to Tinnevely?

A.—The answer is in the affirmative.

Rao Sahib U. RAMA RAO:—“May I ask whether it is not advisable to have a central place as the headquarters for the IV Circle Officer instead of having Madras and travelling from Madras to Tinnevely?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“It is no doubt advisable, but in the peculiar circumstances of the case, the headquarters have been fixed at Madras, as this officer of the IV Circle has to attend to work connected with the editing of the Veterinary Journal and to various other duties necessitating his presence at Madras. It is under contemplation to make three circles out of the existing IV and the V circles and to locate the headquarters of the third officer at Madras.”

[18th August 1924]

APPENDIX I.

[Vide answer to question No. 13 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 18th August 1924, page 20 supra.]

(1)

G.O. No. 768, Public, dated 5th November 1921.

The press communiqué relating to the Indian Territorial Force and the rules framed under the Act are communicated to all Collectors for information with the request that wide publicity may be given to these in the districts.

2. Major H. N. K. Bremner, 114th Maharattas, has been appointed Administrative Commandant, Madras, Indian Territorial Force.

3. The Government desire Collectors of districts to take a personal interest in the matter and to afford all possible facilities to Major Bremner in making the scheme a success. In particular they are requested to assist Major Bremner in the formation and general supervision of sub-advisory committees in their districts.

4. Collectors are permitted to correspond directly with Major Bremner. His address at present is: Care of the General Officer Commanding, Madras District, Wellington.

(By order of the Governor in Council)

N. E. MARJORIBANKS,
Acting Chief Secretary.

ANNEXURE.

RULES UNDER THE INDIAN TERRITORIAL FORCE ACT, 1920.

In exercise of the powers conferred by sub-section (1) of section 13 of the Indian Territorial Force Act, 1920 (XLVIII of 1920), the Governor-General in Council is pleased to make the following rules:—

Short title. 1. These rules may be called the Indian Territorial Force Rules, 1921.

Definitions. 2. In these rules, unless there is anything repugnant in the subject or context—

- (a) 'the Act' means the Indian Territorial Force Act, 1920;
- (b) 'Form' means a Form as set out in Schedule I;
- (c) 'regulations' means regulations made under section 14;
- (d) 'schedule' means a schedule to these rules;
- (e) 'section' means a section of the Act;
- (f) 'training year' means a period of twelve months beginning on the first day of April and ending on the thirty-first day of March;

(g) the expressions 'Commanding Officer' and 'Officer Commanding the corps or unit' include, in respect of any corps or unit other than a University Corps, the Adjutant of the corps or unit when that corps or unit is not embodied for training or military service;

(h) the expression 'Officer Commanding the District' means the General or other officer in command of the military district or other area within which the headquarters of a corps or unit constituted under the Act are situated.

LVIII
1920.

[18th August 1924]

PART I.

ENROLMENT.

Conditions of enrolment.

3. Every person offering himself for enrolment shall fulfil the following conditions:—

(a) he shall not be a person who is a member of a criminal tribe within the meaning of the Criminal Tribes Act, 1911, or who has at any time been sentenced to a term of transportation or imprisonment, or to whipping, or who has been ordered under the provisions of the Code of Criminal Procedure, 1898, to give security for his good behaviour, such sentence or order not having been subsequently reversed or remitted or the offender pardoned; III of 1911.
Act V of 1898.

(b) he shall not have been dismissed from the Indian Territorial Force;

(c) he shall be of good character;

(d) he shall have attained the age of 18 years or, in the case of applicants for enrolment in a University Corps, the age of 17 years and he shall not have attained the age of 31 years:

provided that any non-commissioned officer or man of the Indian Territorial Force who desires to be re-enrolled as hereinafter provided during his current term of enrolment or any person who has completed a term of enrolment in the Indian Territorial Force or any soldier discharged from His Majesty's Indian Forces with not less than three years' approved service and with a good character may be enrolled if he has not attained the age of 35 years and does not belong to the Indian Army Reserve; and

(e) he shall have attained such standard of height, chest measurement and physical fitness as may be required by regulations.

4. (1) A person desirous of being enrolled shall apply to the officer commanding the corps or unit for service in which he desires to be enrolled or to an officer who is a recruiting officer or assistant recruiting officer for the purpose of the enrolment of persons under the Indian Army Act, 1911, or to the District Magistrate of the district in which he ordinarily resides or to such other officer as may be appointed by the Local Government in this behalf.

(2) The officer or magistrate to whom an application under sub-rule (1) has been made shall cause the applicant to fill up and sign in his presence a copy of Form I.

(3) When the application has been made to any person, other than the officer commanding the corps or unit, empowered under sub-rule (1) to receive applications for enrolment, such person shall forward the application together with the Form referred to in sub-rule (2), to the officer commanding the corps or unit for service in which the applicant desires to be enrolled.

(4) Applications of persons desirous of being enrolled in a University Corps must be countersigned by the Principal of the College of which the applicant is a member, or by the Registrar of the University.

5. When an application is under rule 4 made to, or received by the officer commanding a corps or unit, that officer shall satisfy himself in such manner as may be laid down by the Local Government that the application is in order and that the applicant fulfils the

Verification.

[18th August 1924]

conditions of enrolment specified in rule 3, and may make such further inquiry as he thinks fit regarding the suitability of the applicant for the corps or unit in which he desires to be enrolled.

6. If the commanding officer is satisfied that the application is in order, that the applicant fulfils the conditions of enrolment and that he is suitable for enrolment in the corps or unit for service in which he desires to be enrolled, he shall cause the applicant to be served with a notice requiring him to present himself for medical examination at a time and place to be specified in the notice.

7. If the commanding officer is not satisfied that the application is in order or that the applicant fulfils the conditions of enrolment or that he is suitable to be enrolled in the corps or unit of his choice, or if the applicant fails to comply with the notice served on him under rule 6 or is reported to be medically unfit for service in the Indian Territorial Force, the commanding officer shall reject the application and shall inform the applicant accordingly:

provided that the Officer Commanding the District shall have power to review any case of rejection and may thereupon order the enrolment of the applicant.

8. (1) If the commanding officer does not reject the application, the applicant shall be accepted for enrolment, and shall be required to fill up a copy of Form II and to sign the declaration at the foot thereof.

(2) If the commanding officer is satisfied that the applicant understands the questions put to him, and consents to the conditions of service, he shall sign a certificate to that effect on the said form, and the applicant shall thereupon be deemed to be enrolled.

9. (1) Every person enrolled shall be attested by the commanding officer by whom he has been enrolled, and for this purpose an oath or solemn affirmation shall be administered to him in one of the forms specified in Form II or in such other form to the same purport as the commanding officer ascertains to be in accordance with the religion of the person to be attested or otherwise binding on his conscience.

(2) An entry of the fact that a person enrolled has taken the oath or affirmation directed by this rule shall be endorsed on the enrolment form signed by him, and shall be authenticated by the signature of the commanding officer.

10. (1) Subject to the provisions of Part II of these rules, every person accepted for enrolment shall be enrolled for a period of six years from the date of his attestation under rule 9:

Provided that—

(a) any non-commissioned officer or man of the Indian Territorial Force at any time after the commencement of the last period of periodical training which he undergoes during his current term of enrolment, or

(b) any person who has completed a term of enrolment in the Indian Territorial Force, or

(c) any person who is discharged under rule 11 (3) from a University Corps after not less than two years' approved service, or,

[18th August 1924]

(d) any soldier discharged from His Majesty's Indian Forces with not less than three years' approved service and with a good character, may be enrolled for a period of four years.

(2) The enrolment of any person such as is referred to in clause (a) of the proviso to sub-rule (1) shall date from the date of the completion of his current term of enrolment.

PART II.

DISCHARGE.

11. (1) Every person enrolled shall, on becoming entitled to receive his discharge under the Act or these rules, be so discharged with all convenient speed.

(2) Any such person may be discharged as hereinafter provided on any of the following grounds, namely:—

(a) that he has been convicted by a criminal or military court of an offence punishable with transportation or imprisonment;

(b) that he has, in filling up any form prescribed by these rules or otherwise for the purpose of obtaining his enrolment, made any statement which was false and which he knew to be false or did not believe to be true;

(c) that his services are no longer required;

(d) that he is medically unfit for further service.

(3) Any person enrolled, who is for the time being appointed to a University Corps shall be discharged on ceasing to be connected with, or to reside at, the University or, as the case may be, a college affiliated thereto.

12. The officer commanding any corps or unit may, on his own authority, discharge any person enrolled on any of the grounds specified in clauses (a) and (c) of sub-rule (2) and in sub-rule (3) of rule 11, but no person shall be discharged on the ground specified in clause (b) of sub-rule (2) of that rule save under the orders of the Officer Commanding the District in which the corps or unit is located.

13. (1) Any enrolled person not entitled to his discharge under the Act or these rules, who is desirous of being discharged prior to the expiration of the period for which he was enrolled, shall apply in writing to the officer commanding the corps or unit to which he is for the time being appointed stating the reasons for the application.

(2) The commanding officer may either grant such application or forward it with his own recommendation thereon to the Advisory Committee constituted for the Province in which the corps or unit is located.

14. Every enrolled person who is discharged from the Indian Territorial Force shall be furnished by his commanding officer with a certificate similar to that referred to in section 17 of the Indian Army Act, 1911.

PART III.

TRAINING.

15. (1) Every person enrolled who has been appointed to a corps or unit other than a University Corps shall be liable, for the purpose of undergoing preliminary training, to be

[18th August 1924]

embodied, under the orders of the Officer Commanding the District in which the corps or unit is located, for a period or periods not exceeding in the aggregate 28 days.

(2) Every member of a University Corps shall be liable to undergo preliminary training consisting of not less than 78 hours of actual drill or instruction during the first six months after his enrolment: provided that a University vacation shall be disregarded in computing that period.

(3) The officer commanding any corps or unit may exempt, either wholly or in part, from liability to undergo preliminary training any person enrolled who has, in his opinion, undergone adequate military training under the Indian Defence Force Act, 1917, or otherwise.

16. Every person who has undergone the preliminary training required by Annual training. rule 15, or has been exempted from undergoing the same, shall be liable to undergo periodical training as herein provided, namely:—

(1) Every such person who is not a member of a University Corps shall be liable to be embodied for periodical training for a period not exceeding 28 days in each training year;

(2) every member of a University Corps shall be liable to undergo not less than two hours of actual drill or instruction during each week of a University term, and to be embodied in camp for a period not exceeding 15 days in each training year:

provided that any person enrolled who has been embodied for military service under section 9 for a period or periods aggregating not less than 20 days in any training year shall not be required to undergo periodical training during that year.

PART IV.

PAY AND ALLOWANCES.

17. Every person enrolled, other than a person enrolled in a University Corps, shall for any period during which he is called out or embodied for training, and every person enrolled shall for any period during which he is called out or embodied for military service, be entitled to such pay and such allowances as are for the time being admissible to corresponding ranks of His Majesty's Indian Forces.

PART V.

DISCIPLINE DURING TRAINING.

Corps or units other than University Corps.

VIII of 1911. 18. The Indian Army Act, 1911, and the rules made thereunder in their application to members of the Indian Territorial Force, other than members of a University Corps, embodied for or otherwise undergoing military training, shall be modified to the extent and in the manner specified in Schedule II.

18th August 1924]

University Corps.

19. An officer, non-commissioned officer or man of a University Corps commits an offence if he when embodied for or otherwise undergoing training under the Act, does any of the following acts, namely:—

(1) when on parade or undergoing military training or wearing His Majesty's uniform—

(a) strikes, or uses or offers violence to, or uses threatening or insubordinate language to or behaves with contempt to, his superior officer; or

(b) disobeys any standing order of, or lawful command given by, his superior officer; or

(c) neglects to obey a general or garrison order made specially applicable to the Indian Territorial Force by the officer commanding the corps to which he belongs; or

(d) is in a state of intoxication; or

(e) being a non-commissioned officer strikes or illtreats any person subject to military law or to the Act, or to the Auxiliary Force Act, 1920, who is his subordinate in rank or position; XLIX 1920.

(2) without sufficient cause fails to appear at the place of parade at the time fixed or to attend at any place in his capacity as a member of the Indian Territorial Force when duly required so to attend, or when on parade without sufficient cause quits the ranks;

(3) without sufficient cause fails to perform any part of the training which by or under the Act he is required to perform;

(4) strikes, or uses or offers violence to, any person whether subject to military law or not in whose military custody he is placed, and whether such person is or is not his superior officer;

(5) resists an escort whose duty it is to arrest him or detain him in military custody;

(6) being under arrest or detention or otherwise in lawful custody escapes or attempts to escape;

(7) when in charge of any property belonging to Government or to a corps or unit of the Indian Territorial Force makes away with, or is concerned in making away with, such property;

(8) wilfully injures, or by culpable neglect loses or causes injury to, any such property as is mentioned in clause (7);

(9) wilfully illtreats a horse or other animal used in the public service;

(10) knowingly furnishes a false return or report of the number or state of men under his command or charge, or of any money, arms or ammunition, clothing, equipment stores or other property in his charge;

(11) through design or culpable neglect omits to make or send any return of any matter mentioned in clause (10) which it is his duty to make or send;

(12) when it is his official duty to make a declaration respecting any matter, makes a declaration respecting such matter which he either knows or believes to be false or does not believe to be true;

[18th August 1924]

XLIX of 1920. (13) knowingly makes against any person subject to military law or to the Act or to the Auxiliary Force Act, 1920, an accusation which he either knows or believes to be false or does not believe to be true;

(14) falsely personates any other person at any parade or on any occasion when such other person is required by or under the Act to do any act or attend at any place, or abets any such act of personation.

20. An officer commanding a University Corps shall, after investigation held of a charge made against a member of that corps of any offence specified in rule 19, deal with the matter in one or other of the following ways, that is to say, he may—

- (a) dismiss the charge; or
- (b) deal with the case summarily; or
- (c) refer the case for trial by a court-martial convened under these rules, as hereinafter provided; or
- (d) where the offence is also an offence under the ordinary criminal law, take steps for bringing the offender to trial by the ordinary criminal courts:

provided that the officer commanding shall deal summarily with every case in which he does not dismiss the charge, unless in his opinion the offence is of so serious a nature as to require that it should be otherwise dealt with.

Summary and minor punishments. 21. An officer dealing summarily with an offence under rule 19 may inflict punishment according to the following scale, that is to say, he may—

- (a) order dismissal of the offender from the Indian Territorial Force with or without forfeiture of all or any arrears of pay and allowances and other public money due to him at the time of such dismissal; or
- (b) order the detention of the offender in military custody for a period not exceeding ten days; or
- (c) order stoppages of pay and allowances until any proved damage or loss occasioned by the offence of which the offender is charged is made good; or
- (d) order, in the case of a non-commissioned officer, reduction to a lower grade or to the ranks; or
- (e) order, in the case of a non-commissioned officer, forfeiture of seniority of rank; or
- (f) order the performance by the offender of additional drills not exceeding ten hours; or
- (g) severely reprimand the offender; or
- (h) reprimand the offender;
- (i) admonish the offender;

provided that the punishments specified in clauses (b) and (c) of this rule shall not be inflicted unless the offender was at the time of committing the offence embodied for training.

22. Where a commanding officer decides under rule 20 that an offence should be tried by court-martial, he shall refer the case to the Officer Commanding the District in which the corps is undergoing training.

[18th August 1924]

23. (1) On receipt of a reference under rule 22, the Officer Commanding the District may either direct the officer making the reference to deal with the case under clause (a), (b) or (d) of rule 20, or may convene a court-martial consisting of three officers of whom not less than two shall be officers of His Majesty's regular forces and the third shall be an officer of the Indian Territorial Force not being—

- (a) an officer who has taken any part in the investigation of the charge before trial; or
 - (b) the prosecutor or a witness for the prosecution.
- (2) The President of the court-martial shall be named by the convening officer.

24. A court-martial constituted under rule 23 shall have power to try any member of a University Corps for any offence made punishable by rule 19 and to pass—

- (a) in respect of any of the offences specified in sub-clauses (b), (c) and (d) of clause (1) or in clauses (2), (3), (8), (11) and (14) of rule 19, a sentence of fine not exceeding two hundred rupees; or
- (b) in the case of any other offence specified in rule 19, a sentence of imprisonment which may extend to two months, or of fine not exceeding two hundred rupees or both; or
- (c) in any case, any sentence which might have been passed by a commanding officer trying the offence summarily under rule 21.

25. The proceedings of courts-martial convened under these rules shall be conducted according to the laws and customs applicable to court-martial held under the Indian Army Act, 1911, VIII of 1911, and that Act and the rules made thereunder shall, so far as may be, apply accordingly.

26. The findings and sentences of a court-martial convened under these rules may be confirmed by the officer by whom the court-martial was convened, and no such finding or sentence shall be valid save in so far as it may be so confirmed.

27. (1) The confirming officer may when confirming the sentence of a court-martial, mitigate or remit the punishment thereby awarded, or commute that punishment for any less punishment or punishments to which the offender might have been sentenced by the court-martial, and may, if the sentence passed by the court-martial is found for any reason to be invalid, pass a valid sentence: provided that the punishment awarded by the sentence so passed shall not be higher in the scale of punishments than, or in excess of, the punishment awarded by the invalid sentence.

(2) For the purposes of sub-rule (1) a sentence of imprisonment or fine shall be deemed to be a greater punishment than any punishment specified in rule 21.

28. (1) A sentence of imprisonment passed by a court-martial under these rules may be carried out in the same manner as a sentence of imprisonment awarded under the Indian Army Act, VIII of 1911.

[18th August 1924]

(2) A fine imposed by a court-martial under these rules may be recovered in the following manner, that is to say :—

(i) the Presiding Officer of the court-martial may send a certified copy of the sentence to the District Magistrate having jurisdiction in the area in which the fine has been inflicted, and

(ii) on receipt of the copy, the District Magistrate shall recover the fine in accordance with the provisions of the Code of Criminal Procedure, 1898, as if it had been imposed by him, and remit the amount recovered to the Presiding Officer.

PART VI.

ADVISORY COMMITTEES.

29. (1) The military officer to be appointed as a member of each Advisory Committee shall be appointed by the Officer Commanding the District concerned, or, if the Province includes parts of two or more Districts, by the Officers Commanding those Districts in consultation.

(2) The Local Government shall appoint one of the two non-official members of the Advisory Committee to be the President thereof.

(3) A recommendation concurred in by the majority of the members of the Advisory Committee on any matter shall be deemed to be the recommendation of the Committee.

(4) A record shall be kept of all the proceedings of the Advisory Committee, and one copy of each such record shall be forwarded to the Officer or Officers Commanding the District or Districts concerned.

30. The Advisory Committee may, in relation to that portion of the Indian Territorial Force which is located within the province for which it is constituted, make recommendations to the Officer Commanding the District concerned—

(a) on applications forwarded to it by the officer commanding a corps or unit under sub-rule (2) of rule 13 ;

(b) regarding the period or periods in which the prescribed training is to be carried out in each year by any corps or unit ;

(c) regarding the time and place at which the annual training in camp of a University Corps shall be undergone ;

(d) regarding any matter relating to recruitment for the Indian Territorial Force ; and

(e) regarding any matter which may be referred to it for advice by the Officer or Officers Commanding the District or Districts comprised in the Province.

18th August 1924]

SCHEDULE I.

(See rules 2, 4, 8 and 9.)

FORM I.

APPLICATION FOR ENROLMENT IN THE INDIAN TERRITORIAL FORCE.

NOTE.—Names should be hand-printed.

Subject.	Particulars to be filled in by the applicant.
Name in full	...
Father's name	...
Religion, class and tribe	...
Present address in full	...
Permanent address in full	...
Date of birth	...
If a naturalized British subject, date of naturalization	...
Present trade or profession	...
Previous military service, if any	...
Particular branch, corps or unit for service in which enrolment is desired.	...
Signature	...
Date	...
Signature of	(a) District Magistrate. (b) Recruiting Officer. (c) Officer Commanding. Indian Territorial Force.
Date	_____

FORM II.

INDIAN TERRITORIAL FORCE ENROLMENT FORM.

NOTE.—Names should be hand-printed.

Questions to be put before enrolment.	Number.
1. What is your name ?	1
2. What is your father's name ?	2
3. Are you a British subject ?	3
4. What is your village ^{Thana} Taluk and district ?	4
5. What is your present trade, profession or occupation ?	5
6. Where are you employed ?	6
7. What are your educational qualifications ?	7
8. What is your age ?	8
9. Have you ever been transported or imprisoned or whipped or ordered to furnish security for good behaviour ?	9

[18th August 1924]

Questions to be put before enrolment—cont.

- | | Number. |
|---|---------|
| 10. Do you now belong to His Majesty's Forces, the Reserve or the Imperial Service Troops of any Indian State or the Nepal State Army? | 10 |
| 11. Have you ever served in His Majesty's Forces, the Reserve, the Indian Defence Force, or the Imperial Service Troops of any Indian State or the Nepal State Army? If so, state in which, the period of service and the cause of discharge. | 11 |
| 12. Have you truly stated the whole, if any, of your previous military service? | 12 |
| 13. Are you willing to be enrolled under the Indian Territorial Force Act, 1920? | 13 |
| 14. In which branch, corps or unit do you desire to be enrolled? | 14 |
| 15. Are you willing to undergo military training and to perform military service as specified in the Act and to allow no caste usages to interfere with your military duty? | 15 |
| NOTE.—Non-interference with caste usages will be observed exactly as in the case of the Regular Army. | |
| 16. Are you willing to serve until discharged as provided in the Act? | 16 |
| 17. Have you ever previously applied for enrolment under the Act; and, if so, with what result? | 17 |
| 18. Have you been dismissed from the Indian Territorial Force? | 18 |
| 19. Do you solemnly declare that the answers you have made to the questions in this form are true and that no part of them is false, and that you are willing to fulfil the engagement made? | 19 |

Signature _____

Certified that the applicant understands and agrees to the conditions of enrolment.

Signature of Enrolling Officer.

FORM OF OATH.

I . . . do swear that I will be faithful and bear true allegiance to His Majesty the King-Emperor, His heirs and successors, and that I will as in duty bound honestly and faithfully serve in the Indian Territorial Force and go wherever I may be ordered by land or sea, and I will observe and obey all lawful commands of any officer set over me even to the peril of my life.

FORM OF AFFIRMATION.

I . . . solemnly affirm that I will be faithful and bear true allegiance to His Majesty the King-Emperor, His heirs and successors, and that I will,

[18th August 1924]

as in duty bound, honestly and faithfully serve in the Indian Territorial Force and go wherever I may be ordered by land or sea, and I will observe all lawful commands of any officer set over me even to the peril of my life.

Duly ^{sworn}/_{affirmed} before me.

Signature of Attesting Officer.

Date.

Designation.

SCHEDULE II.

(See rule 18.)

MODIFICATIONS OF THE INDIAN ARMY ACT, 1911.

- Sections 2 to 6 and 8 to 18 inclusive shall be omitted.
- In sub-section (2) of section 20 for the words "twenty-eight days" the words "ten days" shall be substituted.
- In sections 26, 28 and 34 after the word "imprisonment" the words "for a term not exceeding one year" shall be inserted.
- In section 29 for the word "death" the words "imprisonment for a term not exceeding six months" shall be substituted.
- In sections 30 and 31 after the word "imprisonment" the words "for a term not exceeding six months" shall be inserted.
- In section 32 after the word "imprisonment" the words "for a term not exceeding two months" shall be inserted.
- In sections 35, 36, 37, 38 and 39 after the word "imprisonment" the words "for a term not exceeding six months" shall be inserted.
- Sections 41, 45, 46, 49-A, 52-A, 114, 115, 116, 124 and 127 shall be omitted.

MODIFICATIONS OF THE INDIAN ARMY ACT RULES.

- Chapters II and III shall be omitted.
- Rules 159 and 160 shall be omitted.
- In rule 161, sub-rules (A) and (B) shall be omitted, and to sub-rule (C) the following shall be added, namely:—
" (xx) each corps or unit constituted under section 4 of the Indian Territorial Force Act, 1920."
- Rules 162 and 162-A shall be omitted.
- Sub-rule (C) of rule 163 shall be omitted.
- Rules 163-A and 165 shall be omitted.

PRESS COMMUNIQUE.

Dated Fort St. George, the 5th November 1921.

INDIAN TERRITORIAL FORCE.

- The Act constituting the Indian Territorial Force came into operation on 1st October 1920. Its application, however, depended on the rules to be framed under the Act.

[18th August 1924]

These rules were published in March 1921 for the information of the general public who were invited to offer criticisms and suggestions thereon.

They have now been finally approved and were published in the *Gazette of India*, dated 6th August 1921, and were republished in the *Port St. George Gazette*, dated 7th September 1921.

Steps are now being taken to constitute regiments of the Indian Territorial Force and on their constitution the enrolment of persons eligible for admission will be commenced in accordance with the rules under the Act.

2. The legislation creating the Territorial Force was undertaken in order to meet the legitimate aspirations of the people of India towards bearing a larger share in the military burden of the Empire and in particular the defence of India. It is therefore hoped that all classes will avail themselves of the opportunity thus afforded and undertake seriously to learn the duties of a soldier. The regiments will be modelled on the lines of the Militia in the United Kingdom, and as the Militia has been for centuries a second line to the Regular Army, so it is hoped that the Indian Territorial Force will become a second line to the Regular Indian Forces, thus constituting a reserve of military strength, built upon popular lines, for employment in the defence of India.

It will supplement and co-operate with the Regular Army in any emergency threatening the security of India and the organization of its units will, as far as possible, be identical with that of the Regular Army.

In the event of war, the Indian Territorial Force will be embodied for continuous training and when fit for service will be sent forward as reinforcements for the Army. The use of the force for local duty is a secondary consideration.

3. For the purposes of recruitment, enrolment and administration a permanent regular officer will be appointed to each regiment and this officer will act as Commandant when the unit is not embodied for training or service.

Embodiment will take place annually for 28 days for training of the whole unit. Immediately preceding this, new recruits who have joined since the last training will be embodied for a period of 28 days' training.

This period of 28 days' training per annum will be carried out during the slack season of the year as is found most suitable in each district.

This is important, because it means that all those with military inclinations can join the force without interfering with their ordinary work or profession.

4. While embodied, the unit will come under Indian Army Regulations, suitably modified, for all purposes, including pay at Indian rates for all periods of embodiment. During embodiment the Regiment and each Company will be commanded by Regular Officers detailed from the units of the Indian Army to which the Territorial Regiment is affiliated.

Other officers will be found from the Territorial Force itself either by direct appointment or after approved service in the ranks.

It is hoped that members of the University Training Corps, on leaving their University, will not sever their military connexion but will endeavour to obtain commissions in the Territorial Force.

[18th August 1924]

5. The Territorial Regiments will be formed on the "class" company basis but, until the force develops and specialization becomes practicable, it will be necessary to make the "classes", in the first instance, as wide as possible.

Particularization will be effected to a closer degree in the platoon so as to avoid, as far as possible, the admixture of creeds and castes.

6. An essential feature of this scheme is that service will be general. That is to say, the Force may be required to serve in any part of India and, in cases of emergency, beyond Indian limits.

In consequence, the Force must be prepared to undergo training for a role which will ultimately be identical with that of the Regular Army.

7. To assist in making the scheme known and to get recruits for the Force, sub-advisory committees will be formed in each district and will register the names of any one wishing to join the Force from that district. When sufficient names are registered in any district or group of districts, the Commandant will enrol all suitable applicants, subject to their being physically fit and up to the Regular Army standards.

8. Under section 12 of the Indian Territorial Force Act, 1920, the Government are constituting a Central Advisory Committee which will sit as required at Madras.

This body will consist of three members, including one to be nominated by the General Officer Commanding, Madras District.

9. Full details of the exact terms of service, pay, allowances, privileges gained by joining the Force, where and how to join, etc., will be published as soon as possible.

10. The University Training Corps, which was started under the Indian Defence Force Act of 1917, is a separate organization from the Indian Territorial Force and it will be conducted on lines closely following those hitherto laid down. Regular Adjutants will be appointed to those units which are of sufficient strength to warrant such an appointment and the training of the units will be continuous throughout the period of residence. Enrolment in the University Training Corps will be restricted to graduates and under-graduates in residence at the Universities and affiliated colleges.

N. E. MARJORIBANKS,
Acting Chief Secretary.

(2)

G.O. No. 889, Public, dated 21st December 1921.

His Excellency the Governor in Council is anxious to encourage the enrolment of Government servants in this Presidency in the Indian Territorial Force and is prepared to give them such facilities for training as are possible. It is obviously impossible to allow a large proportion of the Government servants in a district to absent themselves from their ordinary duties for any lengthy period simultaneously, but those who are allowed to undergo the prescribed annual course of training by their official superiors or the heads of departments in which they are serving will be treated as on duty during the period of training and will draw their ordinary pay.

(By order of the Governor in Council)

R. A. GRAHAM,
Acting Chief Secretary.

APPENDIX

[18th August 1924]

(3)

G.O. No. 825, Public, dated 13th October 1922.

In partial modification of G.O. No. 889, Public, dated 21st December 1921, the Government direct that the Government servants shall draw the pay of the military rank in which they serve while undergoing training in the Indian Territorial Force. If, however, the military pay of their rank is less than their ordinary civil pay, the difference will be made good by the Government.

(By order of the Governor in Council)

R. A. GRAHAM,
Chief Secretary.

APPENDIX II.

[Vide answer to question No. 17 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 18th August 1924, page 22 supra.]

RAILWAY UNDER CONTEMPLATION.

District Board.

Railway.

- (1) Arcot, North and Madurantakam-Arni or Padalam-Arni.
Chingleput.
- (2) Arcot, South ... { (1) Ulundurpet-Chinnasalem.
(2) Extension of the above to the Salem district frontier.
- (3) Coimbatore ... { (1) Erode-Satyamangalam.
(2) Pollachi-Udamalpet.
- (4) Ganjam ... { Gopalpur-Berhampur-Russellkonda Branch* and
Surada extension.
- (5) Godavari... ... Cocanada-Kotipalle.
- (6) Guntur ... { (1) Repalle-Visweswaram extension.
(2) Guntur-Gurzala-Macherla Railway.
- (7) Kanara, South ... Mangalore-Panimangalore.
- (8) Kistna ... { (1) Gudivada-Bhimavaram.
(2) Nidadavolu-Narasapur.
- (9) Kurnool Nandyal-Atmakur.†
- (10) Kurnool and Cuddapah. { (1) Nandyal-Yerragudipad.
(2) Nandyal-Koilkuntla.
- (11) Cuddapah ... Yerragudipad-Proddatur.
- (12) Madura ... Madura-Bodinayakanur.
- (13) Nellore ... { (1) Oollapalem-Kanigiri.
(2) Padugupad-Atmakur.
- (14) Ramnad ... Manamadura-Sivaganga.

* This project is held in abeyance till any private promoters offer to construct it. The District Board is unable to finance the line.

† Abandoned by the District Board in favour of the Nandyal-Koilkuntla line.

APPENDIX

18th August 1924]

District Board.

Railway.

- (15) Salem ... { (1) Salem-Attur.
(2) Extension of the same to District frontier.
(3) Salem-Rasipur.
- (16) Tinnevely ... { (1) Tinnevely-Tiruchendur Railway extension to
Kulasekharapattanam.
(2) Palamcottah-Panagudi.
- (17) Tanjore ... { (1) Mannargudi-Tiruthuraiipundi.
(2) Mayavaram-Tranquebar.
(3) Vedaranniem Railway extension to Point
Calimere.
(4) Tanjore-Tiruvadi.
- (18) Trichinopoly ... Trichinopoly-Jayankondasholapuram.
- (19) Salem and Trichinopoly. { (1) Attur-Tirumandurai and Attur-Perambalur
Railways.
(2) Valappadi-Turaiyur.

APPENDIX III.

[Vide answer to question No. 30 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 18th August 1924, page 31 supra.]

Statement No. I.—Statement of the tours made by the Executive Council Members and Ministers from 1st December 1923 to 30th April 1924.

Name of the Member or Minister.	Dates of the tour.	Place or places to which the tours were made.	Cost of the tour.
			RS. A. P.
The hon. the Raja of Panagal.	From 21st January to 27th January 1924.	Cuddapah Guntakal Bellary Walajah	892 3 0
	From 22nd February to 29th February 1924.	Bangalore Mysore Seringapatam Penukonda Tenali	1,004 13 0
	From 17th April to 25th April 1924.	Berhampur Gudur Kalahasti Renigunta	1,466 12 0
The hon. Sir A. P. Patro.	From 18th January to 23rd January 1924.	Bezavada Waltair Chicacole Berhampur Tanjore	393 4 0
	12th February 1924. From 30th November to 6th December 1923.	Tinnevely	153 4 0
The hon. Diwan Bahadur T. N. Sivagnanam Pillai.	From 12th January to 18th January 1924.	Tanjore Trichinopoly Madura Tinnevely	676 4 9
			1,410 8 3

[18th August 1924]

Statement No. I.—Statement of the tours made by the Executive Council Members and Ministers from 1st December 1923 to 30th April 1924—cont.

Name of the Member or Minister.	Dates of the tour.	Place or places to which the tours were made	Cost of the tour.
			RS. A. P.
The hon. Diwan Bahadur T. N. Sivagnanam Pillai—cont.	From 28th January to 31st January 1924.	Nellore	384 4 0
	From 22nd February to 28th February 1924.	Coimbatore	1,105 4 0
	From 20th April to 22nd April 1924.	Tanur	
		Calicut	
		Guntur	
The hon. Mr. C. P. Ramaswami Ayyar.	From 22nd December to 27th December 1923.	Narasaraopet	1,361 8 0
		Salem	624 0 0
		Mettupalaiyam	
	From 19th January to 21st January 1924.	Tiruppar Olavakode	1,676 9 0
	From 16th February to 17th February 1924.	Tanjore	616 12 0
The hon. Sir Arthur Knapp.	From 18th December to 31st December 1923.	Chidambaram	445 1 0
		Shoranur	1,824 8 0
		Malappuram	
		Waiyyar	
		Ootacamund	
	From 14th January to 24th January 1924.	Lovedale	
		Mettupalaiyam	2,017 4 0
		Guntakal	
		Gazalpalli	
		Chelamu	
Raja Vasudeva Raja of Kollengode.	From 29th January to 1st February 1924.	Naraspet	870 2 0
	From 10th February to 11th February 1924.	Kumbakonam	
		Mayavaram	
	From 17th February to 28th February 1924.	Karikal	
		Saidapet	
	From 8th April to 10th April 1924.	Ranipet	1,157 10 0
	From 21st December to 30th December 1923.	Podanur	
		Valaparai	
		Mettupalaiyam	
		Waltair	
	From 12th February to 24th February 1924.	Olavakode	1,287 8 0
		Guntakal	1,231 0 6
		Bellary	
		Coimbatore	
		Calicut	
Raja Vasudeva Raja of Kollengode.	From 22nd March to 28th March 1924.	Tellicherry	1,103 16 0
		Mangalore	2,387 6 6
		Olavakode	
		Olavakode	
		Cuddalore	
			146 1 0
			166 6 9

18th August 1924]

Statement No. II.—Statement of the tours made by the Executive Council Members and Ministers to the South Kanara district from 1st June 1922* to 31st October 1923.

Name of the Member or Minister.	Dates of the tour.	Cost of the tour.
		RS. A. P.
The hon. the Raja of Panagal.	From 29th May to 1st June 1923. (Mettupalaiyam to Mangalore.)	667 0 0
The hon. Mr. R. A. Graham...	14th September 1923, 15th September 1923 and 17th September 1923. (Calicut, Manjeshwar, Mangalore).	1,031 8 0

* Information regarding figures from 1st June 1922 to 31st March 1923 is not readily available.

APPENDIX IV.

[Vide answer to question No. 41 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 18th August 1924, page 87 supra.]

List of Members of the Chingleput District Board.

Serial number and names of Members.	Community to which they belong.
1. M.R.Ry. M. Krishnaswami Reddi Garu, B.A., President.	Non-Brahman, Reddi.
Nominated.	
2. Muhammad Abdul Rahim Khan Sahib Bahadur.	Muhammadian
3. M.R.Ry. P. V. Subrahmanya Pillai Avargal.	Adi-Dravida
4. " P. Ponnuswami Gramani Avargal...	Non-Brahman, Shanar.
5. " M. V. Chinnathambu Chettiyar ...	Non-Brahman, Devanga.
Elected by Chingleput Taluk Board.	
6. M.R.Ry. C. Muttayya Mudaliyar, Avargal, B.A., M.L.C.	Non-Brahman, Vellala.
7. " A. Rajappa Mudaliyar Avargal ...	Non-Brahman, Vellala.
8. " C. Jayaram Nayudu Garu, Vice-President, District Board.	Non-Brahman, Padma Velama.
9. " M. M. Kumaraswami Mudaliyar Avargal.	Non-Brahman, Vellala.
10. " K. Vaidyanatha Mudaliyar Avargal.	Non-Brahman, Vellala.
11. " K. Kuppuswami Reddi Garu ...	Non-Brahman, Reddi.
12. " K. Sambasiva Chettiyar Avargal ...	Non-Brahman, Saliya (Weaving).
13. " Muttukumarappa Reddi Garu ...	Non-Brahman, Reddi.
14. " K. V. Krishnaswami Nayakar Avargal.	Non-Brahman, Vannikula Kshatriya.
15. " C. S. Parthasarathi Ayyangar Avargal.	Brahman, Vaishnavite.
16. " N. Krishnaswami Reddiyar Avargal.	Non-Brahman, Reddi.

[18th August 1924]

Elected by Saidapet Taluk Board.

Serial number and names of Members.		Community to which they belong.
17.	M.R.Ry. Rai Sahib N. Chengal Rao Garu, B.A.	Brahman, Mathwa.
18.	" K. T. Parthasarathi Reddi Garu ...	Non-Brahman, Kamma.
19.	" T. Rajagopala Achariyar Avargal, B.A.	Brahman, Vaishnavite.
20.	" S. Appadurai Pillai Avargal	Non-Brahman, Idaiya.
21.	" A. Karikrishna Mudaliyar Avargal.	Non-Brahman, Vellala.
22.	" T. Appavu Nayudu Garu ...	Non-Brahman, Kamma.
23.	" M. P. Sivapada Mudaliyar Avargal.	Non-Brahman, Vellala.
24.	" P. Rajakotilinga Chettiyar Avargal.	Non-Brahman, Betichetty.

Elected by Tiruvallur Taluk Board.

25.	M.R.Ry. Rai Sahib C. Aruliah Nayudu Garu.	Indian Christian.
26.	" P. B. Ramanuja Achariyar Avargal, B.A.	Brahman, Vaishnavite.
27.	" D. K. Ramayya Nayudu Garu ...	Non-Brahman, Kamma.
28.	" T. Thanappa Mudaliyar Avargal ...	Non-Brahman, Vellala.
29.	" P. Srinivasalu Reddi Garu ...	Non-Brahman, Reddi.
30.	" G. Sriramulu Sowdri Garu ...	Non-Brahman, Kamma.
31.	" N. Muttunagaraju Garu ...	Non-Brahman, Kshatriya.
32.	" K. Rajaratnam Nayudu Garu ...	Non-Brahman, Balija.

APPENDIX V.

[Vide answer to question No. 45 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 18th August 1924, page 41 supra.]

From the Chairman, Municipal Council, Tinnevely, S.C. No. 116/24, dated June 1924.

With reference to Memorandum No. 14310-1, L. & M., dated 19th May 1924, I have the honour to submit the following report in the matter of the obstruction to the repair of the Sanyasigramam road by the Brahman rate-payers of the street:—

Sanyasigramam consists of a single street running from west to east with houses on either side occupied exclusively by Brahmans with a temple in the western central portion of the street and a well in the middle of the street. This street was all along being repaired with coolies ordinarily retained temporarily for municipal road repair work.

For the year 1923-24 also funds were set apart for repairs in the Sanyasigramam street in consultation with the councillors of the ward I of block III in which the street is situated and repair materials were collected, stored up and paid for before the end of the year. But the actual repairs of the street were taken up only on 8th April 1924.

[18th August 1924]

On the 8th April 1924, when the road maistri went to the street with a gang of coolies to execute the repairs, he was obstructed from executing the repairs by the Brahman rate-payers on the ground that it could be repaired only by high caste coolies.

The Brahman rate-payers in the meantime presented a mahazar—I should say an offensively worded one—asking, among other things, for the repairs to be executed by high caste coolies and not by low caste men such as Nadars, Pallars and Pariahs. This mahazar was taken up as an emergent subject at the meeting held on the same day (8th April 1924) and a copy of the proceedings passed by the Council is herewith appended for information. No further action has yet been taken on the subject.

The street is public street and no classes of people are prohibited from passing through that street and no notice board is fixed at the entrance warning the members of the depressed classes not to pass through Sanyasigramam and the Brahman rate-payers have no tenable grounds to have it repaired by high caste coolies. The houses in the street are occupied exclusively by Brahman rate-payers and a large section of these rate-payers object to the repair by the low caste coolies. They do not however object to the other permanent coolies of the municipality, consisting of the depressed classes among others, doing other municipal work such as removal of rubbish and night-soil, etc.

APPENDIX.

Proceedings of the Municipal Council, Tinnevely, No. 4, dated 8th April 1924.

Number of Councillors present—22.

Resolution No. 2.

Mahazar from the rate-payers of Sanyasigramam Sanuidhi street praying that high caste coolies should be employed for road renewal or repair or, in the alternative, praying that no road need be repaired.

M.R.Ry. S. E. Subbiah Pillai Avargal proposes and M.R.Ry. Sriman Kantimatinatha Pillai Avargal seconds that the subject may be taken up emergently.

M.R.Ry. R. P. Sethu Pillai Avargal rises to a point of order and says that, as there is a previous resolution on the subject, this need not be brought up now emergently.

As it seems that this subject will result in serious consequence, the Chairman has brought it up before the Council thinking it should be decided only by the Council and added that it should be taken up now. This is in order.

Resolved that the subject should be taken up as an emergent one.

M.R.Ry. Sriman Kantimatinatha Pillai Avargal demands poll.

For

1. M.R.Ry. Sriman Kantimatinatha Pillai Avargal.	6. M.R.Ry. R. Krishnaswami Rao Avargal.
2. " Muthuswami Muppanar Avargal.	7. " T. O. Virabhadra Pillai Avargal.
3. " Muniandy Samban Avargal.	8. " C. Alagiriwami Nayudu Garu.
4. " M. S. A. Gopelakrishnan Chettiyar Avargal.	9. " A. R. A. Shenbaga Nadar Avargal.
5. " T. O. Paramasivan Pillai Avargal.	10. " S. E. Subbiah Pillai Avargal.
	11. " J. Chakrapani Nambiyar Avargal.

[18th August 1924]

Against.

- | | |
|------------------------------------|---------------------------------------|
| 1. M.R.Ry. S. Sundarakrishna Ayyar | 3. M.R.Ry. T. K. Chandrasekhara Ayyar |
| 2. " K. N. Sankara Ayyar | |

Neutral.

- | | |
|---|-----------------------------------|
| 1. M.R.Ry. P. V. S. Shunmugasundara-perumal Mudaliyar | 4. M.R.Ry. A. V. Lakshmana Nayudu |
| 2. " K. Subramania Pillai | 5. " Chavadi K. Subramania Pillai |
| 3. " M. Gomatinayagam Pillai | 6. " R. P. Sethu Pillai |

As the Chairman reports that he experiences difficulties in repairing roads in the Sanyasigramam on the ground of the obstruction by the Brahmin rate-payers of the street that the street repairs are being done for other public streets the Chairman is requested to get over all the difficulties if necessary with the assistance of the police and after intimating the matter to the District Magistrate, Subdivisional Magistrate and Town Magistrate of Tinnevely prosecute the obstructors under the District Municipalities Act.

Proposed by M.R.Ry. S. E. Subbiah Pillai Avargal, and seconded by M.R.Ry. S. Muniandy Samban Avargal.

M.R.Ry. R. P. Sethu Pillai Avargal says that the above proposition is not in order, in view of the fact that there already exists a resolution that the Chairman himself has been empowered to find out ways and means in executing the resolution and it amounts to an interference with the statutory powers of the Chairman if the Councillors were to take the responsibility in the matter of executing the resolutions.

M.R.Ry. R. Krishnaswami Rao Avargal rises to a point of order.

As it is not within the competence of the Council to empower a Chairman to execute its resolutions with the help of the police, magistracy and prosecution powers vested in the chairman by the Act, and also in view of the fact that road-making and repairing are not matters which can be thrust upon rate-payers against their will and as the persons who have signed the mahazar do not want the street repairing in case the Chairman is not prepared to accede to their alternative requests and as there are streets in the municipality which are not at all metalled or gravelled, such as big weavers street in Tinnevely, Pattapathu weavers streets and other similar streets and as the passing of the resolution would lead to breach of peace the proposition is not in order.

(1) As regards the point of order raised by M.R.Ry. Sethu Pillai Avargal, there is no resolution of the Council on the subject and even if there is one the Chairman can bring any subject before the Council when he deems the advice of the Council necessary.

(2) As regards the point raised by M.R.Ry. R. Krishnaswami Rao Avargal. As the non-metalling, etc., of weavers streets, etc., are based upon industrial and commercial principle and as the rate-payers request that they would rather forego a neat and clean street than allowing the ordinary low caste coolies to work in their street as the street in question is not a private street, and as the Municipality is in duty bound to maintain good and sanitary roads and as compliance with the request will be a bad precedent which will ultimately affect the finance of the Municipality by similar requests coming from rate-payers of other streets it is a matter to be taken up and considered. Therefore the proposition is in order.

M.R.Ry. Sriman Kantimatinatha Pillai Avargal wants to know who took up the initiative in the matter of metalling the Sanyasigramam Sannidhi street contrary to custom as alleged by the petitioners.

A.—The permanent Chairman says that the Supervisor is on leave and cannot now definitely say who took up the initiative excepting the fact that Rs. 750 has been allowed for the ward for road metalling. I am unable to furnish any other information except that furnished by the Chairman.

Owing to the fact that the Sanyasigramam road is not in a bad condition and as it is understood that the road is in good condition and as the rate-payers of the street do not want the road to be metalled, the street needs no metalling.

Proposed by M.R.Ry. S. Sundarakrishna Ayyar Avargal, and seconded by M.R.Ry. T. K. Chandrasekhara Ayyar Avargal.

The permanent Chairman says that the road in question is not in good condition.

To enable all the Councillors to have a look at the road the subject will be adjourned. The work will be stopped till then.

J. CHAKRAPANI NAMBIYAR,
Chairman.

18th August 1924]

APPENDIX VI.

[Vide answer to question No. 57 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 18th August 1924, page 45 supra.]

G.O. No. 620, Law (Education), dated 16th April 1924.

READ—the following papers :—

From the Registrar, University of Madras, dated 7th April 1923.
 " " No. 5821, dated 7th July 1923.
 " " No. 11527, dated 13th November 1923.

Order—No. 620, Law (Education), dated 16th April 1924.

The Government are pleased to prescribe the following procedure in regard to the payment of grants to the fund of the Madras University under section 41 (2) (a) and (b) of the Madras University Act, 1923.

2. Under section 41 (2) (a) of the Madras University Act, 1923, the Government will contribute annually to the University fund a sum of Rs. 85,500. The grant will appear in the Provincial Budget Estimates as a "non-voted" item of expenditure and will be placed at the disposal of the University annually on its application.

3. Under section 44 (2) (b) of the same Act, the Government will contribute a further sum on such condition as the Government may impose towards the salary of the Vice-Chancellor, the development of laboratory, library, museums and workshops and the salaries of teachers appointed for higher research and advancement and dissemination of knowledge in particular branches of learning. With a view to enable the Government to fix this amount, the University will forward to Government by the 1st of November of each year an estimate of its requirements for the next official year and the amount of grant required. The estimate will be accompanied by a statement of the receipts and expenditure of the previous year and the anticipated receipts and expenditure of the current year. The requirements of the following year will be given in two parts—the first part relating to schemes for which the Government have already made a grant and the second to schemes of new expenditure for which the University requires grants for the first time. The amount of grant ultimately decided on will be entered in the budget estimates as a lump allotment and will be subject to the vote of the Legislative Council.

[18th August 1924]

4. As soon as the grant under section 44 (2) (b) is voted by the Legislative Council, the amount voted will be intimated to the University with a statement of the objects on which it should be utilized. The grant towards recurring expenditure will be disbursed in quarterly instalments in the beginning of each quarter in advance on application. Any balance remaining unspent out of the grant paid in the previous year will not lapse but will be taken in abatement of the grant due for the quarter succeeding that in which the savings come to the notice of Government. Grants towards non-recurring expenditure will be disbursed on the application of the University accompanied by a certificate that the work for which the grant is required has been commenced and that the grant applied for will be spent during the year.

5. The University will every year cause its accounts to be audited by the Examiner of Local Fund Accounts. It shall be the duty of the Auditor to mention in his report any case in which the conditions laid down in these proceedings have not been observed. The Auditor's rulings will be binding on the University unless the University appeals against any finding to the Government in which case the decision of the Government will be final.

6. All grants to the University which are chargeable to the Revenue account of the Madras Government will be shown in the Government accounts under the head "31-A (a) Education—University—Transferred—Grants to University". Grants towards capital expenditure which are met from loans by Government will be shown in the capital section of the Government account under the head "60-A. Other Provincial works not charged to Revenue—Grants to local funds for capital expenditure".

(By order of the Government, Ministry of Education)

V. T. KRISHNAMA ACHARIYAR,
Acting Secretary to Government.

18th August 1924]

APPENDIX VII.

[Vide answer to question No. 63 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 18th August 1924, page 49 supra.]

Proceedings of the Director of Public Instruction.

The undermentioned * officers are informed that Government have in their Order Mis. No. 388, Law (Education), dated 14th March 1924, passed the following orders in regard to the procedure to be adopted in respect of applications for grants for equipment relaxing the restriction placed in Disposal Proceedings Dis. No. 3619, dated 20th May 1922.

2. The procedure hitherto in vogue was after approval of the lists of science articles, books, furniture, etc., the Government or the Director of Public Instruction issued an order sanctioning a grant subject to the proviso that the grant would be paid on receipt of the invoices and vouchers as funds become available.

3. The Government have now decided that instead of issuing an order sanctioning a grant for equipment, the application, when accepted, will be placed on an approved list, and that the fact of entry in this list, while authorizing a half or a two-thirds grant, as the case may be, if funds are available, will not involve a guarantee of any grant at all; but such funds as are available from time to time will be distributed among the items in the approved list with reference to their order of urgency.

4. In the case of applications on which grants have already been sanctioned, payments will be made in the order of urgency and as funds become available.

5. If the correspondents are unable to incur their share of expenditure before the prescribed time, the Government reserve to themselves the discretion to expunge such cases from the approved list.

APPENDIX VIII.

[18th August 1924]

[Vide answer to question No. 64 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 18th August 1924, page 49 supra.]

Statement showing actuals under grants-in-aid to constituent and affiliated colleges during 1921-22 to 1924-25.

Serial number and name of institution. (1)	Teaching grants.			Furniture and equipment grants.			
	1921-22.	1922-23	1923-24.	1921-22.	1922-23	1923-24	1924-25.
	(2)	(3)	(4)	(5)	(6)	(7)	(8)
FIRST-GRADE COLLEGES.	RS.	RS.	RS.	RS.		RS.	RS.
<i>Constituent Colleges.</i>							
1. Madras Christian College.	35,756	35,934	37,347	174	..	4,105	1,741
2. Pachaiyappa's College ..	1,454	2,904	2,140	..	..	7,044	..
3. Women's Christian College.	16,000	19,821	19,761	2,093	..	..	2,073
<i>Affiliated Colleges.</i>							
4. Maharaja's College, Vizianagaram.	..	..	..	..	..	42,287	..
5. Noble College, Masulipatam.	10,000	8,245	8,910	..	..	587	655
6. Sri Minakshi College, Chidambaram.	3,531	4,183	5,193	5,161	..	1,791	22,683
7. Findlay College, Mannargudi.	2,200	6,324	5,178	..	..	2,001	..
8. St. Joseph's College, Trichinopoly.	14,218	17,715	15,140	3,777	..	753	..
9. Bishop Heber College, Trichinopoly.	7,606	6,963	5,787	562	..	6,709	..
10. Am College, Madura ..	11,286	16,275	17,300	2,283	..	5,789	10,393
11. St. Aloysius College, Mangalore.	12,134	11,278	11,783	215	..	..	..
11A. National College, Trichinopoly.*	1,010	922	1,345	2,023	..	..	..
SECOND-GRADE COLLEGES.							
<i>Constituent Colleges.</i>							
12. Wesley College, Royapetta.	9,946	10,331	10,580	2,088	..	4,639	..
<i>Affiliated Colleges.</i>							
13. Kallikota College, Berhampur.	9,482	9,120	7,855	..	..	..	..
13A. Raja's College, Parakkimedi.	6,600	11,676	11,948	628	..	..	..
14. Mrs. A.V.N.'s College, Vizagapatam.	5,053	5,462	3,746	..	..	..	..
15. P. R. College, Cocanada ..	2,860	4,541	2,604	..	..	8,852	..
16. A.E.L.M. College, Guntur.	6,000	8,629	9,875	..	..	7,981	..
17. V. R. College, Nellore ..	5,262	5,938	6,449	2,892	..	17,718	..
18. Voorhees College, Vellore.	6,474	10,346	10,892	129	..	..	..
19. Islamiah College, Vaniyambadi.	11,152	6,725	7,832	..	..	..	..
20. Madura College, Madura.	1,752	3,751	1,242	..	..	..	..
21. C. M. S. College, Tinnevely.	5,817	6,518	7,520	330	..	104	..
22. Hindu College, Tinnevely.	3,406	4,021	1,795	992	..	..	..
23. Malabar Christian College, Calicut.	4,809	4,590	4,606	798	..	1,742	95
24. Zamorin's College, Calicut.	2,000	2,891	550	..	..	..	702
25. St. Ann's College, Mangalore.	7,860	9,004	6,893	..	..	..	..

* Received grants as a second-grade college during 1923-24.

[18th August 1924]

Statement showing actuals under grants-in-aid to constituent and affiliated colleges during 1921-22 to 1924-25—cont.

Serial number and name of institution.	Building grants.			Hostel grants.		
	1921-22.	1922-23.	1923-24.	1921-22.	1922-23.	1923-24.
	(9)	(10)	(11)	(12)	(13)	(14)
FIRST-GRADE COLLEGES.	RS.	RS.	RS.	RS.		RS.
<i>Constituent Colleges.</i>						
1. Madras Christian College.	..	..	..	..	..	..
2. Pachaiyappa's College ..	1,000	..	..	..	..	..
3. Women's Christian College.	..	..	39,684	..	..	..
<i>Affiliated Colleges.</i>						
4. Maharaja's College, Vizianagaram.	2,387	13,780	..	..	..	..
5. Noble College, Masulipatam.	..	..	..	..	..	..
6. Sri Minakshi College, Chidambaram.	..	..	35,316	1,160	..	15,000
7. Findlay College, Mannargudi.	..	..	..	..	..	..
8. St. Joseph's College, Trichinopoly.	..	762	..	..	..	..
9. Bishop Heber College, Trichinopoly.	337	..	..	..	..	..
10. Am. College, Madura ..	..	..	..	..	..	..
11. St. Aloysius College, Mangalore.	..	..	..	..	..	..
11A. National College, Trichinopoly.	..	..	11,022	..	..	..
SECOND-GRADE COLLEGES.						
<i>Constituent Colleges.</i>						
12. Wesley College, Royapetta.	3,391	14,859	..	..	..	..
<i>Affiliated Colleges.</i>						
13. Kallikota College, Berhampur.	..	..	..	5,000	..	..
13A. Raja's College, Parakkimedi.	..	..	..	..	..	..
14. Mrs. A.V.N.'s College, Vizagapatam.	..	..	..	..	..	..
15. P. R. College, Cocanada ..	..	..	..	..	..	..
16. A.E.L.M. College, Guntur.	..	..	..	..	..	..
17. V. R. College, Nellore ..	13,424	..	..	..	..	..
18. Voorhees College, Vellore.	..	..	..	..	..	..
19. Islamiah College, Vaniyambadi.	..	..	..	..	..	..
20. Madura College, Madura.	..	..	..	..	..	..
21. C.M.S. College, Tinnevely.	..	..	..	..	..	..
22. Hindu College, Tinnevely.	..	..	..	180	..	..
23. Malabar Christian College, Calicut.	..	528	..	..	..	..
24. Zamorin's College, Calicut.	..	..	..	..	..	..
25. St. Ann's College, Mangalore.	..	..	..	13,140	..	..

[18th August 1924]

Statement showing actuals under grants-in-aid to constituent and affiliated colleges during 1921-22 to 1924-25—cont.

Serial number and name of institution.	Grants for medical inspection.			Grants for vocational education.	
	1921-22.	1922-23.	1923-24.	1921-22.	1922-23.
	(15)	(16)	(17)	(18)	(19)
FIRST-GRADE COLLEGES.	RS.	RS.		RS.	RS.
<i>Constituent Colleges.</i>					
1. Madras Christian College.	..	..	..	..	..
2. Pachaiyappa's College ..	..	..	..	..	..
3. Women's Christian College.	..	..	..	..	..
<i>Affiliated Colleges.</i>					
4. Maharaja's College, Vizianagaram.	..	..	..	..	..
5. Noble College, Maunipattam.	..	..	..	..	..
6. Sri Minakshi College, Chidambaram.	..	..	..	..	..
7. Findlay College, Mannargudi.	..	..	..	..	..
8. St. Joseph's College, Trichinopoly.	..	..	..	..	..
9. Bishop Heber College, Trichinopoly.	..	..	..	..	..
10. Am. College, Madura ..	..	..	..	..	..
11. St. Aloysius College, Mangalore.	..	..	..	..	..
11A. National College, Trichinopoly.	51	81	..	..	..
SECOND-GRADE COLLEGES.					
<i>Constituent Colleges.</i>					
12. Wesley College, Royapetta.	..	120	..	..	..
<i>Affiliated Colleges.</i>					
13. Kallikot College, Berhampur.	..	110	..	..	..
13A. Raja's College, Parlakimedi.	147	..	..	..	..
14. Mrs. A.V.N.'s College, Vizagapatam.	..	..	..	(1922-23)	(1923-24)
15. P.R. College, Cocanada ..	171	45	..	512	438
16. A.E.L.M. College, Guntur.	..	..	..	..	..
17. V. R. College, Nellore ..	..	..	..	..	..
18. Voorhees College, Vellore.	..	231	..	..	..
19. Islamiah College, Veniyambadi.	..	..	..	..	..
20. Madura College, Madura.	..	166	..	..	..
21. C.M.S. College, Tinnevely.	..	..	..	..	..
22. Hindu College, Tinnevely.	317	..	..	1,289	240
23. Malabar Christian College, Calicut.	..	52	..	..	..
24. Zamorin's College, Calicut.	..	..	..	..	..
25. St. Ann's College, Mangalore.	14,980	..	..	..	..

18th August 1924]

APPENDIX IX.

[Vide answer to question No. 74 asked by Rao Sahib P. V. Gopalan at the meeting of the Legislative Council held on the 18th August 1924, page 55 supra.]

Statement showing the names of the Yard Officers and the salary they drew on 1st April 1924.

Name of the Yard Officer.	Salary.	Remarks.
(1)	(2)	(3)
	RS. A. P.	
1. T. A. Parameswara Ayyar ..	90 0 0	
2. H. Seshagiri Rao ..	90 0 0	
3. B. Venkatachala Ayyar ..	90 0 0	
4. K. V. Ramakrishna Ayyar ..	90 0 0	
5. C. Sankara Menon ..	80 0 0	
6. P. C. Govindan ..	80 0 0	
7. T. V. Vesudeva Ayyar ..	38 0 0	Temporary for 8 months.
8. N. Kunhiraman ..	80 0 0	
9. M. Narasinga Rao ..	80 0 0	
10. V. S. Krishnamachari ..	80 0 0	
11. K. Gopalan Nayar ..	70 0 0	
12. C. Raman ..	70 0 0	
13. P. C. Ahmad Kutti ..	70 0 0	
14. A. M. Achuthan ..	70 0 0	
15. T. C. Madhavan ..	35 0 0	Temporary for 8 months.
16. K. C. Chackko ..	60 0 0	
17. B. Narayana ..	38 8 0	Temporary for 8 months.
18. K. T. Chandran ..	60 0 0	
19. P. Madhavan ..	35 0 0	Temporary for 8 months.
20. A. T. Raman ..	60 0 0	Includes Rs. 14-8-0 acting allowance.
21. M. Anantha Kamath ..	60 0 0	Do.
22. P. K. Ramachandra Ayyar ..	60 0 0	Do.
23. C. Raghava Warriar ..	57 8 0	Includes Rs. 15 acting allowance.
24. K. Mahabala Hathwar ..	53 0 0	Do.
25. U. Mardha ..	50 0 0	Do.
26. K. Krishnan Nayar ..	44 0 0	
27. M. Kelan ..	41 0 0	
28. K. Kungotti ..	41 0 0	Reserve Yard Officer.
29. W. S. Kallat ..	38 0 0	
30. K. Unniappan ..	37 8 0	
31. T. R. Anantharama Ayyar ..	35 0 0	Temporary for 8 months.
32. Kanoth Narayanan ..	..	

V

MOTION FOR ADJOURNMENT OF THE BUSINESS OF THE HOUSE TO DISCUSS THE GRANT OF PROVINCIAL AUTONOMY.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, under, Standing

Order 20 I wish to ask for leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, viz., that this Government should forward to the Government of India the opinion of this Council urging the grant of provincial autonomy. Under Standing Order 21, I hand over a written statement of the matter proposed to be discussed."

The hon. the PRESIDENT:—"Under Standing Order 22, the only point to be considered by me is to ascertain whether the matter is in order. I have to consider whether this is a matter on which a resolution could be moved. I do not see why a resolution could not be moved in the form proposed by the

[The President]

[18th August 1924]

hon. the Mover. For the information of the House, I will now read the statement handed over to me. It requests this Government to forward to the Government of India the opinion of this House urging the grant of provincial autonomy to this province."

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"Sir, I would like to know whether the provisions of Standing Order 21 have been fully satisfied, i.e., whether this is a matter of such great urgency as to call for an adjournment motion. The Reforms Enquiry Committee is now sitting and, from the accounts we are having, the labours of the Committee will not end for a long time to come. I am not quite sure whether this is in order."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"On a point of order, Sir, under rule 22, it is the President that should decide whether the matter proposed to be discussed is in order. The hon. the President has allowed the motion as in order."

The hon. the PRESIDENT:—"I have not yet ruled it to be in order."

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"I may assure hon. Members that if the hon. the President had made a ruling in that way I should certainly not have risen on my feet."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Will the hon. the Leader of the House kindly tell us what his information is on this matter, and how long the Committee is likely to take over its present labours? So far as we are able to know the whole thing might be over in a week or so. The latest information is that all memoranda should be sent before the 15th instant. Therefore there are only a few witnesses to be examined and the whole thing would be over in a short time."

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"I should like to be satisfied to that effect by a statement by the hon. Member who has just spoken. I should like to know if there is any definite information as to the date on which the labours of the Committee would be finished."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I am very sorry. The hon. the Leader of the House has just now told us that it would take very long for this Committee to finish. I am only a humble individual and I am asking for information as to the time that will be taken for this Committee to finish."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, this matter is urgent because it is not known when the labours of the Committee will be over. The Government of India have also asked the Local Government for their opinion, and we do not exactly know when everything will close. This House should have an opportunity to express its opinion, before the Committee closes its deliberations. So far as we know, no witness on behalf of Madras has yet been heard and we do not know if any is going to be examined. Before it is too late, we must express our opinion on the matter."

The hon. the PRESIDENT:—"I take it that the hon. the Mover of this motion and those who are in favour of it regard this as an urgent matter. I rule this motion as in order. Is there any objection to my allowing this motion? Because it is only if objection is taken at this stage that I have to find out if 20 or more members support this motion. (After a pause) No hon. Member having objected, I have to announce that the motion will be taken up at 4 p.m."

18th August 1924]

VI

RESOLUTION OF CONDOLENCE

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"Sir, it is always a melancholy duty to propose a resolution of condolence, and on this occasion it is doubly melancholy indeed that we have to bemoan the loss of two hon. Members of this House who have been snatched away by the cruel hand of death during the brief period which intervened between the prorogation of this House in April last and our reassembling to-day. It is particularly sad that that duty should synchronize with my appearance in this House to-day as its Leader. However, we cannot refrain from paying our tribute to the memories of the two gentlemen who have departed. And I should also wish to convey to the members of their families who are under the weight of the affliction the heartfelt sympathy of this House. With your permission, therefore, Sir, I will read the resolution that I wish to propose—

'That an expression of the sincere regret of this Council at the deaths of M.R.Ry. Diwan Bahadur S. Rm. M. Ct. Pethachi Chetliyar Avargal and of Khan Sahib Saiyid Diwan Abdul Razaq Sahib Bahadur and of deep sympathy with their bereaved families be placed on record and conveyed to them.'

"I think, Sir, it will be rather superfluous on my part to dilate at length upon the qualities of head and heart of the late Diwan Bahadur. His large-hearted liberality, his magnificent yet discriminate benefactions, his sympathy for the oppressed and the depressed, his taste for and love of Tamil literature, his encouragement of those well versed in that literature and his broad view of life are too well known to need a recapitulation at my hands. He died but young; hardly 35 summers had passed over him when he was snatched away. He made his own contribution to the civic life of his district; he served as chairman of the Karur municipality and as president of the Karur Taluk Board. He was also a member of the Trichinopoly District Board. In all these capacities, Sir, his services were not only applauded by those for whom he laboured, but they were also commended by the Government. He evinced peculiar interest in the advancement of education. His liberal contribution of Rs. 50,000 to the National College at Trichinopoly will be handed down to posterity, and I have not the least doubt that generations yet unborn will bless him for that large-hearted donation. He was a great and ardent enthusiast in the matter of medical relief. Not only did he provide for medical relief being made available to the poorest and the humblest in his own town but his contribution of Rs. 20,000 to the Lady Dufferin Fund is conspicuous, and speaks of his interest in the medical relief of his less fortunate brothers and sisters. He took a peculiar interest in Tamil literature. It was his ardent desire, which unfortunately has been buried with him, that he should organize a Tamil University for this Province. He encouraged the study of Tamil literature and I think he was known in the literary world as the Tamil Vallal. He was a model of piety. The Prayer Hall which you can see even to-day as an adjunct to the Ramakrishna Home at Mylapore bears eloquent testimony to his piety.

"Had he lived longer, I am sure he would have done much more for the benefit of his brethren. But, Sir, it is truly said that God calls away unto his presence those whom he loves most. When I reflect on the life of

[Sir Muhammad Habib-ul-lah Sahib] [18th August 1924]

Mr. Pethachi Chettiyar, I am reminded of a Persian couplet which says, 'Greatness is not achieved by age but by wisdom; wealth is not connoted by riches but by a large heart'. I am told also, Sir, that amongst those whom he has known and who had enjoyed his large heart, he is known as Kaliyuga Karnan. Well did he deserve that appellation.

"Of Khan Sahib Abdul Razaaq Sahib, I can speak with something like a personal knowledge, for the last two decades. I met him for the first time on a political platform in the Coimbatore district and he gave me an impression that if at all there was any feeling surging in his mind, it was a feeling of doing public service. At a very early age, when he was hardly 17, he, I believe, was appointed as the Chairman of the Union Board of Udumalpet. He continued in that position until the union was constituted into a municipality in the year 1915 and on account of the fact that he was *persona grata* both with his Hindu and his Mussalman brethren of that place, he was unanimously elected to the Chairmanship of the newly constituted municipality. He was an ardent admirer of the late Sir Saiyid Ahmad Khan, who very correctly remarked that both the Hindu and Muslim communities might well be compared to the two eyes of a maiden; and the late Khan Sahib was respected as much by his Muslim brethren as he was by his Hindu brethren. The great grief which had overtaken Udumalpet on the occasion of his death, and the gloom which has been cast over the whole place, testify to the fact that he was very popular. Education was one of his hobbies. He was, I think, a Member of the Coimbatore College Council. Recognizing as he did that his own community was rather backward educationally and actuated by the loftiest motive of pulling it up, he devoted a considerable part of his time in the educational advancement of his backward brethren. If at all I have studied his life to any advantage during the twenty years in which I have known him,—during which period, I may remark, our first acquaintance developed into friendship which culminated in comradeship,—I may say that he always brought sincerity and conscientiousness of work to bear in everything to which he laid his hands. Udumalpet is now considerably poorer by his death. To the families of both of the deceased, our regretful condolences go forth; and if it is a consolation to them to know that we all feel with them in their present bereavement, I have not the least doubt that the House will accept this motion."

The hon. the RAJA OF PANAGAL:—"Mr. President, Sir, I beg to second the motion and in doing so, I associate myself with a great deal of what the hon. the Leader of the House has stated. I may add that both the Diwan Bahadur and Khan Sahib were public-spirited gentlemen. Both of them rendered yeoman's service to the cause of Local Self-Government. The one was the President of the Taluk Board and Chairman of the Municipality of Karur; and the other the Chairman of the Municipality of Udumalpet and the Vice-President of the Pollachi Taluk Board. In their unfortunate and untimely demise, the Local Self-Government, I regret to say, loses the services of two very desirable men."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Mr. President, Sir, I also beg to associate myself with the hon. the Leader of the House in the sentiments he has given expression to in the sad demise of our late Members. It so happens that both of them were friends of mine, with

18th August 1924] [Mr. T. A. Ramalinga Chettiyar]

whom I moved on the closest terms both in public work and otherwise. Both were men who sacrificed their private ends for the purpose of doing good to their country. Mr. Pethachi Chettiyar was found wherever he thought his services could be employed in the interests of the country. No doubt, as was stated by the hon. the Leader of the House, he was devoted in more to the interests of Tamil literature than to other things. But in other things also he took much interest and he wanted to see Southern India progressing in advance of the other parts of the world. The hard work he undertook almost during the last days of his life for bringing into existence a railway line connecting the unconnected portions of the Madura and Ramnad districts would bear testimony to his outlook in this matter.

"As I said, both the deceased were gentlemen who had devoted their whole life for doing public good. In the case of Khan Sahib Abdul Razaaq Sahib, he even denied himself the facilities and advantages of a married life for the sake of doing public good. He devoted all his time and all his income for the purpose of doing good to the country. He was serving in almost every public committee that was started in the Coimbatore district and there was not a single public affair concerning the district of Coimbatore in which he was not given a place. So far as the Coimbatore district is concerned, his loss is very much felt and it will be a long time before a person of his standing in the Muhammadan community would be found to take his place. In the loss of both these gentlemen, the Tamil land as a whole can be said to have sustained a serious loss. Both were people so devoted to public work that it would take a long time before their absence could be altogether forgotten. With these words, I beg to associate myself with the resolution moved by the hon. the Leader of the House."

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I beg leave to support the resolution moved by the hon. the Leader of the House and to associate myself with the sentiments he has expressed. The late Zamindar of Andipatti was a very familiar figure at Trichinopoly. The dominant traits of his character were his hospitality and unbounded generosity. His hospitality extended not only to Government and Government officials but also to the needy and the poor. The reception he gave to Their Excellencies both at Karur and Trichinopoly were among the best organized in this Presidency. When Their Excellencies arrived at Trichinopoly, the late Diwan Bahadur illuminated the rock-fort with hundreds of electric bulbs, so that the moment Their Excellencies arrived at the pandal, as if by magic, the whole rock-fort was one sheet of light. I said that his hospitality extended also to the needy and the poor. In fact, it was not in the nature of the late zamindar to turn away from his doors anyone who applied to him for hospitality. The last visit I paid to him was on behalf of a member of the depressed classes and though he was suffering from high fever, which eventually took him away, he still spared five minutes to listen to the tale of woes of that poor member of the depressed classes. As for his generosity, it showed itself in many forms. The Pethachi library and the Pethachi block of buildings of the National College are standing monuments to his zeal for education. His munificent donations enabled the National College to become first a second-grade college and eventually a first-grade one. His generosity was catholic or universal. When, ten years ago, a poor boys' fund was started, in St. Joseph's College, Trichinopoly, his response was very

[Mr. S. Arpudaswami Udayar] [18th August 1924]

sympathetic. He first gave Rs. 1,000 and he was afterwards sending donations ranging from Rs. 400 to Rs. 800.

"As for the late Khan Sahib, my knowledge of him is of an ideal Muhammadan. His conversations in his last days—a month before his death—always turned on the subject of an ideal Muhammadan. The ideal, according to him, consisted in a Muhammadan discharging the following four duties: Fasting, alms-giving, attending the mosque at certain stated hours to recite his prayers, and pilgrimage to Mecca. He was very often referring to that ideal and I believe his life had been spent in trying to conform to that ideal. As was pointed out by the hon. Member, Mr. Ramalinga Chettiyar, he was not burdened, or did not like to burden himself, with the cares of a family and he devoted his whole time to the public. I believe his whole life was spent in trying to conform to the ideal depicted in the Koran."

Mr. ABBAS ALI KHAN:—"Mr. President, Sir, I rise to support the resolution which has been moved by the hon. Leader of the House regarding the demise of these two distinguished members of this House."

"I have known Saiyid Diwan Abdur Razaq Sahib for about ten years. He always brought to bear his steady and sober influence upon the younger members of this House. I feel that by his demise a wide gap has been caused which it is very difficult to fill. We the Muhammadan members of this House are especially indebted to him in that he lent to our deliberations an amount of sobriety and steadying influence which it is very difficult to appraise."

"As for Diwan Bahadur Pettachi Chettiyar, I knew him for the last five years. He was free from all prejudices. His hospitality was extended to both high and low. It made no difference to him whether one who approached him for a gift was a Hindu or a Muhammadan or an Adidraida. He placed his princely hospitality and his nobility of character always at the disposal of the needy and the poor."

"Sir, In both these two gentlemen we have lost two luminaries of this House. I cordially associate myself with the sentiments expressed in the resolution which has been moved in moving terms by the hon. the Leader of the House."

The resolution was unanimously carried, all members standing in their places.

ANNOUNCEMENT REGARDING TIME ALLOTTED FOR NON-OFFICIAL BUSINESS.

The hon. the PRESIDENT:—"I have to inform the House that under rule 6 of the Madras Legislative Council Rules, His Excellency the Governor has been pleased to allot six days for the transaction of non-official business during this session. This session, I understand, although perhaps His Excellency did not refer to it in his speech, will come to an end earlier than usual, so that the six days are only meant for the next two or three months. The discretion of distributing this period being left to me, I propose to allow two days for such business during this meeting. A similar period will be allowed next month and also in October."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I know definitely whether the session will last for two months or three months?"

The hon. the PRESIDENT:—"I think we should wait until we know more about the business of the House, the business the Government have before

18th August 1924]

[The President]

them and which they are anxious to finish, and the business which non-official Members wish to transact. It will, in all probability, be three months."

VII

PANEL OF CHAIRMEN.

The hon. the PRESIDENT announced that he had nominated the following four gentlemen to form a panel of Chairmen under rule 3 of the Madras Legislative Council Rules:—

The Raja of Ramnad.
Mr. M. Ratnaswami.
Diwan Bahadur M. Krishnan Nayar.
Mr. K. V. Ramachari.

VIII

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

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

The Madras Children (Amendment) Act—6th May 1924.
Tuticorin Port Trust Act—8th May 1924.

IX

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The hon. the PRESIDENT announced that the undermentioned Acts which were passed by the Council received the assent of His Excellency the Governor on the dates noted against each:—

The Madras Hindu Religious Endowments Act—7th April 1924.
The Madras Children (Amendment) Act—18th April 1924.

X

ANNOUNCEMENT REGARDING THE APPOINTMENT OF COUNCIL SECRETARIES.

The hon. the PRESIDENT announced that His Excellency the Governor had appointed the following non-official Members of the Legislative Council as Council Secretaries:—

Mr. Abdulla Ghatala Sahib.
" S. Arpudaswami Udayar.
Rao Sahib T. C. Tangavelu Pillai.

XI

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table copies of the following orders:—

- (i) G.O. No. 448, Development, dated 11th March 1924, passing orders on the audit report of the Cinchona department for the year 1922-23*.
- (ii) G.O. No. 1092, Development, dated 14th June 1924, regarding the audit report of the Kerala Soap Institute†.
- (iii) G.O. No. 1217, Development, dated 3rd July 1924, regarding the audit report of the Fruit-preserving Institute‡.
- (iv) G.O. No. 1035, Development, dated 28th May 1924, regarding the audit report of the Russellkonda Saw-mills for 1922-23§.

* Vide Appendix X (i) on page 137 infra. † Vide Appendix X (ii) on page 157 infra.
‡ Vide Appendix X (iii) on page 165 infra. § Vide Appendix X (iv) on page 174 infra.

[18th August 1924]

(2)

The SECRETARY laid on the table copies of the * Proceedings of the Board of Revenue (Separate Revenue), D. No. 256-Abk., dated the 26th March 1924, relating to the behaviour of picketers.

(3)

With reference to the hon. the Law Member's speech of the 7th February 1924 on the motion for a supplementary grant of Rs. 12,200 under criminal justice, the SECRETARY laid on the table copies of the † statement of details of expenditure incurred on account of Special Magistrates and their establishments employed in connexion with the trial of cases arising out of the Mappilla rebellion.

(4)

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

(5)

With reference to the answer to the supplementary question to Question No. 80 delivered at the meeting of the Legislative Council held on 5th February 1924, the SECRETARY laid on the table a § statement of expenditure incurred in connexion with His Excellency the Viceroy's visit.

(6)

With reference to the answer to Question No. 93 delivered at the meeting of the Legislative Council held on 5th February 1924, the SECRETARY laid on the table ¶ G.O. No. 992, L. & M., dated 15th April 1924, regarding the action taken by Government on the resolutions of the Local and Municipal Group Conferences in 1922.

(7)

With reference to the answer to supplementary question to Question No. 318 delivered at the meeting of the Legislative Council held on 8th February 1924, the SECRETARY laid on the table the ¶ text of the legal advice on the municipal resolutions prohibiting the slaughter of cattle within the municipal limits.

(8)

With reference to the answers to Questions Nos. 374 and 375 delivered at the meeting of the Legislative Council held on 8th February 1924, the SECRETARY laid on the table the ** report of the Board of Revenue on the quality of the liquor supplied to the South Kanara district.

(9)

With reference to the answers to Questions Nos. 528 and 630, delivered at the meetings of the Legislative Council held on 7th March 1924 and 18th March 1924, respectively, the Secretary laid on the table a †† report on the recitation of certain Christian creeds by all the boys of the M.E.L.M. School at Ambur, North Arcot district.

* Vide Appendix XI on page 182 infra.
 † Vide Appendix XIII on page 186 infra.
 ‡ Vide Appendix XV on page 188 infra.
 § Vide Appendix XVII on page 237 infra.
 ¶ Vide Appendix XII on page 186 infra.
 § Vide Appendix XIV on page 188 infra.
 ¶ Vide Appendix XVI on page 236 infra.
 †† Vide Appendix XVIII on page 239 infra.

[18th August 1924]

(10)

With reference to the answer to the supplementary question to question No. 730 delivered at the meeting of the Legislative Council held on 22nd March 1924, the SECRETARY laid on the table the financial* statements of the Deaf and Dumb schools in the Presidency.

Mr. S. SATYAMURTI:—"On a point of order, Sir."

The hon. the PRESIDENT:—"The hon. Member might wait until the list is over. In conformity with the usual practice the hon. Member for the University would do well to defer his question till question time to-morrow. As soon as the question time is over, any Member can make a personal statement or raise a point of order which arises out of the proceedings of that day or of the previous day."

Mr. S. SATYAMURTI:—"The statement I want to make arises out of this procedure of laying papers on the table. My first point of order is that neither the rules nor the Standing Orders allow this procedure. It is a procedure which is allowed only by usage. I want you to consider, Sir, whether this procedure which has been allowed by usage, and not by the Standing Orders, is intended for the purpose of choking questions by saying that later on the Secretary will lay a statement on the table of the House in answer to a question. I want you to consider whether, because a statement is going to be laid on the table of the House in answer to a certain question, the question can be disallowed. First, I sent in a question and the Minister promised that a statement would be placed on the table of the House. I sent another question asking whether the statement would be placed before this House. My question was disallowed not because the information had been supplied to any Member of this House—if it had been that, the disallowance would be quite valid, if I may say so—but because the Secretary was going to act in a manner not provided for by the Standing Orders, viz., to lay the information on the table of the House and thus prevent my question from appearing on the agenda paper. I would not have raised this point, but for the fact that hon. Members of this House feel it an insult that their questions have not been allowed, and also for the fact that so many chances for supplementary questions have been denied by disallowing original questions. Sir, I ask whether this procedure is not irregular and whether it is right that my question should be disallowed because the information I asked for was going to be supplied by means of a statement which was going to be laid on the table of the House. Sir, I want you to consider whether you are going to allow this procedure, which is allowed as a mere formality, as a substantive provision thus preventing the undoubted right of Members for being supplied with information upon matters on which information has not been supplied previously."

The hon. the PRESIDENT:—"I wish to know whether the hon. Member is objecting to the whole of this Order of the day which consists of the Secretary's laying certain papers on the table of the House, or whether he objects to what he calls the choking of questions by means of a paper about to be laid on the table of the House by the Secretary."

* Vide Appendix XIX on page 245 infra.

[18th August 1924]

Mr. S. SATYAMURTI:—"I object to both. My first point is that this procedure is irregular. My second point is that this irregularity affects the rights of members by preventing them from putting questions on the basis of supplying information in future."

The hon. the PRESIDENT:—"It would be more convenient if the hon. Member would return to this subject to-morrow by question time."

Mr. S. SATYAMURTI:—"I am much obliged."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"If the questions are allowed to appear on the agenda paper the Members will have the benefit of putting supplementary questions."

The hon. the PRESIDENT:—"The hon. Member can refer to this question when the hon. Member for the University raises it to-morrow."

XII

ADDITION OF A MEMBER TO THE SELECT COMMITTEE ON THE IRRIGATION BILL.

The hon. Mr. O. P. RAMASWAMI AYYAR:—"I move that the name of Mr. S. Varada Achariyar be added to the list of members of the select committee on the Madras Irrigation Bill. It may be asked what are the reasons for including this Gentleman when practically the labours of the committee are concluded. I may say by an oversight his name was omitted when the names of the members of the select committee were read although he was nominated as an expert member in connexion with this Bill. He was, however, kind enough to help the members of the committee by his advice informally. For the compiling of the report, the members of the select committee say, his assistance would be of great value and it is impossible to exaggerate the value of the work that he has done. I move that this name may be added."

The hon. the PRESIDENT:—"It has been moved and seconded that the name of Mr. S. Varada Achariyar be added to the list of members of the select committee on the Madras Irrigation Bill."

Mr. S. SATYAMURTI:—"If you will permit me, Sir, I should like to raise a point of order, although I cordially agree with the sentiments which the hon. the Law Member has expressed. I am raising this point of order with reference to Standing Orders Nos. 38, 39 and 40. Standing Order No. 38 says:

'The Member in charge may then immediately move that the Bill be referred to a Select Committee.'

"Clause (5) says 'if the Council agrees to such a motion it shall appoint the Committee and may direct, etc.' Then, Sir, the next clause provides for the taking into consideration being deferred.

1 p.m. "Then, Standing Order 40 says:

'(1) The Member of the Government in charge of the department to which the Bill relates and the Member who introduced the Bill shall be members of every select committee.'
'(2) The other members of the select committee shall be named by the Council when the motion that the Bill be referred is made, or at any subsequent sitting.'

"Unless the hon. the Law Member is going to contend that this power of appointing a select committee is a power capable of being exercised at intervals by this Council, off and on, and as and when it pleases, by adding

18th August 1924]

[Mr. S. Satyamurti]

members, I would submit that the normal interpretation of this rule is that when it is agreed that this Bill should be referred to a select committee the whole committee should be appointed. 'The other members of the committee shall be named' means, names of members other than the Member of the Government and the Member introducing the Bill, and those other members ought to be named either at one sitting or at another. If on the first sitting the other members are not named, the Standing Order provides that at the subsequent sitting the other members may be named and passed by the Council. It does not mean that you can mention some names at the first meeting and some more subsequently. Otherwise, it comes to this that the Member in charge may go on adding to this list as long as he likes. I think, Sir, apart from that legal interpretation, it is highly inconvenient that this power should be exercised by fits and starts."

The hon. Mr. O. P. RAMASWAMI AYYAR:—"Mr. President, I am obliged to the hon. Member for the University for having drawn attention to this point though I am afraid I must join issue with him on the interpretation of Order 40 (2). Standing Order 41 says that certain members shall be *ex officio* (if I may use that term) members of the select committee, while those other members of the committee as may be added to that committee may be so added when the motion that the Bill be referred to the committee is made or at any subsequent sitting. I put this case: Supposing that a calamity which we do not generally foresee happens and all the members of the select committee are no more at a subsequent sitting (*laughter*) or decline to serve on the committee. What is the procedure to be adopted? So, I say, the ordinary commonsense interpretation of 'any subsequent sitting' covers a case of this kind and I submit that for your decision."

The hon. the PRESIDENT:—"I really think that it is open to the hon. the Law Member to move for the addition of names to a committee the labours of which have not been concluded. Hence it seems to me that members may be put on a select committee partly 'when the Motion that the Bill be referred to is made' and partly 'at any subsequent sitting' not exclusively at one of these sittings only are not exclusive terms. I do not think that the hon. the Member for the University was right in his interpretation of the Standing Order."

The Motion was put and carried and the name of Mr. S. Varada Achariyar was added.

XIII

HOUSE COMMITTEE.

The hon. Sir MUHAMMAD HABIB-UL-LAH SAHIB:—"Sir, under Standing Order 80, I beg to move that with a view to appoint a House Committee 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 the single transferable vote. Hon. Members will remember that at the commencement of every Session it is usual for this House to elect a House Committee to look after their comforts and conveniences during the time when hon. Members happen to be in Madras.

"I was not here in March last when a certain amount of eloquence was bestowed on the actions of the then House Committee, nor have I had the opportunity of tasting the delicious dishes which hon. Members are supposed to be supplied with at a cheap cost of 8 annas. However, I hope

[Sir Muhammad Habib-ul-lah Sahib] [18th August 1924]

that when the Council elects the House Committee this time it will elect only such members as will cater to their comforts and conveniences to their entire satisfaction." (Laughter.)

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I beg to second the proposition."

The Motion was put and carried.

The hon. the PRESIDENT:—"I have to inform the House with reference to Regulation II of the Regulations for the Conduct of Elections by means of the single transferable vote that I fix 2-30 p.m. to-day as the time within which nominations for election to the House Committee should be sent to the Secretary."

XIV

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1924-25.

Grant IX.

The hon. Sir ARTHUR KNAPP:—"Mr. President, I beg to move that the Government be granted an additional sum of Rs. 9,000 under '47. Miscellaneous' for the payment of compensation to a village officer in Malabar for losses sustained in the Mappilla rebellion.

"I may explain, Sir. The principle that the Government should compensate its servants for losses of private property incurred while in the execution of their duty has already been recognized not only by the Government of India and this Government, but also by this Council. Last year a provision of a lakh and a quarter was made for this purpose. Of that sum only something under half a lakh was spent last year. The particular case with which I am now dealing might, in the ordinary course, have been dealt with last year from out of the provision of a lakh and a quarter. But, on referring the matter to the Finance Committee, they were of opinion that some further investigation might properly be made into the actual extent of the loss of this man, the Adhikari of Tirurangadi amsam. He had reported that he suffered a loss of Rs. 15,000, but the local officers had suggested Rs. 9,000 only. The Finance Committee in March last desired that some further investigation might be made with a view to decide whether the sum of Rs. 9,000 was or was not a reasonable figure. It is for that reason that the claim did not come up last year. The investigation required by the Finance Committee has now been made and the local officers inform us that the loss consisted of the entire destruction of two houses including furniture. They say that it is not possible to estimate exactly the value of the furniture, but they assessed it at Rs. 3,000 which, they say, is not too liberal an estimate, and they confirmed their original report that the value of the houses would certainly be more than Rs. 6,000. The Finance Committee considered this sum of Rs. 9,000 as reasonable and accepted it, and it is on that ground that I now ask the House to accept the view of the Finance Committee supporting that of the local officers and grant this additional sum of Rs. 9,000 required to meet this claim."

Diwan Bahadur M. KRISHNAN NAYAR:—"I do not object to the grant, but I wish to know, if possible now, from the hon. Sir Arthur Knapp how many other cases like this are now pending with the Government. I understand from the hon. Member's remark that the original sum allotted for this purpose was put at 1½ lakh, out of which Rs. 50,000 has been spent and

18th August 1924] [Mr. M. Krishnan Nayar]

that the Rs. 9,000, included in this grant, is in addition to that sum. I do not know whether there are other items similar to this now pending with the Government, and, if so, when they are likely to be brought up before the Council. Of course, it is quite legitimate that this amount should be granted to this officer. My information is that the particular officer to whom this amount is to be granted is himself a Mappilla. If so, it is an additional reason for giving it to him. I may say that persons like Mr. Hitchook and Mr. Chandy in Malabar have received grants. It is quite reasonable, therefore, that this amount should be granted to the Adhikari. I shall be glad if the hon. Member could supply me with the information I desire as regards the further claimants if any."

The hon. Sir ARTHUR KNAPP:—"I have a very simple answer to my hon. friend and it is that we have no more cases pending. The reason why this claim has been delayed is that, unfortunately, at the time when this claim of the Adhikari was sent up, he had been dismissed from Government service by the District Magistrate who, apparently on that ground, thought that his claim for losses incurred while he was a Government servant should not be taken into consideration. When he was subsequently restored to office by the Board of Revenue his claim came up for consideration. That is why his particular claim has been so long delayed. I repeat what I have already said that there are no more claims of this kind before the Government."

Mr. K. PRABHAKARAN TAMPAN:—"Sir, I have to make a few observations: I know, as a matter of fact, there are other people whose losses have not been compensated. A few days ago one of them came and told me that his house had been destroyed during the rebellion, that he had applied for compensation, but that it was refused on the ground that he made some allegations about some responsible gentlemen. I advised him to appeal to the hon. Member in charge of Malabar Affairs and he promised to do so. I believe there are other village officers also who have suffered loss. I am one of those who believe that all the losses incurred by Government servants, as well as private persons, should be compensated, and unless the hon. Member in charge assures me that he will give due consideration to the claims of all these persons I cannot be a party to this grant."

The hon. Sir ARTHUR KNAPP:—"May I ask my hon. Friend if what he is complaining of is that all men in Malabar have not been compensated?"

Mr. K. PRABHAKARAN TAMPAN:—"I refer especially to the case of the Adhikari of Thachchampara in Valluvanad."

The hon. Sir ARTHUR KNAPP:—"I understand that the hon. Member was complaining that compensation had not been given to private persons."

Mr. K. PRABHAKARAN TAMPAN:—"No, I was not referring to private persons. I only said that even private persons are entitled to compensation. But that is not before the House now. I am speaking only about Government servants. The Adhikari of Thachchampara had his house burnt during the rebellion because the rebels thought that he was on the side of the military. He applied for compensation and it was disallowed. He came and represented these matters to me and I advised him to put in an appeal to the hon. Member in charge. I believe he has done so already. Therefore, if a question like that comes up he should deal generously with that. If he can assure me on this point I shall support this Motion."

[18th August 1924]

The hon. Sir ARTHUR KNAPP:—"I am afraid it is quite impossible for me to give a definite assurance that his friend will get compensation." (Laughter.)

Mr. K. PRABHAKARAN TAMPAN:—"He is not my friend. I am not interested in the man at all."

The hon. Sir ARTHUR KNAPP:—"If the appeal comes up in the ordinary course it will be considered like others. I do not see any reason why I should withdraw what I said in reply to Mr. Krishnan Nayar that there are no further cases pending so far as the Government is concerned. In any case, since only a sum of Rs. 50,000 has been spent last year out of the 1½ lakhs allotted, if any hon. Member shows me a case of hardship, which we have not yet dealt with, I would be prepared to meet it."

Mr. MUHAMMAD GHOUSE MIAN SAHIB:—"I wish to ask the hon. Member 1-15 p.m. to furnish the House with some more information than he has already given regarding this matter. The resolution reads that a sum of Rs. 9,000 be granted for the Government for compensating a village officer who had sustained losses in the Mappilla rebellion. Will the hon. the Home Member be pleased to explain who is the village officer who is in need of compensation, what was the nature of the duties which he was doing, and what is the necessity for awarding him Rs. 9,000 as compensation, and the nature of the losses sustained by him?"

The hon. Sir ARTHUR KNAPP:—"I should blame the acoustics of the House, not charge my friend with inattention, when I say that the question which the hon. Member has put has already been answered by me. I have already mentioned that the officer concerned is the village munsif of Tirurangadi—Mr. Mussai Kutti. I have mentioned also that of the sum of Rs. 9,000, a sum of Rs. 6,000 is for two houses destroyed and Rs. 3,000 for the estimated value of the contents of those two houses. I do not know if my hon. Friend would like to have any further information."

Mr. MUHAMMAD GHOUSE MIAN SAHIB:—"I wish to know what was the nature of the duties in discharge of which he incurred such severe losses and also why his name was not included in the first list."

The hon. Sir ARTHUR KNAPP:—"I have mentioned also that the gentleman is the village munsif and it was in pursuance of his duties as village munsif that these losses were incurred, and I have further mentioned that the reason why his claim did not come in last year was that at that time he had been dismissed from service and that the District Magistrate therefore considered that it was not necessary to send up his claim. Since then this officer has been restored to his post, and on restoration he revived the claim and it is before us now."

Mr. S. SATYAMURTI:—"I quite agree with the hon. the Home Member that the acoustics of this House are very bad. I think, however, there is one point which the hon. the Home Member has not yet explained, that is, whether this loss occurred to this gentleman in the performance of his official duties. On the statement of facts as it now stands it comes to this: here is a village officer in a rebel area; his village is attacked; two of his houses are destroyed; he loses some property and the Government comes and says: 'Pay him the value of the losses'. It seems to me that no Government can accept responsibility for such payments. If the munsif had to defend public records or public property in these two houses, or if some people have taken refuge in

18th August 1924]

[Mr. S. Satyamurti]

those houses, and the rebels came, took possession of the House or of the Government records, and if, in the course of defending the houses, the houses were destroyed, I can perfectly understand the Government coming forward with a claim for compensation. But to come to us and say that because he is the village munsif and his houses are destroyed, he must be compensated seems to be certainly not the proper way of spending public money. I want to know whether this gentleman is going to be rewarded for his loyalty or whether his property was destroyed in the course of the performance of his duties as a public officer. The House is certainly entitled to this information, unless the hon. the Home Member tells us that the Government want to reward the Mappilla for his loyalty."

The hon. Sir ARTHUR KNAPP:—"I am afraid, Sir, that my hon. Friend is a little bit late in making this protest because the fact is that for the last two-and-a-half years the Government, with the concurrence of the Legislative Council, have been granting compensation to village officers on precisely the same grounds that are now advanced in this case, namely, that in their capacity as village officers they were looked upon as obnoxious by or had incurred the special animosity of the Mappilla rebels, and on that ground it was considered right that they should be compensated for the loss of their private property. And I think the Council will agree with me that if at this eleventh hour we should change the policy of giving grants to these village officers, we would be discriminating against the Mappilla village officer to his prejudice, and I am quite certain that the Council does not desire to do that. It may be that my hon. Friend is right that no Government should dream of giving compensation under the circumstances. We have done it; the Council has done it and we ask this Council for the grant, for it would not be right, even if we had made a mistake in the past, to stop now and discriminate in this particular case which, on account of pure accident, happens to be delayed."

Mr. S. SATYAMURTI:—"On a point of personal explanation, Sir, my objection is not based on the ground that he is a Mappilla at all. Secondly, Sir, I put it to you that the actions of my predecessors cannot bind me, and I am here to do my duty; if the Council has gone wrong and wishes to rectify, I do not think the Home Member can stand in the way."

Rao Sahib P. V. GOPALAN:—"I have very great pleasure to support the demand which has been moved by the hon. Sir Arthur Knapp for this reason, that I know Mr. Mussai Kutti, the Adhikari concerned personally. He has suffered very great losses simply for the reason that he helped the military, the police and very many Hindus and Mussulmans who were co-operators. It is my pleasure to associate myself with Sir Arthur Knapp and support his Motion for paying a sum of Rs. 9,000 to Mr. Mussai Kutti, the village munsif of Tirurangadi, and I hope hon. Members will join with me in voting for the grant."

Mr. T. ADINARAYANA CHETTIYAR:—"May I know why this man was dismissed?"

The hon. Sir ARTHUR KNAPP:—"I do not know, Sir, whether you would think it desirable to enter into a discussion on this point. I personally would prefer not to discuss the grounds on which he was dismissed, more particularly as the reasons for his dismissal have been entirely rejected by

[Sir Arthur Knapp]

[18th August 1924]

the Board. That being the case it is not desirable that we should rake up against this gentleman charges which have been subsequently disbelieved and rejected."

Mr. J. A. SALDANHA:—"I am at a loss to see what justification there is for the discrimination between village officials and other officials on the one hand and officials and non-officials on the other in the matter of granting compensation. There must certainly have been many non-officials who have suffered damage at the hands of the rebels and I want to know whether any of them were compensated. If not, why not? And why should this discrimination be made in favour of officials? In ordinary circumstances, when on account of riots or rebellions, losses have been inflicted on private individuals, I think it is the duty of the State—I am sorry to differ from my hon. Friend, Mr. Satyamurti in saying this—to compensate the people for the losses. Where is the money to come from? Out of the pocket of the Government or of the private people themselves who are responsible for this? In Bombay, for instance, when many people suffered on account of the riots during the visit of His Royal Highness the Prince of Wales, the losses incurred by private people were made good by the people of the particular ward of the city. Damages were recovered under the Bombay City Police Act from the people who were held responsible for those losses. But I am not raising that point. I want to know whether any attempt was made to compensate private individuals for losses sustained by them during the rebellion."

The hon. Sir ARTHUR KNAPP:—"My hon. Friend, Sir, was evidently not a member of the last Council. Otherwise he would have been aware that when I did make an attempt to afford relief and brought a demand for grant to afford relief to the non-officials, this Council refused to allow it."

The Motion was put and carried. The grant was made.

Grant XXI.

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

'That the Government be granted an additional sum of Rs. 8,000 under Public Health for the payment of a contribution to the Government of India for a scheme of Kala Azar investigation.'

"Sir, the demand is only a technical demand. In fact it amounts to a case of asking permission for adjustment of funds. This Council passed, as a matter of fact, a grant of Rs. 8,000 in this connexion and it was pointed out by the Accountant-General that this amount ought to be debitable to the head of 33. Public Health and not to 32. Medical. So, Sir, the grant under 32. Medical will lapse to the Government and it is only a technical readjustment of payment."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I do realize the necessity for this grant because the number of persons who suffer from kala azar is on the increase. But I want the hon. Minister to let me know whether it is not possible to carry on such investigation in the King Institute at Guindy. There is a very well-equipped laboratory and there are also

[18th August 1924]

The hon. the RAJA OF PANAGAL:—"I am glad, Sir, that my hon. Friend opposite agrees with me that the investigation is necessary. Any separate undertaking to investigate kala azar will launch the Local Government into a heavy expenditure. No doubt there is sufficient equipment in the King Institute, but the equipment is not specially intended for this particular investigation."

Mr. S. SATYAMURTI:—"I wish to get some information from the hon. Minister. I take that Public Health is Grant XXXIII at page 176 of the Budget. I want to know under what head this item comes. There is one item in connexion with epidemic diseases—XXXIII-C voted—Rs. 86,000 which the Council has passed. Can it not be met by reappropriation or by an additional grant different from the one voted for?"

The hon. the RAJA OF PANAGAL:—"We have investigated the possibility of reappropriation. It was found impossible, and that is why we are allowing the grant under XXXII to lapse to the Government and move this demand under Grant XXI."

Rao Sahib U. RAMA RAO:—"It has been said, Sir, that it has not been possible to carry on this investigation at Guindy. That is not the fact. It is the business of the Government to do it in Guindy without any extra expenditure. They have got a good laboratory; they have got men who are accustomed to do the work. This contribution need not be paid and the investigation can be conducted without extra expenditure at Guindy."

The hon. the RAJA OF PANAGAL:—"I have already pointed out, Sir, that it requires the service of experts which will involve the Government in heavy expenditure. As the Government of India are undertaking the investigation it will be less costly to contribute thereto and get the work done."

Mr. MUHAMMAD GHOUSE MIAN SAHIB:—"Mr. President, Sir, I wish to know from the hon. the Raja what the amount of contribution is from the several provinces and what the necessity is for us to contribute this amount and whether kala azar is an epidemic which frequently visits this Presidency."

The hon. the RAJA OF PANAGAL:—"Sir, I am informed that the Government of Bengal have contributed a sum of Rs. 15,000. I am also informed that the Government of Assam have contributed another Rs. 15,000, and the Government of the United Provinces have contributed Rs. 8,000. Kala azar is a disease prevalent in Bengal, in Assam and likewise in Madras. It is for this reason that Madras is interested in the investigation."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know, Sir, who fixed this sum of Rs. 8,000, whether it was the Government of India or the Local Government?"

The hon. the RAJA OF PANAGAL:—"The Government of India suggested the amount and we examined whether the suggestion was appropriate. We found that it was not unfair."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Is it just in the nature of the provincial contribution?" (Laughter.)

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

The House then adjourned for lunch at 1-30 p.m.

V211, 32 N24
N25.1936

After Lunch (2-35 p.m.)

[18th August 1924]

XV

MOTION REGARDING THE CONSTRUCTION OF A RESERVOIR ON THE CAUVERY AT METUR.

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

'that this Council approves of the proposal to construct a reservoir on the river Cauvery at Metur in the Coimbatore district, with the necessary channels and other works, to improve the supply to existing irrigation under the river and to provide for new irrigation over an area of 3,01,000 acres, at an estimated cost of Rs. 612 lakhs.'

"Mr. President, Sir, it would have been unnecessary for me to dilate very much upon this topic and I would have contented myself merely by placing this proposition before the House for its acceptance if it were not for the circumstance that within the last few days certain objections have been raised and certain difficulties pointed out with regard to this resolution. I think I shall be wanting in respect to those who are responsible for raising these difficulties if I did not attempt to deal with them. I may say at once that my task to-day has been greatly simplified by those portions in the speech of His Excellency the Governor which adverted to this project. I may also say that it is not my desire at this moment to enter into an elaborate examination of the Cauvery and the Metur projects, but I think there are a few matters which it is necessary to place before this House so that it may be in possession of the relative facts. It was on the 3rd of December 1910, fourteen years ago nearly, that estimates which then amounted to Rs. 385 lakhs were sent up to the Government of India for the Cauvery reservoir project as a productive public work. That project and the estimate in regard to it were subjected to the scrutiny of one of the most eminent engineers who had ever served in India. Sir John Benton, who examined this matter, called for further information and arrived at the following conclusions which are detailed in a classical report of his on this matter.

"The Metur scheme itself involves the following factors: the work involves a masonry dam over the Cauvery river at Metur, 32 miles north of Erode. The object of that reservoir is to store the flood waters of the river and to give these out as and when they are required for the improvement of the existing delta irrigation and to admit of extension of irrigation. It next involves the construction of a canal to take off the right bank of the Cauvery about 8 miles to the east of Trichinopoly and it also involves the improvement and extension of the existing Vadavar channel.

"What were the reasons for the submission of this project? The reasons were these:—There are no storage works on the Cauvery and therefore vast supplies of water are surplussed to the ocean every year, which could be utilized if the excess supplies in the good conditions of the river could be used in periods of low supplies and greater demand. Secondly, the rainfall and the supply of water in the Cauvery in the period of seasonal cultivation are very uncertain indeed; I had to scrutinize certain figures in regard to these recent floods when I toured through the Trichinopoly and Tanjore

18th August 1924] [Mr. C. P. Ramaswami Ayyar]

districts not many days ago, and it was then estimated that the waters that surplussed over and have been lost into the sea by reason of these floods were so much in quantity as to have satisfied three Metur projects in addition to two Kannambadi reservoirs. Now, if such a reservoir was in existence and if it was built so as to stand the strain of these abnormal conditions which hereafter we must reckon upon and must guard ourselves against—because what has happened this year may well happen next year though these things have not happened for a long series of years—these surpluses may be utilized for the purpose of existing and future irrigation. And moreover, we find that we can guarantee by reason of the reservoir an adequate supply over a large additional area and the revenue would be such as would make the project a really paying one. In the year 1910, the estimated interest was 6.98 per cent. That was the estimated return upon the outlay of Rs. 380 lakhs and odd. It was not without consideration or advertence to alternative schemes that that was decided upon. A storage work on the Bhavani was considered by Colonel Ellis. That was rejected. The Naringapeth scheme was also considered. What were the reasons for selecting this scheme? I am dealing with these reasons because in one of the contributions to the Press which have been recently made, it was pointed out or rather alleged that there were doubts entertained about the site. Such doubts were no doubt entertained between the years 1908 and 1910. I have been a somewhat diligent student of the literature on this matter, and I have fortified myself with the opinion of my expert advisors, and I have not been aware that any such doubts have been entertained from the year 1910 until a few days ago when the contribution appeared in the newspapers. It would undoubtedly be too much to ask a Member of this Government to fold his hands and sit still because a gentleman, however eminent his other qualifications might be, has without referring to particular authorities entertained certain doubts as to the suitability of the site for this reservoir to be constructed, and has not given us any details. In a letter which he did me the honour to address to me—which I may for the edification of this House at once say is not marked confidential—the same gentleman who is responsible for the contribution to the Press has pointed out that this other and more important objection to the consideration of Metur scheme, namely, that this Council being partially unrepresentative, he is not willing to have that scheme considered by this Council, that whatever may be the opinion of Members regarding the unrepresentative character of this Council, the carrying through of the demand is most undesirable. In other words the Council is not fully representative of public opinion, and it is desirable that public opinion should be consulted about it. If that be so, it is a matter for this Council to decide, but I for one am not going to pledge myself to the opinion that this Council is so unrepresentative of public opinion or that the representation is too inadequate for it to consider the *pros* and *cons* of this proposal and to give an intelligent vote upon it.

"And I may at once say that there are further reasons. The Metur scheme was selected on the following grounds: There is solid rock obtainable for the foundation. That is a great thing. There is a saddle at a convenient height. That is also a great thing, because in the same contribution, the same eminent gentleman refers to certain apprehensions entertained regarding the Kannambadi dam. Are such apprehensions legitimately entertained? I doubt the legitimacy of

104 MOTION REGARDING THE CONSTRUCTION OF A RESERVOIR ON THE CAUVERY
AT METUR

[Mr. C. P. Ramaswami Ayyar] [18th August 1924]

those apprehensions, because a dam which has stood these floods will, I take it, stand other floods also. Yet, if such apprehensions are entertained, it can only be because of the lack of such a saddle as I referred to. That saddle exists in this case. The required quantity also is obtainable in the case of the Metur project without submerging an unusual extent of cultivated lands; and that is of paramount importance in the matter of dealing with great irrigation works, because if we have to submerge cultivated lands to a very large extent in undertaking the project, and you have to compensate the owners of such lands, that adds to the capital cost of the undertaking to a very great extent. And it is that circumstance also which influenced Sir John Benton and Colonel Ellis; and subsequent engineers have always concurred in their opinions in selecting the site.

"The length of the dam is 6,352 feet, the greatest height is 201 feet, the average height is 113 feet and the gross storage capacity is 90 thousand million cubic feet. The estimated time for construction is ten years.

"I shall pause here. The contributions to the Press which I have adverted to speak of some competition between this Metur project and the flood relief in regard to Tanjore and Trichinopoly. Now paramount as is the duty of the Government to engage upon the task of relieving the distress that has been caused by the unprecedented floods, it is too much to ask the Council to take it for granted that there can be any legitimate or reasonable competition between the allocation for the flood relief of this year and the scheme which has to be put through in the course of ten years—mark you gentlemen, and mark you Mr. President—not only from funds obtainable *ad hoc* from Government of India, but from loan funds to be earmarked for this purpose and which we have to get separately. In regard to that it is impossible to conceive of any competition between this scheme of flood relief and donations for the flood or contributions for the flood by the Government of India, and a productive interest paying loan guaranteed or paid by the Government of India spread over some years and in regard to which there is no question as the relief of immediate distress."

Mr. S. SATYAMURTI:—"If I may be permitted to interrupt, may I ask one question? The competition which is referred to is not a competition between the relief of the people affected by the floods and this project, but between the project and the amount that will be required to restore the irrigation works which have now been damaged by the floods."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"This is a specially earmarked fund and in every discussion that has taken place in this House we have pointed out that the competition is not between our current irrigational expenditure and this project, but it is the competition between the Sukkur Barrage and this, between the Punjab schemes and this, between the United Provinces scheme and this. This is a specific fund which the Government of India, under certain rules which they have framed for themselves, pay the various Provincial Governments for their schemes. Our current expenditure for schemes will have to be met, not from this, but from other loans raised for the purpose, and there is no connexion whatsoever between this and the specific earmarked funds which the Government of India pay to the various provinces according to the importance of these projects, and according to the influence and importance of the persons who ask for the grant and the extent to which they are able to reach the ear of the Government of India. Th

MOTION REGARDING THE CONSTRUCTION OF A RESERVOIR ON THE CAUVERY 105
AT METUR

18th August 1924] [Mr. C. P. Ramaswami Ayyar]

competition, therefore, is not between our current expenditure on irrigation in regard to the restoration of these channels which have been ruined, and it is not a competition between even the loans we have to raise for the purpose of putting these irrigation works into proper order and the other big loans. The competition is between the amount of funds available in the Government of India for distribution amongst the various provinces in regard to the earmarked funds available for this purpose, and, therefore, I submit, Mr. President, that there is no such competition as need be dreaded or guarded against.

"As I said, Sir, Sir John Benton approved of the estimates and they were revised again by Mr. Charles Smith, and slight modifications were made by the Secretary of State. For three years the Secretary of State sat over it and in 1913 he stated that he would not sanction this project until the arbitration was over, and correspondence on that went on from 1913 up to 1916-17; and the Secretary of State again in 1918 wanted to know how the Uralm case would affect this matter and therefore stopped the whole matter being considered any further until this Government and the Government of India had assured the Secretary of State that the Uralm case would really have no bearing upon this matter. Then correspondence began in 1923 and all the resources and talents of that great predecessor of mine, Sir K. Srinivasa Ayyangar, were devoted to the pushing on of this project which unfortunately could not be effectively pushed on for many reasons. The revised estimates on account of the lapse of 12 years have come to about 612 lakhs. Hon. Members are aware that even these estimates may be exceeded if there is further delay. But the estimates at the present moment amount to 612 lakhs, and the net revenue expected is 7.62 per cent.

"The only objections that have so far been put forward are, competition with flood relief, the unsuitability of the site and the necessity to strengthen existing channels to allow extra water. Now, as to the last point it is clearly the duty of the Government to see that the existing channels are capable of taking in this water, but as we have anyhow to strengthen the existing channels in view of the experience gained by us during the last few weeks, I do not think that that argument need detain us very much longer.

"Now, it seems to me that having stated those reasons—and I have seen no other—and having stated also the urgency of the matter, I may leave the matter there. But there is one thing which I want hon. Members of this House carefully to consider. The Government of India frames its preliminary estimates and budgets about November. Assuming that we postpone consideration of this matter for a year, as is suggested in some quarters, or until the lifetime of this Council as is suggested in some other quarters, or for more than three months, in any case for one more year, we shall not get anything. Then it is possible that the Government of India may put us off and prefer other and more insistently advocated schemes. For all these reasons, I commend this resolution to the acceptance of this House. But it is my duty to say this. After I came in this House, and indeed before I came, it has been pointed out to me that there was a feeling of apprehension entertained that in this matter non-official opinion ought to be availed of by the Government in order to scrutinize the details of the alignment of the channels and of the distributaries. Also about the area to be irrigated, it has been pointed out to me that it is possible that

[Mr. C. P. Ramaswami Ayyar] [18th August 1924]

certain districts, such as Coimbatore and Salem, might derive a larger and a more extensive benefit by a more proper and more carefully designed alignment of the distributaries. If non-official opinion has to be consulted and taken into consideration, I have not the slightest hesitation in saying that I am perfectly willing, as soon as the meeting of this Legislative Council is over, to constitute a committee composed of the representatives of the districts affected, which are after all only Tanjore, Trichinopoly, Salem and Coimbatore, and I shall add to that, the Chief Engineer, and I will sit with that Committee to consider this matter. I give that undertaking to-day. But let us not postpone the main topic. Let us not delay the submission of the estimates to the Government of India. I assure you, and I have behind me the authority of the Chief Engineer for this purpose, that it is open to us, with the advice of that Committee, to alter the alignments so as to make provision for a better or a more equitable distribution of water, or what may be called the alteration of the area to be irrigated. That is a matter quite within the competence of this Government. What is wanted is that the root idea should be approved of, so that the money may be earmarked and set apart for this purpose. These details will be worked out with the utmost possible collaboration of those responsible for the districts and representatives of the people of these districts. On that perfectly clear and unequivocal undertaking, I trust that the hon. Members of this House will see their way to accepting this resolution."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I request to have an idea, Sir, as to how the amount is made up, how much is required for acquisition, etc.?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"So far as the direct charges are concerned, the expenditure on head works will be 251 lakhs, canal system 139 lakhs, establishment will be about 31 lakhs, tools and plants 3 lakhs, suspense so and so, and then the acquisition charges 22 lakhs. It is fortunate that in this locality which largely consists of upland tracts not irrigated intensively as in other places, the cost of acquisition is comparatively small."

Mr. ABBAS ALI KHAN:—"May I inquire, Sir, whether, if this Metur scheme is not taken on hand, this 612 lakhs will be diverted to the Tungabhadra project, or some other project?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"May I say this, I am equally keen with the hon. Member to start the Tungabhadra project, and I have given an undertaking to this House which I shall try, as far as in my power lies, to carry out. But the Sangameswaram project requires the co-operation of His Exalted Highness the Nizam of Hyderabad with whom we are in correspondence. Even the working out of the preliminary details in regard to that matter will take some little time. I do not think I am making any aspersions on any one in question, but the letter written by this Government with regard to the Sangameswaram project has not yet been acknowledged. These are some of the difficulties of the problem. We propose, now that this question is asked, really to push on expeditiously in regard to these matters, and the Sangameswaram as well as the Tungabhadra projects will be investigated. But these are in the stage of inception. Whereas, this has been pending for fourteen years. Everything was completed in 1910. Years of labour, of scrutiny, of examination of sites, of gauging, all these took place

[8th August 1924] [Mr. C. P. Ramaswami Ayyar]

before 1910 when the matter was perfected and the estimates were sent up to the Secretary of State. This is in a ripe stage. But the other project is just in the stage of negotiation between us and a neighbouring friendly State. It will take some considerable time before it goes any further. But in order to allay the apprehensions of some hon. Members, I may say that I have directed my Chief Engineer to push on with the smaller works connected with the Ceded districts without waiting for the bigger Sangameswaram project, hoping in course of time to connect up these smaller works with the bigger project should it fructify and come to a proper and satisfactory termination. But those are matters which are comparatively smaller in extent and trifling. But this is perfectly ready to-day. All that is wanted is the sanction of the Secretary of State, and the Government of India's earmarking of funds, and the work will proceed to-morrow. It cannot be said of any other project in this Presidency that it is in such a state of readiness."

Mr. G. RAMESWARA RAO PANTULU:—"May I know from the hon. the Law Member whether it is a fact that the Tungabhadra project has been dropped for the present and the staff disbanded?"

3 p.m.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As I told the House, in answer to the question by the hon. the Deputy President, the Tungabhadra project is being re-examined with a view to meet the difficulties arising from the Sangameswaram project. All that I can say is that I am not anxious to disband any staff which is engaged in investigation. I am anxious to push on all these projects so far as the Ceded districts are concerned as they are all small schemes which may be linked up to the big scheme that may come hereafter."

Mr. MUHAMMAD GHOUSE MIAN SAHIB:—"The hon. the Law Member explained to the House that the project would irrigate 301,000 acres spread over four districts. If so, may I know how many acres the scheme would irrigate in each of the districts?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Though it is proposed to align it in a particular manner at present and to benefit districts in the manner indicated in the papers placed before this House, yet there is the Committee which may make alternative suggestions. It has been suggested that the representatives of the Coimbatore and Salem districts may fight for more supplies than have been provided for. For that reason, I cannot give the details of what the final scheme would be. If the hon. Member wants the present figures, they are already before the House."

Mr. V. C. VELLINGIRI GOUNDER:—"I want to know whether the hon. the Law Member has condemned the upper Bhavani project. We are thankful for the sympathetic statement that we are going to have a large area under the Metur project. When the Chief Engineer came to our district, he promised to investigate again the project of the upper Bhavani. I want to know whether by working this project there will be any hindrance or interference to set aside the upper Bhavani as both the upper and lower Bhavani projects which were investigated long long ago and admitted to be of very much benefit and necessity to Coimbatore district have been postponed or delayed one after another indefinitely on account of this Metur project."

[18th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ May I for once correct a misapprehension? I am afraid that what I said by way of historical chronicling has been interpreted as the expression of the intentions of the Government of the present day. Sir John Benton in coming to a conclusion as to the best way of utilizing the waters of the Cauvery in the year 1910-11 considered various alternatives. One was Bhavani; another was Metur; and another was Neringipet. Finally he came to the conclusion that Metur was the best. In answer to the hon. Member's question—I think he same hon. Member put the question—I have stated that the Chief Engineer for Irrigation is investigating the Bhavani project to-day, and it is comparatively a small project. Bhavani is on our programme as an ordinary work and not as a work of great magnitude. What I was describing was the historical aspect considered by Sir John Benton.”

Rao Bahadur C. NATESA MUDALIYAR :—“ Ever since I came into this Council, whenever an occasion arose I reminded the Government that they were allowing the waters of our splendid rivers to be wasted into the sea. But I see that the times have changed after the hon. Mr. Ramaswami Ayyar became the Member for Irrigation. On the completion of the Mettur project depends not only the reservation of such waters, but also the regular supply of water throughout the irrigable season which is fitful to-day. For, just before the floods, there was drought in Tanjore, and, now, just after the floods, they say there is no proper supply of water in the Vennar delta. Unfortunately, this reservoir is to irrigate a new area of only 310,000 acres of lands though thousands of acres of land are available for irrigation. In the Mysore territory, Sir, I learn that it is not so.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ May I, Mr. President, point out that the whole delta irrigation is only one million and one hundred thousand acres at present so that this is one-fourth of the existing delta irrigation?”

Rao Bahadur C. NATESA MUDALIYAR :—“ That is my information. In Mysore territory, not so much land is available as in our province, I learn, on account of the soil. I cannot understand why the Mysore Government grudged giving us more concessions in this direction. Sir, our Government should have asked for more concessions; but I believe that they were compelled to accept the terms which the Mysore Government proposed. For there was always the danger of the Mysore Government blocking up our sources of supply, the arbitration breaking off and our starting of irrigation projects being postponed indefinitely. Sir, there is a doubt lurking among some of the Members of the Council that in the channels contemplated the water may not be distributed proportionately to all the four districts concerned. But there is a provision in the agreement that reservoirs can be constructed on the three tributaries of the Cauvery, Noyyal, Amaravathi and Bhavani. There is already a project under contemplation, that is, the Bhavani project which at a cost of three crores of rupees can irrigate hundred thousand acres of land. I hope the Government will take up immediately this project in conjunction with the Metur project. Sir, it is also said that the Cauvery dam may be constructed below Bhavani. If my information is correct and if that project is undertaken, as the land here is flat, millions of acres of land on either side will be inundated and the Bhavani might be submerged. There is also a feeling that at this stage

18th August 1924] [Mr. C. Natesa Mudaliyar]

when our country is undergoing such disaster this costly scheme should not be undertaken. But as the hon. Member remarked, the expenses for these should be met from the special loan earmarked for this purpose and most of the repairs that ought to be done as a result of the destruction caused by the floods should be undertaken from provincial revenues. The Madras Government would do well to address the Central Government to exempt us from our annual contribution this year. (Hear, hear.) In addition to the various statements I made outside the Council, that which increased the destruction by the floods might be said to be the lack of supervision over embankments owing to the inadequacy of the staff due to retrenchment based on false economy. For the highest flood level this year was only half a foot more than the highest flood level recorded in the previous flood year of 1911, which was 14.2. In this connexion, I request the hon. the Law Member not to forget the Sangameswaram project, which is expected to irrigate over one million acres of lands, especially the dry lands of the Ceded districts.”

Mr. S. SATYAMURTI :—“ Mr. President, if I rise to intervene in this debate, it is not to oppose the resolution of the hon. the Law Member but to sound a note of warning, to raise some doubts and possible difficulties, so that he may investigate them further and satisfy himself that this project is going to achieve the purpose which he and other Members of this House interested in the future of this Presidency have at heart. My first position is this. The resolution very carefully reproduces the words of sub-clause 5 of section 10 of the agreement between the Madras and the Mysore Governments. That clause reads thus :

‘ The Madras Government on their part agree to limit the new area of irrigation under the Cauvery-Metur project to 310,000 acres, etc.’

“ I do not propose to enter into a discussion at this place and at this time.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ It may, I think, clarify the situation if I state that that clause of the agreement was taken from the estimates.”

Mr. S. SATYAMURTI :—“ That throws considerable new light on the situation as I see it. When I did not know the relative dates of these two documents, I thought that this project was framed with a view to the agreement being observed. But if the agreement merely incorporates what the Madras Government otherwise think as the maximum capacity of this irrigation work, that should be provided for

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Can be provided for.”

Mr. S. SATYAMURTI :—“ That can be provided for under this project; that, of course, takes away much of what I wanted to say on this matter. I want, if I may, to suggest without any further elaboration that as far as I can see there is no need for a lower riparian owner to undertake to the higher riparian owner, restrictions of the rights which the former is undoubtedly entitled to.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I may say that I have discussed the matter in one of the answers to the questions propounded by the hon. the Member for the University, where I have pointed out that our

[Mr. C. P. Ramaswami Ayyar] [18th August 1924]

difficulty was on account of the previous agreement between the Madras and the Mysore Governments, and it was on that ground that we had put forward certain contentions. I think that when the hon. Member goes through the answer I shall give to-morrow or the day after, and examine the answer by means of supplementary questions, if necessary, it will be quite clear to him."

Mr. S. SATYAMURTI :—" I was going to refer to it, and that is, that the Madras Government have committed a profound error and have bartered away the rights of the Madras mirasidars in the 1892 agreement. I have read the papers connected with it, and I understand that even the predecessors of the hon. the Law Member, who were in charge of the portfolio of Irrigation, have valiantly fought for these rights, and engineers, legal experts, Members of Council of this Government have fought with the Mysore Government. Somehow or other, the 1892 agreement was concluded and I wish this was cancelled. But perhaps it is too late for the Madras Government to cancel that portion of the agreement, and so they talk of the other valuable advantages which they think they have secured. But anyhow, I shall merely express my regret in this House that the rights of the Trichinopoly and Tanjore mirasidars and of the Madras Government as a whole should have been sacrificed for other advantages.

" The hon. the Law Member referred to the competition which is said to exist between the need for money for repairing the extensive damages caused to the irrigation works in the flood-affected districts and the amount necessary for this project. He talked, if I remember right, of earmarked funds. I confess to some inability to understand that phrase. Does it mean that there are funds which are earmarked by the Government of India which will be allotted to the Madras Government to be applied for this project, or does it mean that funds are to be hereafter earmarked by the Government of India for this purpose? Indeed, Sir, if it is the latter and not the former, I do suggest that competition does arise, namely, whether we ought not to try and get accurate estimates of the amount of money required to repair the extensive damages caused to the irrigation works in the districts affected by the recent floods. I have no idea as to how much it will cost. I do not know if the hon. the Law Member has any idea of it. It may cost lakhs, it may cost crores. Supposing it costs some crores and we find that the Government of India are not able to give us more than a limited amount of money in the next few years, is it not part of irrigation wisdom, if I may use that phrase, to use that money for the repairing of the existing irrigation works rather than make ourselves helpless by allotting money for a project to reap the benefits of which we must afford to wait very long? That is an aspect of the matter which I want the hon. the Law Member and this Committee to examine, viz., whether they have obtained fairly accurate estimates of the cost of restoration of the works in the flood-affected districts.

" Then, Sir, the hon. the Law Member made light of Mr. T. V. Seshagiri Ayyar's objection to the location of the dam. Now, Sir, I am not an expert. But I do suggest that when a responsible public man takes an objection to the location of the dam, it is part of wisdom on the part of the Government to investigate the matter and not dismiss it light-heartedly."

18th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Far be it from me to dismiss it light-heartedly. When a responsible public man of the eminence of Mr. Seshagiri Ayyar makes a statement but it is not supported by engineering data and merely states that in his view the site for the dam is not a suitable one, then I beg leave to adhere to my view which has been supported by engineers for the last fourteen years."

Mr. S. SATYAMURTI :—" As far as I understand Mr. Seshagiri Ayyar, I take it his point is that there are some data available after the unprecedented floods of this year, and I suppose that with the experience gained by these unprecedented floods there may be differences of opinion as regards the exact place where the dam ought to be located, with reference to the quantity of water which might come from either of the rivers, Bhavanai or Cauvery. Anyhow, I do suggest this matter for further investigation

" But, Sir, I come to the most important point, which I want the hon. the Law Member and this Committee to investigate further. I do not know if this Committee will have the power—I can understand the hon. the Law Member to include it in his proposed terms of reference—to arrive at an exact estimate cost of the work. According to the motion, it is six crores and twelve lakhs of rupees. I have some experience of Government estimates. Unless therefore the hon. the Law Member is very lucky, I should not be surprised if it cost seven or eight crores. Government estimates have a natural tendency to go up, and the hon. the Law Member told us that the work would be spread over twelve years, so that for these twelve years all this money will be actually expended without any income whatsoever. Therefore, at the end of twelve years, you will have to realize all the returns on the money from the areas which will be irrigated by this project. On a rough calculation made, I have arrived"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" We hope to begin to get money within five years."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" In seven years? That is what was stated."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I accept this."

Mr. S. SATYAMURTI :—" Whether it is five or seven years, it is a small matter. But I will amend my statement and say that some money will be got in five years, more money in seven years and the whole money at the end of twelve years. According to my calculation, you want to get Rs. 45 lakhs each year by water-rate before you can make the irrigation work a profitable concern.

" I want the hon. the Law Member also to consider the geographical limitations which no Committee can overcome. You can construct a project and irrigate an area geographically compact. Speaking of the geography of these districts, the bulk of the land capable of being irrigated lies in the Tanjore district. I do not think how by any change in the course of the channels or otherwise you can cure this incorrigible geographical defect.

" The bulk of the area which has to be irrigated under the dam will have to be found in the Tanjore district. I have been told, and I believe it to be true, that the land so cultivated will have to pay Rs. 15 per acre as water-rate before Government can get any return on their money. Now, in the

[Mr. S. Satyamurti]

[18th August 1924]

Tanjore district, the highest water-rate paid is only Rs. 7 per acre. The Pattukottai taluk is notorious for its infertility, for the poverty of its tenants and for the poverty of its people. I want to know what data the Government have got, on which they have come to the conclusion that this project can be made a profitable concern, the data required being, whether there are people who will take up these lands at this very high water-rate. There are some friends of mine from Coimbatore and Salem who assure me that people have been ready to pay Rs. 20 and Rs. 25. But, after all, they are a comparatively small minority compared with the thousands of people who are bound to pay this large sum for the project to become a profitable concern. I want this Committee and the hon. the Law Member to satisfy themselves, and then to satisfy this House, whether they have sufficiently accurate reliable data on which they can come to this House and say that this project can be made a profitable concern, which will enable the people to take up lands and cultivate them and pay on an average Rs. 15 per acre as water-rate. This is a matter which must be considered very carefully and anxiously. Otherwise, to spend seven crores and construct this project will only be a deadweight debt upon the whole of this Presidency. We are anxious to supply water; we are anxious to improve the Pattukottai taluk in the Tanjore district, but we cannot blindfold commit ourselves to the idea of this project unless we are assured that it is going to pay its way. These are the two or three matters which I want the hon. the Law Member and this Committee to carefully consider before he commits himself to this scheme irrevocably."

Mr. P. S. RAJAPPA:—"Mr. President, Sir, I want to tell something about the Tanjore district. Especially this year, some portion of the district has sustained considerable loss owing to the floods and some taluks suffered loss because they did not have a sufficient quantity of rain in proper time. Moreover, the Tanjore people, especially those in the non-deltaic parts, have been for the last so many years anxiously expecting the early execution of this Metur project. As far as Pattukottai and Arantangi taluks are concerned, I may say that the people will be very glad to see an early completion of the work, and they will be prepared to pay the proposed water-rate of Rs. 15 or even more per acre under the existing conditions. As a representative of my community, which numbers about 2½ lakhs, I feel that it will go a great way for the improvement of their lot, as it will do good also to other communities, who are now very anxious to see that the project is carried out as early as possible. So, I think the hon. the Law Member will have every support from this House for this motion."

The hon. Mr. O. P. RAMASWAMI AYYAR:—"I am obliged, Sir, to the hon. Members of this House for the very encouraging manner in which this resolution has been received. I may at once deal with what fell from the hon. Member for the University. He exhorted the Government to take care that enough water-rate was obtainable from the tract which will be served by the reservoir and its canals and to make it abundantly clear that the project will be one that would pay its way. I may say that during the period when this project has been under consideration successive Collectors have collected information on this question, and they have reported that not even this rate but a higher rate would be readily paid by the people affected, and the Board of Revenue after conducting an

18th August 1924] [Mr. C. P. Ramaswami Ayyar]

investigation into this matter with regard to the latest figures has most strongly supported the proposals and stated that there would be no difficulty. But I realize the gravity of the warning uttered by the hon. Members who have spoken on this matter. It will be the duty of the Government before spending money on this project to satisfy themselves on this matter. I may say at once that in regard to that matter, my hon. Friend, Mr. Rajappa, who comes from the Pattukottai taluk and who represents a community for whose requirements this project has been incidentally started, has spoken about the willingness of the people of Pattukottai and Arantangi taluks to take advantage of this project even at the cost of the water-rate referred to.

"Now, the hon. the Member for the University also spoke of earmarked funds. What I meant by 'earmarked funds' was this: that year by year the Government of India sets apart in its budget a certain amount for the encouragement and financing of irrigation projects. Last year we were nearly about to be competitors with other provinces. But a very large sum was sanctioned for Bombay and the Punjab. That was quite irrespective of the demand of the particular provinces for their current or even extraordinary needs. What I want to say is, when I referred to the absence of competition, that in the making of their budget the Government of India from time to time take account of the large sums of money like this which will have to be set apart for the irrigational needs of the country. If they have got other calls, they deal with them otherwise. I yield to no one in my desire that we must get as much money as possible and at the earliest opportunity. There is no question of competition in the matter.

"There are other matters of detail with which I will not deal just now. But I may say this—and I repeat what I said already—that in regard to the alignment and with regard to the area irrigated, I shall be guided by the advice of the Committee as far as experts would allow me to be guided by that advice consistently with their ideas of what is feasible from an engineering point of view.

"Sir, may I with your leave add the word 'approximate' between the word 'an' and the word 'area'? I believe I shall have the leave of the House for doing so."

The question having been put the amendment was declared carried.

The motion with the amendment above was then put to the House and declared carried.

XVI

SALARY OF COUNCIL SECRETARIES.

The hon. the RAJA OF PANAGAL:—"Mr. President, Sir, I beg to move the resolution that stands in my name, viz.,

'that with reference to the appointment of certain members of this Council as Council Secretaries, this Council do resolve, under the second paragraph of clause (4) of section 52 of the Government of India Act, that each of the said Council Secretaries be paid a salary of Rs. 500 per mensem with effect from 1st July 1924.'

"Sir, the resolution is more or less a formal one. This Council has voted for the grant for meeting the salary charges of Council Secretaries, and,

[The Raja of Panagal]

[18th August 1924]

as hon. Members of this House are aware, the appointment of these Council Secretaries is within the discretion of His Excellency the Governor. His Excellency the Governor has exercised his discretion by appointing the hon. Mr. Arpudaswami Udayar, the hon. Mr. Ghatala Sahib and the hon. Mr. Tangavelu Pillai as Council Secretaries. Now, Sir, as to the question of the necessity for these appointments, experience during the last three years of working the Reforms is all in its favour. With the introduction of the Reforms Act, the administration of the Government is carried on under a system of partial responsibility. Under this system, the administration has become more trying, and the number of questions, resolutions, and motions with which the Council is confronted is becoming more and more numerous. The work of the Ministers is increasingly difficult and the services of the Council Secretaries are absolutely necessary. They are expected to prepare the replies to questions and resolutions and to put up points for discussion in the matter of preparing Bills. They are also sometimes required to speak on behalf of the departments. In these circumstances, especially in view of the fact that a grant has already been voted by this Council and that provision has been made in the current year's budget, I hope the House will accept this resolution."

The hon. Rao Bahadur Sir A. P. PATRO:—"I second the motion."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, in the first place, I am unable to understand how this motion came to be made by the hon. the Raja of Panagal. It is said that the Council Secretaries are appointed by His Excellency. If a salary has to be fixed by the Legislative Council, it ought to have been in the domain of the hon. the Law Member to have made this motion for fixing the salaries. Or, if it is viewed from the point of view of the fact that they are Secretaries attached to the Council and selected from among the members thereof, it should have been the Leader of the House who should have come forward with this demand. I am only submitting that as an objection or a point of order."

"Now I may be permitted to move an amendment of which I have given notice, viz.,

'that the pay of the Council Secretaries be fixed at one rupee per mensem.'

"By the operation of the guillotine during the budget debate, motions of which notices had been given either for the total reduction of the grant, or for reduction of a considerable portion of the travelling allowances for Council Secretaries, were not discussed and in that way escaped serious criticism from the Members of this Council. I know that there was a considerably large body of opinion against the continuance of Council Secretaries any longer in view of the experience which they gained of these appointments. It was elicited by several hon. Members from the hon. the Law Member and the hon. the Ministers that the work which the Council Secretaries had done in the past was precious little, so that the heavy travelling allowance bills seem to be the only visible thing which resulted from their appointments. There is nothing else to say in commendation of these appointments. The Members of the Executive half have not received any assistance from the Council Secretaries, nor were they in need of any such assistance."

18th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I wish to know, Sir, if the hon. Member desires to make any distinction between the point of order that he has raised and the point of substance he is now raising. If so, I should like to meet him on the point of order he has raised. If he wishes to rise to a point of order, it must be a clear cut point."

The hon. the PRESIDENT:—"With reference to the right of the hon. the Raja of Panagal to move this motion, I may remind hon. Members that in a message from His Excellency during the course of the last session, this was expressly referred to and it was stated that His Excellency could ask any Member of the Government to make such motions. I thought that was a sufficient answer."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"That answers my point of order, Sir."

"In answer to my hon. Friend Mr. Abbas Ali Khan, the hon. the Law Member said that so far as the Members of the Executive Council were concerned they received absolutely no assistance from the Council Secretaries."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am afraid I have been mistaken. What I said was that there were no Council Secretaries appointed to assist the Executive half but that there were Council Secretaries appointed to assist the hon. the Ministers."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"In answer to a question by my hon. Friend Mr. Satyamurti as to whether they had done anything by way of helping the hon. Members of the Executive Council, the hon. the Law Member replied 'I should have appreciated their help, but the help was not given'."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"For the simple reason that their help was not expected."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Then there was no necessity for that preamble that he would have much appreciated the assistance. Both from the introduction of the hon. the Law Member and from the fact that the duties expected of them under the Act were not done by them and also because there is absolutely no hope that the present Secretaries will do anything different from what the Secretaries already appointed did, I urge this amendment of mine. On the other hand, this selection of Council Secretaries from among the Members of the Council has a demoralising effect on a certain weak mentality. When my hon. Friend, Mr. Natesa Mudaliyar, spoke on the 'No-Confidence' motion, he said he was offered a post as Council Secretary by the Minister for Local Self-Government with the additional privilege of continuing as a medical practitioner also. That shows how these posts are filled up. There is absolutely no justification for these appointments except that they are intended to catch votes. Sometimes these posts are offered to briefless barristers or unsuccessful practitioners."

The hon. the RAJA OF PANAGAL:—"On a point of order, Sir, it is casting a reflection upon the fitness of the persons selected. I do not know if the hon. Member is really warranted in making these observations."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, far be it from me to cast any reflection on the merits of persons selected. But if these remarks apply to these gentlemen, I have no objection for the cap being worn by them."

[Mr. Sami Venkatachalam Chettiyar] [18th August 1924]

Sir, I wish that this Council should set its face against this extravagant expenditure. It was elicited this morning that the present Council Secretaries are going to be part-time gentlemen and they would be called when they were required. It seems to me, Sir, that it is more or less like the retainer paid to a practitioner on behalf of a client lest he should be employed by the opposite side. I hope the hon. the Ministers themselves will realise that they will be doing their duty by the country if they will put an end to this kind of holding out these appointments as inducements for any one of the members of the Legislative Council."

Mr. S. SATYAMURTI:—"Mr. President, Sir, I rise to second this amendment. I do so fully realising that by asking this House to accept the amendment I ask them to negative the resolution which the hon. the Minister for Local Self-Government has moved. Sir, we are accustomed to howl and cry in this House and talk about the poverty of the country when the European services ask for an increase of salary. I have also known men of the party in power swearing before audiences, large and small, about the rapaciousness of the European services. And I know that one gentleman of the party in fiery eloquence asked whether the country existed for the services or the services existed for the country. Are these sermons of public economy reserved only to be dished out to impress the electorate with regard to the services over which we have no control directly or indirectly? Are we going to put into practice these sermons ourselves and translate them into action when an opportunity arises? If we are satisfied that these Secretaries are mere luxuries and that they are not wanted, let all Members of this House irrespective of political party vote down this motion. Again, I would like to ask this House to see whether this resolution which asks us to sanction a pay with effect from the 1st July 1924 is at all consistent with the wording of the Act, section 52."

"Let all Members of this House, irrespective of political opinion and irrespective of race, be honest in their convictions and vote against this resolution. Otherwise there will be one impression created in the country, namely, that they want others to practise economy while they themselves are playing with the people's money."

"With regard to the Council Secretaries, I would like you Sir, and this House to consider whether this resolution which asks us to sanction the pay with effect from the 1st July 1924 is consistent with the wording of section 52 of the Government of India Act which says:

"There shall be paid to Council Secretaries so appointed such salary as may be provided by vote of the Legislative Council."

I should think that that refers only to the rate of salary and not to fixing the salary from a particular date. I want again to remind the party in power of the report of the Retrenchment Committee of which the distinguished Members were Messrs. MacDougall, Usman Sahib, Dr. Natesa Mudaliyar, Rao Bahadur T. A. Ramalinga Chettiyar, Mr. A. Ranganatha Mudaliyar, Dr. Subbarayan and Mr. O. Tanikachala Chettiyar, a prominent member of the party in power, and Mr. C. E. Wood. At page 59 of the report, it is said:

"The Committee are of opinion that it is unnecessary in the present state of the finances of the presidency to employ salaried Council Secretaries."

What has happened since the date of that report, except the distress caused by the floods in various parts of the presidency, which can be said to

18th August 1924]

[Mr. S. Satyamurti]

have improved the finances of our presidency? Therefore, unless the hon. the Minister for Local Self-Government says that this report is not worth the paper on which it is printed, or unless he satisfies this Council that something has happened to improve the finances of this presidency, I do ask the Government Members to be consistent and not to write one thing in the report and do another thing when it suits them. I may add that the late Finance Member of this House was a member of this committee and he agreed to the abolition of salaried Council Secretaries. I do not know what has happened since then; and Mr. President, what are these Council Secretaries doing? Their duties are not defined, and when we ask a question, we are conveniently referred to page 101 of volume II of the Legislative Council Manual. I want to ask the hon. the Minister for Local Self-Government, who is a very careful speaker—he merely said that they are expected to do this and to do that—why he did not say what they did or what they are going to do."

The hon. the RAJA OF PANAGAL:—"My reference was to the duties of the Secretaries who have been recently appointed. I did not refer to the duties which the late Secretaries were actually discharging. Therefore, I could only use the expression 'are expected to do'. The Council Secretaries are just taking charge of the appointments."

Mr. S. SATYAMURTI:—"I am much obliged for the answer. But he wants to pay them from the 1st of July."

The hon. the RAJA OF PANAGAL:—"The appointments would come into effect only from the 1st of July. The reason is this: there was a recommendation by the Finance Committee that there was no necessity for the appointment of these people. We tried whether we could get on without appointing them; and what is the result of the trial? It has brought conviction home to the Ministers that it is not possible, under this system of partial responsibility, to get on with the work without the help of the Council Secretaries."

Mr. S. SATYAMURTI:—"I want hon. Members of this House to kindly look at section 52 of the Act. The hon. the Minister talks as if the Secretaries are personal possessions of the Ministers. That is against the scheme of the whole Act. The power to appoint the Secretaries is vested in His Excellency the Governor and they are expected to help the Ministers and the Members of the Executive Council. In the Madras Council, they are looked upon as political attaches to the Ministers. The idea is that they ought to be the assistants to both the Executive Council Members and the Ministers and the Governor is, therefore, asked to appoint them. It is stated at page 101 of the Manual that

"Council Secretaries when appointed by the Governor will be specifically posted to assist the Member of the Executive Council or the Minister in a particular department."

"I suggest that the word 'or' here means 'and'."

The hon. the RAJA OF PANAGAL:—"At all events I do not understand 'or' to mean 'and'."

Mr. S. SATYAMURTI:—"It is because he has never allowed the Secretaries to work under a Member of the Executive Council. The next paragraph in the Manual says:

"Council Secretaries will be employed to work up replies to any questions or resolutions that may be handed to them by their Member or Minister and may further be given the responsibility of replying for the department in the Legislative Council when specially instructed to do so and upon lines approved by the Member or Minister."

[Mr. S. Satyamurti] [18th August 1924]

"I ask a categorical question as to how many questions they have thus worked up from 1st July up to date, and how often they have been asked to reply to debates on behalf of the Members. Again, it is stated:

"The Council Secretary will act as a confidential Secretary to his Member or Minister. His position will resemble as closely as possible that of a Parliamentary Private Secretary in England".

"Now, Sir, look at this picture and that. I need not labour on that point. Is it seriously suggested that the three Secretaries appointed by the Governor to assist the Ministers, and who do no work, correspond in any degree to the responsible position of Parliamentary Private Secretaries? It does not require two minutes' argument to convince anybody that they do not. This is purely a vote-catching device. The Ministers really want to have three votes on their side. I ask this House to turn down this motion. Of the three Secretaries, two live in Trichinopoly and the other lives in Vellore, and we are told that they are part-time servants. The Ministers are to be here and they have to correspond with them by telegrams or by letters, and these gentlemen have to assist them in their work. What is this farce, Mr. President? It deceives nobody. It is merely an attempt to get three people on their side, and I want this House to satisfy itself as to whether anything has happened since the Retrenchment Committee made its report to make us feel that we have really any reason why we must appoint these people. I will just invite the attention of the House to a few questions. On the 1st March 1924 the following questions were put and answered:—

Mr. P. SIVA RAO:—

"I wish to know if the hon. the Law Member is aware that the Act provides for the appointment of Council Secretaries to help the Members of the Executive Council also."

The hon. Mr. C. P. RAMASWAMI AYYAR:—

"I am aware of it."

Mr. P. SIVA RAO:—

"Has he any intention of appointing any?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—

"None at present."

Mr. P. SIVA RAO:—

"Do they feel the necessity for Council Secretaries?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—

"Well, we feel no such necessity now. But we shall be glad to have them if the Council votes money."

"Therefore, Mr. President, so far as one half of the Government is concerned, they have no necessity for the Secretaries; and, arithmetically speaking, the Secretaries can claim only Rs. 250 as their pay. I myself asked the hon. the Law Member a series of questions and they were answered as follows:—

Q.—May I know if any of these gentlemen were assigned to any departments?
A.—No, Sir.

Q.—May I know with reference to the second paragraph on the same page, whether any Council Secretaries were at any time employed to work up replies to any questions or resolutions that may be handed to them by their Member, I mean Executive Council Member?
A.—No, Sir.

Q.—May I ask with reference to clause (3) of that same rule, whether any Council Secretary was at any time employed to work up points of discussion and to speak on behalf of the Executive Council Members?
A.—Not as yet, Sir.

Q.—May I know whether any Council Secretary at any time acted as confidential Secretary to any Executive Council Member?
A.—The Executive Council Members have not had the happiness of having confi-

dential Secretaries at all.

18th August 1924] [Mr. S. Satyamurti]

"Then in answer to a question of mine, the hon. the Raja of Panagal replied, 'it is difficult to draw the line of demarcation between political and official work'. They were helping us officially as we had to do official work too on such occasions."

"Unless we are going to vote on this question on purely party considerations, shutting our eyes to all things and say to ourselves 'we will merely vote and die', I do suggest the only course open to hon. Members is to look at the question squarely and consider that these are a costly luxury, that a poor province like Madras cannot afford them, and that the recent floods have straitened our finances. We should set an example to the European services by practising economy and not merely by preaching it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, it was not my intention to intervene in this debate and I would not have done so but for the circumstance that two hon. Members have taken my name—I dare not say, in vain. I adhere to the answers which I had given. I am not here concerned with the question of the quantum of the salary of the Council Secretaries. But I do say this: if it were possible for the Council to agree to such a proposition from the financial point of view, my hon. Colleagues (of whom only one is now sitting by my side) and myself, in the Executive Council would be only too glad to get the assistance that is referred to there. But there is this point which must be borne in mind: We have, according to our fortune or misfortune, no strictly Parliamentary duties to discharge. We are a part of what has been called the Bureaucratic machinery and, therefore, our need for Parliamentary assistance in its technical sense is not as great as it would otherwise be. But if I get 100 or 200 questions to answer or as many resolutions to deal with, I should only be too glad to have the assistance of a Council Secretary. I think I am voicing also the views of my Colleagues in this respect. We have not pressed for the appointment of Council Secretaries for ourselves. It is because our hon. Colleagues, the Ministers, from Parliamentary exigencies have demanded three Council Secretaries and we did not think that the Council would be willing to vote more money."

"I conclude with just one matter, and that is about the legal interpretation. My hon. Friend, the Member for the University, quite correctly referred to certain cases in which the word 'or' in matters of legal construction may be equivalent to the word 'and'. But it is obvious, I submit, that when we turn to page 101 of Volume II of the Legislative Council Manual it says:

"The Council Secretaries will be specifically posted to assist the Member of the Executive Council or the Minister in a particular department."

"I take it that the meaning of that sentence is this. If in the handling or the running of any particular department, whether it be in charge of a Member of the Executive Council or a Minister, it be found necessary to have a functionary analogous to that of a Parliamentary Private Secretary, then the Governor is entitled to put him on to that particular department. Therefore, the word 'or' there means, I venture to submit with confidence, 'or' and not 'and'."

Mr. S. SATYAMURTI:—"May I ask one question, Sir? What are the Parliamentary duties which the hon. Member has talked of apart from those specified in page 101?"

[18th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"These will be detailed, I have no manner of doubt, by my Colleague who will speak next."

The hon. Rao Bahadur Sir A. P. PATHO:—"Mr. President, Sir, it must be a strange mentality which has discovered in the fourth year of the life of this House that Council Secretaries are a mere vote-catching device and that they do not serve any useful purpose. It is no doubt a compliment to the hon. Member that he has discovered this so late in the life of this House."

"As you are aware, Sir, the appointment of Council Secretaries was discussed by the Joint Parliamentary Committee and it is laid down in the Statute. Discretion is given to His Excellency the Governor that whenever in the life of this House he is satisfied there is need for the appointment, he may appoint Council Secretaries. The appointment is not created by the Minister but it is there in the Statute. When the Reforms were inaugurated, it was not stated that the Council Secretaries were unnecessary and no case has been made out from the experience of the last three or four years for the discontinuance of these appointments. Although the Retrenchment Committee made its recommendation that these appointments might be abolished, we found that they were absolutely necessary and decided that this recommendation could not be adopted."

By this time it was 4 o'clock, and the further discussion of this subject was postponed, and the motion for adjournment was taken up.

V—cont.

4 p.m. MOTION FOR ADJOURNMENT OF THE BUSINESS OF THE HOUSE
TO DISCUSS THE GRANT OF PROVINCIAL AUTONOMY—cont.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, I have the honour to make a motion in respect of which the Council was pleased to grant me leave, and that is that the business of the Council be adjourned to discuss a definite matter of urgent public importance. The motion is:
to request this Government to forward to the Government of India the opinion of this Council for granting provincial autonomy to this province.

"It is hardly necessary for me to refer at any length to the circumstances which have necessitated my bringing up this motion as a motion of urgent public importance. A reference was made to various provincial Governments in connexion with the inquiry now going on before the Reforms Inquiry Committee, regarding various questions affecting the working of the reforms. It is somewhat unfortunate and regrettable that our Government have not thought fit to consult this Council and obtain their opinion while forwarding their opinion to the Government of India and the Reforms Committee. I find that there is something in these consultations by the Government of India with the local Governments, which probably precluded the latter from taking us . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not desire to intervene at this stage. However, in order that there may not be any misconception in the minds of hon. Members of this House, I rise in my place inasmuch as the hon. the Finance Member is absent from his seat and answer this criticism. The reference in the Government of India's despatch and the time fixed by that reference made it impossible for us to have any consultation which otherwise might have been arranged."

18th August 1924]

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Now that the hon. the Law Member has told this House that it would have been possible to arrange for a conference but for the limited time at the disposal of the Government, it is not necessary for me to expatiate further on this subject."

"Sir, this is a matter on which the whole of this Province is deeply interested. I am sure that so far as this House is concerned, there is no room for any difference of opinion. The subject of provincial autonomy is one regarding which the public of this province, and persons of all shades of opinion, have already expressed themselves in no unmistakable terms. It will be remembered that even the first committee which sat to report on constitutional reforms examined various proposals put forward before them, and, while on this subject, they expressed their concurrence with most of the leaders of thought in this country in asking for provincial autonomy in these terms:

"The scheme assumes as its basis a condition of provincial autonomy entailing the relaxation of control by the Government and the Secretary of State over provincial Governments in favour of control by popularly elected Legislative Councils. We entirely agree that this must be the first aim; and as will be seen later, we have ourselves striven to attain it as far as possible. We need not here pause to explain the limitations which seem to us necessary for the time being in the application of this principle."

"Then, Sir, they proceeded to discuss the various aspects of this question. To those who are familiar with the history of constitutional reforms ever since the Government of India Act of 1919, to those who have carefully followed the working of the reforms in various provinces, and particularly in this province, to those who have been in a position to appreciate the defects in this dual form of Government, and to those who are to-day following the discussion before the Reforms Inquiry Committee and to the valuable evidence which is being given before them by some of the ex-Ministers, I need not labour here much to convince them that this machinery is one that does not satisfy the expectations of any section of the people in this country. No person of whatever race or creed, or political school of thought, has expressed his approval of the system which has been working. I do not on this occasion wish to raise any controversial questions, questions which will probably introduce issues which are not relevant to this discussion. I only want this House to consider whether they are satisfied with the system which has been tried during the last three or four years and whether it is not high time that we should immediately ask for provincial autonomy in the real and proper sense of the term. I find that even in the early stages, when this question was before the Joint Parliamentary Committee, responsible statesmen and administrators admitted clearly and definitely that they could not think of responsible Government which did not along with it make the Executive subordinate to the Legislature. According to the present scheme, a portion of the Government cannot be controlled by the Legislature and that portion of the Government cannot be supposed to have responsibility. That is a position which is inevitable under the present system and which can never be considered as conferring any measure of Self-Government or responsible Government. I find that in the early despatches regarding constitutional Reforms, the Madras Government took practically the same view on this question. While sending their report they pointed out as follows:

"This obscuring of responsibility seems to be a matter to which considerable importance attaches. It is proposed in paragraph 260 to subject working of the scheme to searching examination after a trial of five years, but those who are entrusted with this investigation will find themselves confronted at the outset with the task of apportioning responsibility for possible

[Mr. A. S. Krishna Rao Pantulu] [18th August 1924]

and by no means improbable failure between the various component parts of the Government' and it will be a matter of extreme difficulty to determine where to place the blame, whether upon the Governor, his Executive Councillors, his Ministers or the Legislative Council, and the complex device of the Grand Committee. If there is no clear line of division between the responsibility of Ministers and those of the rest of the Government, and if, as stated in paragraph 219 of the Report, the Governor is to be regarded as generally responsible for the administration, it does not appear to His Excellency in Council that any real experiment will result, nor can it be claimed, as is done in paragraph 222 of the Report that some measure of responsibility will be at once established. If it were desired at once to effect these objects, it would seem necessary, though His Excellency the Governor in Council does not recommend it, that the Governor's functions should be from the outset limited to the giving of advice to Ministers, and that he should not, except in matters of extreme urgency or national importance, proceed farther and actually refuse assent to their proposals.

"These are the views put forward by the Government of Madras while submitting their report upon constitutional Reforms. From a letter, dated 19th October 1918, it will be found that even then the local Government were somewhat unwilling to take the then existing Council into confidence and obtain their views as to the desirability of transferring all subjects, but at the instance of the Government of India they called for a special meeting in November 1918 and there was a discussion as to what subjects were to be transferred and what not. The Members of the then Legislative Council unhesitatingly expressed themselves in favour of granting full provincial autonomy. Commenting on the discussion at the Legislative Council as to the division of subjects, the local Government again took advantage of that opportunity and stated that the Members of Council did not want to have any division in functions, though they dealt with some subjects and they made their own remarks regarding those subjects. Thus it becomes apparent that a demand for the transfer of all important subjects was put forward. But that whatever suggestions were made, were not accepted.

"Another question which has a bearing upon this is this: From the earliest times there was a suggestion that there was no use of having any sense of responsibility in the provincial Government unless there was an element of responsibility created also in the Government of India. This question was pressed upon the Joint Parliamentary Committee from the outset. Various witnesses who gave evidence stated that that must be achieved in as short a time as possible. But what we find now is that a committee has been appointed by the Government of India to make enquiries, and the nature of the enquiry which is now going on is such as not to create in our minds any hope of any radical reform being effected. It will be interesting to notice how such responsible administrators as the ex-Governor of Madras, Lord Carmichael, and one of the oldest members of the Civil Service, Sir William Neyer who was held in high esteem in Madras, have expressed themselves in regard to this question. They have approved of the scheme whereby there must be responsibility of the executive to the legislature, and they also stated that so far as the Central Government was concerned, there must be an element of responsibility introduced as early as possible. I will only make one or two references to show that even at the time of the enquiry, in 1919, there was an opinion expressed by responsible administrators that this is not the sort of responsibility which ought to be created in the provincial governments, but that something which is real, which is really effective, is needed. This is what Lord Carmichael said in his evidence on 21st August 1919:

"I do not attempt to define the expression "responsible Government." To do so at all exhaustively will take up much time, but perhaps I ought to say that I do not see how there

18th August 1924] [Mr. A. S. Krishna Rao Pantulu]

can be said to be responsible. Government under a scheme at all like that contemplated by the Viceroy and the Secretary of State, unless the executive, in whatever way it might be constituted, is subordinate to the Legislative Council."

"That is how he put it. He was positive about it. In this connexion, the following questions and answers will be found to be interesting:

4-15 p.m. Do you think that the non-official members of the provincial legislatures should possess power to control the actions and policy of the executive?"

"Yes. They did not appear to me to possess such power in Madras."

"Do you accept the position adopted in the Bill that the time has not yet come to give to the Legislative Assembly a similar measure of control over the Central Government as that given to Provincial Legislative Councils over Provincial Governments?"

"Personally, I believe that similar control, though probably in a less degree, might with advantage be established; but I believe this would be to go much farther than the Indians themselves think necessary."

"He was prepared to go farther than some of the Indian witnesses themselves did."

"Again, Sir William Meyer said as follows:

"I accept the proposition contained in the preamble to the Bill, on the understanding that its first sentence implies the eventual realization of "responsible Government" in the Central Government as well as in the Provinces."

"And then he said in reply to the question:

"Do you accept the position adopted in the Bill that the time has not yet come to give to the Legislative Assembly a similar measure of control over the Central Government as that given to the Provincial Legislative Councils over Provincial Governments?"

"Yes, but I think that steps should be taken at an early date—say, five or six years after—to consider a beginning of control over in the Central Government also."

"And, later, in reply to another question he said:

"A beginning should be made in the Government of India at an earlier date than that prescribed by clause 28."

"While on this question, I wish to point out that we must not draw any distinction in this connexion between the work of the Members of the Executive Council and the work of the Ministers. I always take the view that apart from the theoretical responsibility of the Ministers and the irresponsibility of the Members of the Executive Council, at least so far as the Indian Members of the Executive Council are concerned, they are as much responsible to us as the Ministers can be, whatever difference might exist in theory. We find that the Indian Members of the Executive Council have been entrusted, apart from the nation-building departments, with very responsible portfolios. An Indian Member is in charge of law and order and another Indian Member is in charge of the department of Land Revenue. Now, if you only analyse the way in which these various departments have been administered, he must be a bold man indeed who would say that our province is not fit for provincial autonomy. We ought not, on this occasion, try to differentiate between the working of one department and that of another or take note of the defects in the working here or there. I wish this House to look at this question from a broad and general standpoint. I know there are difficulties. I know there are grievances in the Transferred departments for which we can criticize the actions of the Ministers later. But, while on this question of provincial autonomy, I wish this Council to look at it from a broad and general standpoint. Are we in a position to state, consistently with the progress made during the last five or six years, that we are not in a position to urge for provincial autonomy? Look

[Mr. A. S. Krishna Rao Pantulu] [18th August 1924]

wherever you will, judge of the work in whatever direction you will, we must be in a position to state that the measures given are so unsatisfactory that there are so many in our country who are prepared to reject them as sham and unsatisfactory. It is real responsibility, to use the words of the Madras Government, that we ask for. In more than one place we find the Government of Madras saying what the people want is not a sham responsibility. The people want real responsibility. It is on the strength of that they wrote in their letter to the Government of India that if you really want to give responsibility, you must give them real responsibility. But the device to create two halves, one supposed responsibility and the other not, is a measure which cannot possibly work successfully. We, therefore, ought to profit by the example we have, and we should make it clear that we are not satisfied with the system under which we work. We are not satisfied with the way in which these differences have been created. We are not satisfied when we find that one part of the Government is in a position to complain against the other and so forth. We are not satisfied with the rules and restrictions by which each part of the Government is handicapped in the exercise of its duties. If we really want to achieve any measure of responsible Government, we should ask without any difference of opinion whatever for provincial autonomy. We have not had any difference of opinion with the Ministers so far as this question is concerned. This is a problem which has met with acceptance from all sections of the people all over the country, and I do not think that this House will go behind that and halt or pause before making its opinion felt. This is just the time when we should make our representation to the Government of India, because they are considering what alterations are to be made in the Reforms Act or in the rules. I do not know if, apart from the opinion of the Government of Madras communicated to them, there are any witnesses from the Province of Madras who are being examined for the Madras view. So far as I am able to know, no one is able to give any evidence. Therefore, this being the only opportunity for ventilating our views, I think that this House should unanimously accept this motion and that since the time is limited, we do not talk out this motion, but clearly express our opinion and take a vote."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I second the motion moved by my hon. Friend, Mr. Krishna Rao Pantulu. I need not say much about this because every one of us, Indians, is convinced that provincial autonomy is necessary for us. It is only then that we will have a really responsible form of Government, a Government responsible to the legislature and to the people of this land, and it is only then that we can have a Government by national will. The national will is being throttled to-day by the official will and sometimes by the nominated will. I hope this resolution will be carried unanimously by Ministerialists and others independent of party feelings. It will not be too much for me to expect even the Ministers to vote for this resolution. Provided the interests of the various communities in our land are safeguarded, we can have the highest privileges that can be given to any people under the British Empire."

The hon. Mr. R. A. GRAHAM:—"Sir, I must begin by saying that our position here is such that we cannot argue the merits of the case with the hon. Gentlemen who are supporting this motion. As hon. Members know, we have been called upon to report on the general question and all such

18th August 1924] [Mr. R. A. Graham]

reports, until the Government of India choose to publish them, are in the nature of confidential documents. It is, therefore, quite impossible for me to say anything about it. No Member of the Government will be in a position to vote on the motion. We, therefore, propose to listen to what hon. Members have to say and the arguments they have to advance in favour of the motion and will, at the end, forward a copy of the proceedings to the Government of India."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Will it be too much, Sir, to expect the Government to say something as to what these confidential documents are?"

The hon. Mr. R. A. GRAHAM:—"It is quite impossible for us to say what they are."

Mr. S. SATYAMURTI:—"Mr. President, Sir, I am afraid the Government have taken a rather unusual course in regard to this matter. I do suggest, without meaning any personal discourtesy, that the Government have not treated this House with the respect which is due to it. Sir, a motion is made, it is seconded, and it is a most important matter on which Members of the Government must have views, views formed after mature deliberation and calm consideration. I do suggest that this House is entitled to the views of the Government on this matter. The hon. the Finance Member said that this matter must be treated as confidential. I ask, why?"

The hon. Mr. R. A. GRAHAM:—"I say that the views of the Government must be treated as confidential."

Mr. S. SATYAMURTI:—"Under what rule of public business or public law are the views of this Government withheld from this House? Is it by the mere accident of those views having been sent to the Government of India?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Just on this matter, Mr. President, may I say this? There is no gainsaying the fact that individual Members of the Government have their own views on this matter. All that is meant is that the Members of the Executive Council certainly have been called upon, in a confidential communication, to express their views and they have done so. Therefore, views which have been expressed and sent to the Government of India cannot be revealed, until the Government of India chooses to release the Members of the Executive Council from the obligation of treating that communication as confidential. Therefore, while not implying or suggesting in the slightest degree any discourtesy to this House whose instruments and agents to a certain extent we are, we say that we are precluded by the previous history of the subject from actually participating in the vote, or taking such active part in the discussion of this matter as otherwise we undoubtedly would have done."

Mr. S. SATYAMURTI:—"I am much obliged to the hon. the Law Member for his elaborate explanation. I still feel that the hon. Members of the Government, as Members of this Council, may well express their views although the question of the communication being confidential may apply to the Government as Government. Incidentally, Mr. President, this episode has given me a most powerful argument in favour of this motion. Do you think, Mr. President, in any Parliamentary Chamber in the world any Member of the Government can come to the

[Mr. S. Satyamurti]

[18th August 1924]

House and say on an important matter like this: 'I cannot say anything to you because I am obliged to some body else to keep it confidential.' It seems to me a most unnatural system by which we can pretend to work parliamentary and democratic institutions here. We, Members of the Opposition, waste our time and the valuable time of others trying to get the opinion of this Presidency on a most important matter. Here the Members of Government come and say: 'We cannot tell you anything; we are prevented from telling you anything.' It seems to me that this position is quite enough to show how unnatural and how farcical it is to say that under these restrictions we can work parliamentary or democratic institutions.

"Now, Sir, the phrase used by my hon. Friend is provincial autonomy, the over-worked phrase whose meaning has got to be made perfectly clear. Speaking on this motion as a member of the Swarajya party, I refuse to look at any provincial autonomy which does not submit every department of the Madras Government to the close, continuous and watchful control of the elected representatives of the people, as found in all the self-governing countries of the world. No other smaller crumb will deceive us or Members of the Opposition as a whole. What we want is provincial responsible government, a longer phrase I admit, but, I submit, a more accurate phrase. What we want is not that all the Executive Councillors must be free from the strings of the Government of India and the Secretary of State. If by provincial autonomy is meant that the Members of the Executive Council are not to be under the ultimate control of the Government of India and the Secretary of State, I am against it. On the other hand, what I mean by the term and what all of us mean is this, that hereafter all the Members sitting on that bench must feel equally responsible to this House and must resign the moment they lose the confidence of this House; and that and that alone is the thing which we want.

"One argument has been advanced and will be advanced, namely, that the electorate is not large enough. I agree. I want the electorate to be enlarged, considerably enlarged. And I feel the larger the electorate, the more popular the electorate, the greater will be the success of the most advanced school of politicians in this country. In the course of this day, Mr. President, if I may refer to that, we have had remarkable successes in the Madras city municipal elections of the Swarajists against the lions of the Madras municipality. I am, therefore, one who looks forward with confidence to the enlargement of the electorate. I mean more men and women should be put on the electoral register and the larger the number, the more progressive will be the House. I agree that the electorate must be enlarged.

"I want to say one word on the protection of communities to which my esteemed Friend, Dr. Natesa Mudaliyar, referred. I agree they ought to be protected, but the only question is what is the method. I am one of those who believe that the best method of protecting the communities is to make all people vote on a common register. That is the only way in which we can make the Brahman and the non-Brahman, the Hindu and the Muhammadan, the Christian and the depressed classes feel that when they come into this Council they are no longer Muhammadans or Hindus or Christians, Brahmans or non-Brahmans, but sons of the Motherland working for a common purpose. I know this, Mr. President, that this House can never function properly so long as we come here with our caste, with our creed, with our class or religious bias or communal mind. I however agree

[18th August 1924]

[Mr. S. Satyamurti]

that there are some settled facts in this country which we cannot ignore. The Lucknow compact is one of them. I am not going, unless and until the Muhammadans voluntarily come forward and say: 'we no longer want communal representation', to challenge the principle; till the day when the Muhammadans will have developed sufficient confidence in their Hindu brethren, when the Hindus will have conducted themselves so as to rouse the confidence of their Muhammadan fellow-subjects, till then I will not disturb it. As for the non-Brahman reservation of seats in this Council, it is, I think, no longer necessary. But even there, unless my non-Brahman friends of this Presidency come forward and say 'we no longer want this protection,' I do not want to disturb it. Subject to this fact, I am anxious that this House should no longer represent vested interests, should no longer represent small minorities, obscurantist sections or the official will by means of nominated members, but should express the spontaneous, unrestricted, national will of the people of this country. As it is, Sir, we are talking as if in diarchy there is some partial responsibility and that we want full responsibility. I believe that even in the 'Transferred' half real responsibility does not exist and has not existed. The rules and restrictions are so many that the most efficient Ex-Minister of the Punjab, Lala Harikishen Lal, only the other day before the Reforms Committee confessed: 'Except receiving garlands at railway stations I was no more than a mere advisor of the Government'. If Ministers of the other Provinces can be equally frank, lay their hands on their heart and speak out, they will tell the same sad story. What we are having to-day in Madras is neither partial nor full responsible government. What we want is real responsible government in both the Transferred and the Reserved half. Although it is not the subject of the resolution, I want to add one word with your leave, Sir. We really cannot make any use of even full provincial autonomy if the Central Government continues to be the antideluvian, wooden monster which Mr. Montagu described it to be in a famous speech in the House of Commons. It seems to me a sham to speak of responsibility to people who are responsible to nobody except themselves. It follows logically that if you want to give responsible government to provinces, you must give responsibility entirely in the Central Government subject to reservation of the army for a short period if it is considered necessary.

"The last point which I want to make is this. The settlement of the Reforms question must come as the result of an agreement between the people and the government of this country and of Great Britain, as the result of the deliberation at a round table conference. No government which is going to be imposed upon this country without consulting the people is going to satisfy them. I am fortified in the statement by the history of diarchy. I do not want to indulge in the melancholy satisfaction of saying: 'I told you so.' Some of us who examined the reforms scheme as it was framed said, 'this diarchy is a monster; it cannot work'. But other friends with greater optimism thought that they had greater political wisdom and hoped that they would work it and try to make it a success. We have now the unmistakable evidence of their attempts at the task. I appeal to them to realize that no system of government imposed by a foreign nation on another nation without the consent of the subject nation can really solve the problem. This must come as a settlement between the two. So far as this resolution is concerned, the hon. the Education Minister's speech at Guntur has cleared the ground considerably for us. He spoke with experience; he

[Mr. S. Satyamurti]

[18th August 1924]

spoke with knowledge. I do suggest that although in other places and at other times we have to fight for greater rights, this House will unanimously—and I hope the hon. the Finance Member will not debar the Ministers from voting on it, I hope he does not include the Ministers for they are the Leaders of the Party in power or so they claim to be—I do suggest that every Member of the House who is free to vote will express his vote in the proper manner and convince the Government of India that so far as the Madras Legislative Council is concerned, without difference of party or programme, we are all agreed that at least so far as this province is concerned provincial autonomy in the sense in which I have defined it must come with all its implications."

Mr. R. VEERIAN:—"Mr. President, Sir, I beg to oppose the motion moved by my hon. Friend. The interests of the depressed classes whom I represent here demand such a course. Unless they are safeguarded provincial autonomy will do more harm than good. The past has shown how the members of these classes are being treated by the privileged community. We are not wanting in instances where the depressed classes are not allowed to go freely about the streets, are not allowed to read in schools along with other pupils, in schools maintained out of public funds, not to speak of temples. When such things exist, how can we say that we are fit for provincial autonomy? I need not waste more time over this matter; I would only like to appeal to my Colleagues representing the depressed classes not to vote for the motion."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, Sir, as one who had some inkling into the inner working of the Reforms in its earlier stages, and as one who had his share in the administration under those Reforms, I feel it my duty to lay before the House a few of my experiences which would conclusively show that if there is one resolution that could be accepted unanimously in this House, it is the one that is before the House just at present (hear, hear) in spite of what my hon. Friend, Mr. Veerian, has stated. I would like to dispose of Mr. Veerian's objections in a couple of sentences. Let Mr. Veerian think of what his community was three years ago and what it is to-day. The Ministers might have their own faults and might have committed blunders. But let the depressed classes remember that the Ministers, the Legislative Council and all those interested in working the Reforms did their level best in helping the depressed classes, and if provincial autonomy was granted, the depressed classes stand to gain. At any rate, their position would not be worse."

"I was one of those who had been invited to give evidence before the Reforms Inquiry Committee. Though I had submitted a written memorandum, my health did not permit me to go to Delhi to give oral evidence. I am sorry I cannot agree with those who had given evidence on the question of communal representation that there was something extraordinarily wrong about it."

"This is not the occasion in which we can raise this question of communal representation. We are on the main question of the demand for full provincial autonomy for our province. We say for our own province because we believe that in our province the Reforms have been worked in the spirit in which they were conceived. More than that, we went beyond the Reforms and we tried our best and with the co-operation of the hon. Gentleman on

[18th August 1924] [Sir K. Venkatarreddi Nayudu]

the Treasury Bench, who were once my colleagues, to use the very happy expression of Lord Willingdon, which was mistaken in some quarters, we were a 'happy family' (ironical opposition, laughter and cheering). For, while admitting that dyarchy was a failure and could not be worked, we yet made the reforms a success, as much success as was possible under the peculiar conditions, because we got over dyarchy by ignoring it altogether. On hundreds of questions, and times without number, we, the Ministers and the Executive Councillors, met and neither did the Reserved half nor the Transferred half make any difference of questions that arose in the two departments. All were treated alike and common consent obtained. Yet, in spite of all that, let me say that dyarchy is a failure. (Cheers.) Dyarchy cannot but be a failure. (Renewed cheers.) How on earth would it be possible within the same house there could be divided responsibility?

"I was, Sir, if I may, with your permission, use the first person,—I was a Minister of Development without forests, a Minister of Industries 4-45 p.m. Agriculture without irrigation and a Minister of Industries without factories, without boilers and without labour. How on earth is it possible for a Minister of Industries to develop industries without the slightest control over labour, factories, boilers or electricity? Take again, Sir, the Public Works Department. That is a Transferred subject. Irrigation and Public Works have got the same staff throughout the whole Presidency. But Irrigation is in the hands of an Executive Councillor on the Reserved half, and Public Works are a Transferred subject, so that if one-half of the public officers of the Public Works Department is responsible to this House, the other half of them is responsible to somebody else. (A voice: —'Half of each of them'.) As it is suggested by my hon. Friend, I may correct myself by saying that half of every one of these officers is responsible to this House and the other half to somebody else. Such a system of divided responsibility is bound to fail. Well, Sir, such a position is found to exist to-day, and the only remedy which any one can suggest is that there should be complete Provincial autonomy. It has been said that the time has not yet come for full Provincial autonomy, that the Act has provided for a Commission only once in ten years, and that even before three years elapsed we were coming forward with this extraordinary demand for Provincial autonomy. True it is, Sir, that the Act contains a provision to that effect, but every one knows that that provision was only fixing the maximum number of years when a Commission must be appointed. But as the Right Hon. Mr. Montague himself admitted in Parliament, it is quite open for the appointment of the Commission and for the transference of more subjects before these ten years. Well, Sir, the avowed policy of the Reforms is contained in the various references to which my hon. Friend Mr. Krishna Rao has drawn attention, that is, in the Joint Report of 1917, in the deliberations and declarations of the Joint Committee of both Houses of Parliament, in the first and second reports of the Joint Committee, in the discussion in Parliament and in the basic principles of the Act itself. What were they? They were that India was to have full responsible government. True it is that it is to be gradually achieved. It is also true that it is only Parliament that can decide the question as to the time when that is to come off. We bow to it. But our demand now is that the time has come for a further advance for Provincial autonomy. We show by facts and figures, by the practical difficulties that we have come across in the administration during

[Sir K. Venkatarreddi Nayudu] [18th August 1924]

the three years of the working of the Reform scheme in this province, that dyarchy is impossible. That is admitted by every one in every province, but when we in Madras who have worked the Reforms scheme in the spirit in which the Act was conceived say that time has come for complete Provincial autonomy, I say the voice of this House and of this province must carry greater weight with the authorities than that of other places.

"Well, Sir, what have they said in the preamble of the Bill? I know that the preamble is no longer a part of the Act, but there are two or three sentences there which no son of India can ever forget. The first was about the grant of full responsible government—no doubt they said 'gradual development', but the words 'responsible government' were used. Our experience has shown that there is no real responsibility at present. Then there was the gradual Indianization of the services. Who can deny—and I do not think even my Friend Mr. Veerian can deny—that during the first two or three years of the Reform scheme there was some decent Indianization of the services? But with the Lee Commission report all further Indianization is gone for ever. At least for some years it will be impossible to satisfactorily Indianize the services if the Lee report be adopted. Well, I ask, if that was the object of Parliament, or of the British nation, when they passed the Act. Do they not now want that this Indianization of the services should be deferred till eternity, or till an unconscionably long time? If Provincial autonomy is not granted, and if the Lee Commission report is to be given effect to, I say the second point, that is, the Indianization of the services, falls to the ground. Then, there is the gradual development of self-governing institutions in this country. I do not think many words are required from me to show what this gradual development of self-governing institutions means. If that expression is applied to a House like this, the debates that take place in this House will show that it is a phrase without much meaning. Just conceive the position that if I am to raise any complaint against a Public Works officer, the hon. Sir A. P. Patro says that he is no doubt responsible to this House, but that because the same officer is responsible to his hon. Colleague, Mr. C. P. Ramaswami Ayyar, who is holding his reins at the other end, I must complain to him also. But the hon. Mr. C. P. Ramaswami Ayyar is not responsible to this House and he is entitled to pull the other way. If a horse is to be pulled once this side and once to the other side, I do not know how it can draw the car of administration. It is impossible in the nature of things that either for the development of those departments which are called the nation-building departments or to give effect to the real meaning of the words 'responsible government' dyarchy can work. I must say that this double system will never do and that only full responsible government is the remedy. I suppose it is not the intention of my hon. Friend Mr. Krishna Rao here to go into the various other questions which the Reforms Committee are going into at present. Nor is it my desire to go into those various aspects, but one thing I feel bound to say before I resume my seat. Of course, it would not be proper for me to disclose all that I had experienced in my relations with the Finance Department of this Government. (Hear, hear.) There are many here who have known, who have felt, who have thought over, and who have realized, the practical difficulties and impossibilities under which we had to work during the time I was Minister. I will not detail them, and it is due to my honour not to disclose them. (Hear, hear.) I may, however, say this—and most of you might perhaps have known it—that every item of expenditure that comes

18th August 1924] [Sir K. Venkatarreddi Nayudu]

from the Transferred departments, or from the Reserved departments, must go before the Finance Department. When these items go there, the Finance Member and the Finance Department know them fully, and you need not take from me but you can imagine for yourselves that the other half of the Executive will know everything about the Transferred departments. On the other hand, what might be passing in the Reserved departments it is impossible for the Transferred half to know except when it comes to the Cabinet stage."

Mr. S. SATYAMURTI:—"Happy family, indeed."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"It was a happy family willy or nilly. It will be base ingratitude on the part of those who enjoyed the hospitality, the friendship, the kindness, the help and assistance and the co-operation we received from the Governor to say that we were not a happy family. But at the same time I would be untrue to myself and my country if I do not disclose here the defects of dyarchy and say that the one great remedy for practical difficulties is the immediate grant of Provincial autonomy."

"Now, Sir, allow me to go back to my original point. I was complaining that whatever subject may be transferred or not, the one department that must be transferred if Provincial autonomy or responsible government in this country is to be real and not a sorry farce, that department is the Finance Department. (Hear, hear.) Without it nothing real can be done and will be appreciated in the country. If you want to strike the imagination of the people of this country, if you want the people of this country to believe that the British Parliament and the British nation are really true in their meaning when they say that they will grant responsible government to this land, the one way in which you can convince the people is by actually showing by your deeds in the administration, and those deeds are impossible without the control of the purse in your hands. Until this House has got full power over the Finance Minister and full power of administration of the funds, unless, in short, Finance is transferred, responsible government is a myth and a mirage. (Cheers.) Let it not be understood that I am complaining though I have my own complaints. It is not my desire to say here that I have had my quarrels with the Finance Department. But I wish to emphasize that unless Finance is transferred, nothing substantial can be achieved. If Finance is transferred, it means everything else is transferred, and that means Provincial autonomy."

"Mr. President, I do not propose to go into details, and I do not wish to transgress the danger line. I hope I have said enough which will convince this House that if really any step is to be taken, if real responsible government is to be introduced into this country, if really we are to make any advance towards that for which we have been fighting all these years, then I say the first step, the nearest step, the smallest step, would be the grant of Provincial autonomy."

Diwan Bahadur P. KESAVA FILLAI:—"Sir, I think it is time that I should speak. (Laughter.) My hon. Friend, Mr. Krishna Rao, the Independent Nationalist, has spoken. The Progressive Non-Brahman leader, Mr. Natesa Mudaliyar, has spoken. The Swarajist champion and stalwart has spoken. The ex-minister has spoken very eloquently and the in-minister has also spoken at Guntur. (Laughter.) It is a subject on which there is no

[Mr. P. Kesava Pillai]

[18th August 1924]

difference of opinion. We have also heard the hon. Mr. Ramaswami Ayyar. I believe he was one of the sturdiest congressmen, but he says he is fettered and that he cannot speak out. But I am sure he would have spoken very strongly in the confidential minute that was submitted to the Government of India. (Laughter.) I am sure that the liberal-minded gentlemen that grace the opposite bench will see that by granting Provincial autonomy, Government would earn the good will of the people and there will be peace in this country. It has always been the case in this country that reforms are always wrung from the Government by agitation and I do not think it would conduce to good government. I do believe if this is granted, that even the hon. Sir Arthur Knapp need not send so many people to jail."

The hon. Sir ARTHUR KNAPP:—"May I point out, Sir, that I am not putting people in jail, and that it is my hon. Colleague that sends them there."

Diwan Bahadur P. KESAVA PILLAI:—"Whatever that may be, Sir, I hope that the House would accept this resolution."

Sriman BISWANATH DAS MAHASAYO:—"Mr. President, Sir, I am glad to hear from Sir K. Venkatarreddi Nayudu that dyarchy stands itself condemned, and condemned not only by non-co-operators or congressmen, but by the votaries of dyarchy who were its worshippers before the shaping of the policy and those that worked dyarchy for a long time."

"Mr. President, I am glad that dyarchy must have been feeling very sorry to see that it is condemned by its enemies and its votaries alike. 6 p.m. The main defect of the system of dyarchy is that the services, that were expected to carry out the policy, are really shaping the policy of the Government. It has been shown in the evidence given before the Reforms Inquiry Committee what the services are doing; what they could do and are capable of doing. Even our hon. Friend, Sir K. V. Reddi Nayudu, in so many words, in a way expressed that the services who are controlled by two different departments can and do shake off responsibility and the Governor, who, after the reforms, has become more powerful than he was under the old Act of 1909, can avoid the difficulty of the services opposing any necessary changes. Again I would remind hon. Members of this House of the ringing words of Sir Lionel Davidson when he said that 'I am enjoying dyarchy.' He was so much disgusted with it that he himself clearly expressed before the House, of course humorously, that he was enjoying dyarchy."

"I would now refer to some of the instances wherein dyarchy has been proved a failure. Two years back in the old Council when we were crying for water in order to meet the water scarcity in Ganjam, the hon. the Revenue Member pointed out to the hon. the Chief Minister, and the hon. the Chief Minister pointed out to the hon. the Revenue Member when the question came before this House. They themselves have expressed that these are the main defects of dyarchy, because there is no joint responsibility of the Government as a whole to the Legislature. It is within our knowledge, Sir, how Ministers either remain neutral or stay away when Government measures are voted. We have also seen how measures relating to Government, measures approved by the Cabinet, are voted against by the materialists."

18th August 1924] [Sriman Biswanath Das Mahasayo]

"One other defect is that it does not develop a spirit of co-ordination among the different members of the Government."

"Under these circumstances, I very heartily support the motion of my hon. Friend, Mr. Krishna Rao, to wring the death knell of dyarchy."

Mr. B. MUNISWAMI NAYUDU:—"Mr. President, I entirely associate myself with the resolution that has been moved by my hon. Friend Mr. Krishna Rao. Sir, there can be no two opinions that dyarchy was not a system which was intended to be worked successfully for all time to come. Even the framers of the Montford scheme intended to introduce dyarchy only as a transitional and experimental measure. The theory underlying the scheme was that in the progressive realization of responsible government, a portion of the responsibility should at first be entrusted to the people, and to the extent to which they discharged that responsibility, they would be declared fit for a further grant of responsibility. No doubt there is a limit fixed that a Statutory Commission should examine the question after ten years. But having regard to the special circumstances obtaining in this Presidency, and especially the manner in which the representatives in the Madras Council have been doing their work, there can be no room for doubt that, so far as this province is concerned, it is fit for absolute and complete Provincial autonomy. Judging from the point of view of the work done by every Council as to whether it has discharged the responsibility in a responsible spirit, I submit that no other Council in India has to its credit the good work which the Madras Council has done. And then, Sir, under the noble statesmanship and the broadmindedness of Lord Willingdon and the policy that has been followed by him and which I am glad to say is being followed by His Excellency Lord Goschen, our Governor, we have been able to work dyarchy to a success. My hon. Friend, Sir K. Venkatarreddi Nayudu, said that it was not dyarchy that we worked, but complete self-government ignoring dyarchy. And if during these four-and-a-half years the system has worked well here, it was because it depended to a large extent on the personal equation. We are beginning to think that unless the same spirit pervades in the future also, the denial of the grant of full Provincial autonomy would only go further to expose the worst features of dyarchy. Any further delay will mean real danger, and what has transpired in Bengal will take place here also. In the interest and the good name of this Presidency, it is time that the Government should be called upon to grant to us full Provincial autonomy as, at least, a sort of incentive to further and more responsible government."

"In the matter of taxation, we unfortunately were handicapped. Three-and-a-half crores of rupees have been taken away from us by the Government of India. The impost has weighed very heavily upon us. In spite of that, when the Council was justly enraged at the attitude of the Government of India in continuing the iniquitous impost, when it was found necessary to impose extra taxation, it has co-operated with the Government. It has raised by 50 per cent the Stamp duty, it has raised by 50 per cent the Court fee duties and it has also raised the Registration fees. An attempt to levy additional cess for the purpose of paying the village officers was made in view of the fact that we were placing a permanent burden on the Government by way of giving increased pay to village officers. If only one would look into the proceedings of the Council at the time when the Court Fees and the Stamp Duties Acts were being discussed, it would be seen that one

[Mr. B. Muniswami Nayudu] [18th August 1924]

of the Members of this Council moved that they should only be temporary measures intended to tide over a temporary difficulty. At a time when, owing to the active propaganda against Excise and Excise duties, a large slice of our income from Excise was taken away, these measures were brought in, and although it was rightly and properly urged that they should only be temporary measures, it was because the Government accepted the additional burden of paying the village officers higher pay, that we said that instead of being temporary, they must be placed permanently on the Statute Book.

"Coming to law and order, at a time when it was felt that a serious crisis had arisen in the Guntur district, this Council, and we Members on this side of the House, in spite of the odium and the hostility we had to face, co-operated with the Government in all the measures that they had been putting forward, irrespective of the question as to whether they belonged to the Transferred or the Reserved half, because we wanted to show that we recognized the responsibility that lay upon us, and that we ought to treat both the departments as being responsible to this Council. In the hands of this Council was placed the duty of protecting law and order and finding the funds necessary for keeping the financial position of this province in a state of equilibrium, and we co-operated with the Government in all these things. And if, as a result of all the co-operation that we on this side of the House held out to the Government and also as a recompense for all the abuses that we were subjected to and the false position we were placed in, the Government are not going to rise to the occasion and confer full Provincial autonomy upon us, I submit that it will be one of the gravest blunders the Government will ever have committed so far as this province is concerned.

"Sir, with regard to franchise, I welcome the extremely conciliatory speech of my Friend, Mr. Satyamurti. I am glad, Sir, that after these 4½ years, my hon. Friend, Mr. Satyamurti, representing the Swarajist party would concede that it should be left to the non-Brahmans and the Muhammadans themselves to say that they no longer want communal representation. If only that spirit had prevailed in the beginning, much of the bickerings of communal representation could have been avoided; and I believe that if only people in responsible positions had adopted this attitude, Madras would not have raised this communal squabble. I am glad, Sir, that, though late, it has come from the mouth of my hon. Friend Mr. Satyamurti, that he will respect our feelings in regard to this matter and that he will leave it to us to determine as to when it should go. After that assurance, I should think that even my Friend Mr. Veerian there need not be obsessed with the idea that the depressed classes will be left behind. If full responsible government is granted to us, the depressed classes will not be left alone. Very nearly one-sixth of the Council is represented by nomination of depressed classes, and if, as a measure of reform, my Friend Mr. Veerian does require that a system of elective franchise should be given to them to see that they are represented through election, I, for my part, and others sitting on this side of the House will certainly have no objection to that. It will not be impossible for statesmanship to so devise a system of elective franchise as to let people come in through election. However much we may have to face a system of nominated seats, to the extent to which the nominated seats could be reduced, to that extent responsibility would be restored. And if only it

18th August 1924] [Mr. B. Muniswami Nayudu]

is possible to give the people some sort of elective seats, it will be the proudest day in our administration.

"Then, it has been asked as to what is the record of our work done in this Council. In the field of Local Self-Government, in the field of Development, in the field of Education, has this Council and has this Government done anything to justify their existence? Well, Sir, the blame is not upon us; we tried to co-operate with the Government as much as possible. We did all that we could and if, in spite of all that, we have failed, it was because of the arbitrary and unjust demand made upon us by the Government of India. If only the 3½ crores had been given to us, by this day should have been able to introduce universal and free and compulsory education throughout our Presidency. Even now, my hon. Friend, the Minister for Education, is trying his very best to see whether universal and free and compulsory elementary education could not be introduced and realized as early as possible (Cheers.)

"I am glad to note further that the Government, whatever may be the delicacy of the Members of Government in disclosing their individual opinions, will remain neutral on this question, and I hope and trust that every Member of this House, elected or nominated, will vote for this proposition" (Cheers.)

MR. YAHYA ALI SAHIB:—"Mr. President, Sir, when a question of such supreme moment is being debated in this House, and when there has been such a strong expression of opinion from all quarters, I consider it absolutely necessary that there should be some expression of opinion from a representative of the community to which I have the honour to belong. But, in view of the keen desire felt in some quarters that this motion should be saved from being talked out and that a positive resolution should be recorded on it, I will not make any prolonged observation.

"Some apprehension is felt in certain quarters that when full provincial autonomy is conceded to us, the interests of the Muhammadan community and those of the minority communities will be seriously jeopardised. Apart from going into the merits of this matter, I think I must express the gratitude of the community to those representatives among whom I find that the hon. Member for the University is one, who wish to concede that the privilege of separate representation that has been conceded to Mussalman and other backward communities should not be withdrawn in any manner unless the representatives of those communities themselves come forward and voluntarily offer to resile from that privilege. In view of that, and in view of the fact that when we are left to ourselves it will be very easy to adjust all our differences, I say that the Muhammadan community need not at all feel any concern whatsoever with regard to the adequacy or otherwise of its representation when the province becomes fully autonomous. I am not one of those who believe that simply because I fear that I may not be able to obtain proportionate progress, therefore the whole country should stop at a certain place and refrain from progressing any further. I, therefore, think that, apart from all other considerations and independently of all circumstances which may serve as apprehensions to certain minds, we, as a community, should not stand in the way of the progress of this province.

"The experiment of dyarchy has been condemned on all hands, and if we search into the conscience of those people on the front benches, whether

[Mr. Yahya Ali Sahib]

[18th August 1924]

belonging to the Reserved half or to the Transferred half, as to the result of the working of this dyarchy, I am perfectly certain that even though some of the gentlemen belong to the Reserved half, there will be a feeling in their own minds that the system of dyarchy has been a hopeless failure.

"I have heard on high authority that even high officials have felt that this system is absolutely unworkable and I believe there is not one who has blessed the system in working it actually. In the words of Aurangzeb this particular system must be buried and buried deep. I personally feel at one with my hon. Friend, Sir K. V. Reddi Nayudu that we ought to have a system of financial autonomy, along with Provincial autonomy. We must start with complete Provincial autonomy. It seems to me that under the system obtaining here—I have been a Member of the Finance Committee for a couple of years—it is absolutely impossible for us to achieve any manner of progress unless we have full financial control. Even in the reserved line we ought to have complete and full control in the matter of finance. I, therefore, heartily associate myself with every word of the hon. Members who have supported the resolution. I hope the community to which I belong will also heartily support a resolution of that character."

Mr. J. A. SALDANHA :—"Mr. President, Sir, this Council has worked for the last four years, and whenever we go to the electorate, the electors ask us to give them an account of what we have been doing. My answer is that ours is a glorified debating society. (Hear, hear and laughter) Our resolutions are only meant to be shelved in the Secretariat. Many of our voters are agriculturists and they are very much frightened by the thunderbolt of the coming revision of assessment in South Kanara. When we told them that a resolution supported by an overwhelming majority was passed in the Council to the effect that no increase of taxation should take place without the consent of the House, they thought that we had achieved a great victory. But, as a matter of fact, that resolution is a mere nullity. Therefore, we feel that ours is a mere debating society. I am not going to detain this House with a reiteration of the arguments against dyarchy. But in connexion with communal representation, I wish to offer one suggestion and that is this: So far as the Christians are concerned, if communal electorate has to be abolished, I would urge that we should have a security of communal representation by the introduction of proportional representation in our elections. That system has been introduced in this Council in many of the elections for the several committees. That is one way of working out communal representation. I could give you many illustrations if I had the book on 'Proportional Representation' which I once reviewed for a daily in Bombay and a copy of which I wanted to secure for our Council Library. This book cannot now be traced. It is a book dealing with all sorts of proportional representations that are existing in the world. The latest instance in which this system has been introduced is the Irish Free State. From what I have read it has worked very successfully. If the franchise is extended in the mufassal, I am sure if a Christian takes keen interest in public affairs, joins national parties and takes interest in the municipalities, local boards and other civic fields and is not carried away by sectional feeling and clanishness, so far as South Kanara is concerned, a Christian will have the likelihood of being elected under that system. With this suggestion, I strongly support the resolution on behalf of Indian Christians."

18th August 1924]

Diwan Bahadur P. Kesava Pillai moved for closure which was put and carried.

The motion for adjournment was then put and carried *nem con*.

The House rose for the day at 5-20 p.m. to meet at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX X.

(i)

[Vide item XI (1) Communications to the Council on page 91 supra.]

G.O. No. 448, Development, dated 11th March 1924

READ—the following papers :—

I

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Secretary to Government, Development Department, Madras, dated the 30th November 1923.

[Cinchona Department.]

We have the honour to enclose herewith a copy of the balance sheet of the above as at 31st March 1923 duly certified together with the relative accounts for the year ending 31st March 1923 and a copy of our report thereon.

II

Official Memorandum No. 2823-I/23-2, Development, dated
10th January 1924.

The audit report of Messrs. Fraser & Ross on the accounts of the Cinchona Department for the year ending 31st March 1923 together with the balance sheet and other accounts is forwarded to the Accountant-General for favour of remarks.

(By order)

M. S. A. HYDARI,
Under Secretary to Government.

To the Accountant-General.

III

Letter from the Accountant-General, Madras, to the Secretary to Government, Development Department, Fort St. George, dated the 14th February 1924, No. Nilg. 15-496.

With reference to your Memorandum No. 2823-I/23-2, dated 10th January 1924, forwarding for remarks a copy of the audit

[18th August 1924]

report of Messrs. Fraser & Ross on the accounts of the Cinchona Department for the year ending 31st March 1923, I have the honour to state that I have no remarks to offer on the report.

ANNEXURE.

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Secretary to Government, Development Department, dated the 30th November 1923.

[Cinchona Department.]

We have the honour to submit herewith the balance sheet as at 31st March 1923 with the relative trading, profit and loss, and other accounts for the year ending that date, duly certified by us and have to report thereon as under.

Assets.—In the balance sheet to 31st March 1922 land, representing Rahmany estate, was valued at Rs. 4,000, and the same has now been written off to Capital Account as recommended in Mr. George's Supplementary Report, dated 24th February 1923, at paragraph 5.

The following assets are shown in round figures as suggested by the Deputy Director and the differences adjusted in Capital Account:—

Naduvattam Factory Buildings written up to Rs. 80,000 from Rs. 79,937.

Plantations Dodabetta written down to Rs. 17,000 from Rs. 17,151.

Plantations Naduvattam written down to Rs. 28,500 from Rs. 28,566.

Plant and Machinery Factory written down to Rs. 1,04,000 from Rs. 1,04,060.

These small adjustments cannot in any way affect results and the booking of fixed assets in round figures simplifies accounting.

In the previous balance sheet the estimated percentage of quinine sulphate in the bark was taken at 4 per cent for purposes of valuation, and Mr. George suggested in his supplementary report at page 18, paragraph 4, that the percentage be decreased to $3\frac{1}{2}$ per cent and same has been done by adjustment to Capital Account of the following amounts:—

	RS.	A.	P.
Naduvattam 'Developed Blocks' ..	16,923	14	0
Do. 'In Development Blocks' ..	2,737	8	0
Hooker 'Developed Blocks' ..	37,586	10	6
Do. 'In Development Blocks' ..	3,121	14	0
Dodabetta 'Developed Blocks' ..	9,340	11	6
Do. 'In Development Blocks' ..	3	2	0
	69,713	12	0

[18th August 1924]

In the case of Kukul plantations the quinine contents of bark on the trees was valued at As. 1-9, but the Deputy Director of Cinchona Department suggested a reduction to one anna, the rate at which the other plantations are valued, so that there might be uniformity of value; the reduction has been given effect to and Rs. 3,751-8-2 adjusted to Capital Account.

The Deputy Director of Cinchona Department, considering the valuation of Bark on 'In Development Blocks' of Hooker and Dodabetta plantations to be too low, has transferred Rs. 11,776-14-0 and Rs. 6,308-11-7, respectively, from 'Developed Blocks' to 'In Development Blocks' by crediting the former account. This does not affect the value of the plantations and is only a transfer from 'Developed' to 'In Development'.

The plantation accounts clearly show that the system of valuation worked out by Mr. George has been strictly followed. The Superintendents in charge have distinguished between the amounts spent on the 'In Development' and on the 'Developed' blocks and the accounts have been debited accordingly. Overhead charges have also been proportionately divided according to the acreage of 'Developed' and 'In Development'. A valuation on a bark basis is shown at the foot of each account for purposes of comparison. It is to be noted that the valuation is at market value, i.e., As. 1-6 per unit, and not at one anna per unit as per last year's valuation. We have pointed this out to the Deputy Director and he is of opinion that it should be valued at market value. The difference is small, and this matter will have further consideration in the accounts to 31st March 1924.

SUPPLIES OF BARK FROM PLANTATIONS.

Naduvattam.—Bark production account shows a production cost of one anna eight pies per unit.

In the plantation account the bark supplied to the factory has been taken credit for at 1 anna 9 pies per unit which was the outside buying price so that the profit of the plantation might be shown.

Dodabetta.—In this case production cost was 2 annas 3-2 pies per unit and this price, although higher than market price, has been charged to the factory. The factory has therefore carried the loss on production of this plantation. This procedure was suggested by Mr. George in his report last year and we have discussed the matter with the Deputy Director, Cinchona Department, and we agree that the procedure is correct, considering the circumstances of the case.

Live-stock, carts and vehicles.—On the suggestion of the Deputy Director of Cinchona Department we have transferred the live-stock,

[18th August 1924]

etc., shown in last balance sheet in the factory account to Naduvattam plantations.

Depreciation at 20 per cent has been written off by debit to the respective plantations and Rs. 50 written off Naduvattam for the value of a bullock which died.

Depreciation on buildings at 5 per cent and on plant and machinery at 7 per cent has been charged and credited to depreciation reserve.

Depreciation on furniture at 7 per cent has been written off profit and loss by reduction of the balance of furniture account.

The tools and stores balances represent the stock on hand at 31st March 1923 as per inventories taken on that date, the difference on the account being written off.

Stock of bark was valued at cost as per analysis reports of the Manufacturing Chemist inspected by us.

Chemicals.—These were also valued at cost, but we were unable to verify the issues of bark and chemicals to the factory during the year as stock ledgers were only introduced as from 1st February 1923. The Manufacturing Chemist made an inventory of the bark and chemicals as on 31st March 1923, and we have accepted same as to quantity in stock, verifying the fact that the valuation was at cost.

Packing materials.—No inventory was taken and the ledger figure was accepted.

Advances for bark.—Bark to the full value of the advances has since been received.

Work in progress was valued by the Manufacturing Chemist.

Manufactured products were valued at cost of production of this year as under:—

	At Deputy Director's office.	At Peniten- tiary.	Rate value.	Total value.
Quinine sulphate	LB. OZ.	LB. OZ.	RS. A. P.	RS. A. P.
Do. hydrochloride	22,777 2	4,369 12	12 2 2	27,146 4
Do. bi-hydrochloride	2,172 9	563 8	17 13 5	2,735 12
Cinchona febrifuge	101 0	..	18 7 0	187 7
Quinine tablets	7,945 15	2,468 4	1 0 0	10,413 9
	235 3	53 1	12 2 2	3,786 3
	..	..	..	4,21,455 4
Add—Transmission charges to Penitentiary	..	..	..	291 10 2
				4,21,747 0 2

18th August 1924]

The total outturn of the products are as per details below:—

Quinine sulphate—		LB.	OZ.
Opening stock	..	21,984	2
Work in progress	..	1,260	0
Total	..	23,242	2
Manufacture during the year (as per Chemist's report)	..	29,880	0
Total	..	53,122	2
Excess found at Deputy Director's office	..	62	4
Miscellaneous pice packets	..	2	0
Total	..	53,186	6

Loss—Consignments to Penitentiary—

	LB.	OZ.
Sold at Penitentiary	23,021	12
Sold in pice packets at Penitentiary	3,000	0
Loss in transit	7	8
Short accounted for by Penitentiary	10	4
Total	26,039	8
Stock at Penitentiary	4,369	12
Stock at Deputy Director's office	..	..
	80,409	4
	22,777	2

Quinine hydrochloride—

Opening stock	2,000	1
Manufactured during the year (as per Manufacturing Chemist's report)	1,020	0
Total	3,020	1

Loss—Consignments to Penitentiary—

	LB.	OZ.
Sold at Penitentiary	260	0
Loss in transit	1	0
Stock at Penitentiary	563	8
	824	8
	2,195	9
	23	0
Loss—Shortage in bulk (consignment received from Manufacturing Chemist)	..	..
Stock at Deputy Director's office	2,172	9

Quinine bi-hydrochloride—

Opening stock	45	0
Manufactured during the year (as per Manufacturing Chemist's report)	101	0
Total	146	0
Loss—Consignments to Penitentiary sold completely	45	0
Stock at Deputy Director's office	101	0

Cinchona febrifuge—

Opening stock	8,983	8
Manufactured during the year (as per Manufacturing Chemist's report)	11,240	0
Total	20,223	8
Loss—Consignments to Penitentiary—	LB.	OZ.
Sold at Penitentiary	9,855	4
Shortage in transit	2	8
Total	9,857	12

APPENDIX

[18th August 1924]

<i>Cinchona febrifuge</i> —cont.					
Stock at Penitentiary	L.B.	oz.	L.B.	oz.	
	2,468	4	12,326	0	
			7,947	8	
Less—Issues for malarine experimental test	19	9			
Deducted in last year for experimental test.	18	0	1	9	
Stock at Deputy Director's office			7,945	16	
<i>Quinine tablets</i> —					
Opening stock			336	3	
Manufacture					
			336	3	
Less—Consignments to Penitentiary—	L.B.	oz.			
Sold at Penitentiary	46	14			
Loss by dryage at Penitentiary	0	1			
Stock at Penitentiary	68	1	100	0	
Stock at Deputy Director's office			236	8	

Sundry debtors, 1921-22, Rs. 5,345-5-0.—In the balance sheet as at 31st March 1922, sundry debtors on account of 1921-22 were shown at Rs. 64,109-2-11. Of this sum Rs. 9,253-8-0 had been collected in March supplement 1922, but advised by the Accountant-General in his statement No. B.L.B./3, dated 28th June, 1923. We have adjusted this amount to profit and loss account. The other amounts, with the exception of Rs. 5,345-5-0 due by Bharatpur Darbar, Central India, have been collected.

Sundry debtors of 1920-21 and previous years.—Last balance sheet showed Rs. 12,229-12-0 due, with a reserve for a like amount. During the year it has been found that two sums of Rs. 2,055-9-0 and Rs. 7,267-8-0 had been collected prior to 31st March 1922, and we have adjusted them against the reserve. A further sum of Rs. 116 has been adjusted against reserve as it has been proved to be irrecoverable. Rupees 1,326-7-0 was collected during the year against these old outstandings and credited to profit and loss as the outstandings had been reserved for in full.

The account now shows a balance of Rs. 1,464-4-0 with a corresponding reserve.

During this year the Accountant-General has collected a sum of Rs. 15,335-3-6 towards old outstandings which do not form part of the outstandings shown in last balance sheet. We have included this amount in profit and loss account as miscellaneous receipts.

APPENDIX

18th August 1924]

Superintendent of Penitentiary, Rs. 33,795-11-9.—The following are the details of the balance :—

	RS.	A.	P.
Sales of products	9,01,904	4	0
Sales of cinchona bark	474	12	0
	9,02,379	0	0
Less—Remittances	* 8,55,444	8	4
	46,934	7	8
Balance being amount of outstandings †			
Less—Charges incurred by Penitentiary plus 10 per cent thereon	13,138	11	11
Balance for which the Penitentiary has to account	33,795	11	9

* We have seen acknowledgment from the Accountant-General for the above remittances.
† The accounts of the Penitentiary have not yet been reconciled and the balance of Rs. 46,934-7-8, which should represent the outstanding bills unpaid, may have to be adjusted in next year's accounts.

Accountant-General.—We have reconciled the receipts and payments of the Cinchona Department with the monthly statements received from the Accountant-General.

LIABILITIES.

Reserves—

Interest on fixed assets.—Interest was charged on all opening balances of assets at the rates specified by Mr. George in his report and for those subsequent to 1917-18 interest at 6-1033 per cent was applied as authorized by the Auditor-General in his letter No. 541 Administration 15253, dated 19th March 1923, under paragraph 26. The interest amounts to Rs. 23,496-5-10 and has been credited to reserve by charge to profit and loss.

Rent of land and buildings reserves.—Rents were credited at the same rates as last year by charge to plantations account in the case of land rent and to profit and loss account in the case of rent of building. The rent for building is for the Deputy Director's office in Ootacamund.

Repairs to buildings reserve.—In last year's account there was a reserve created being 1 per cent on value of buildings, the reserve being to meet repairs. We have left last year's reserve intact and have reserved nothing for this year.

Erroneous credits.—In last year a sum of Rs. 10,900-3-6 was shown under liability as excess credits from the Accountant-General, against which Rs. 9,618-1-0 has been adjusted by the Accountant-

[18th August 1924]

Books.—The system of Commercial Accounts introduced last year are being properly carried out and are suitable to the undertaking; there may be a few minor alterations necessary and these will have our attention.

Subject to the foregoing remarks we certify that we have obtained all the information and explanations we have required and that the balance sheet, signed by us as relative hereto, in our opinion exhibits a true and correct view of the state of the affairs of the Cinchona Department, Dotacamund, according to the best of our information and the explanations given to us and as shown by the books of the Cinchona Department.

18th August 1924]

CINCHONA DEPARTMENT, OOTACAMUND.

Balance sheet as at 31st March 1923.

CAPITAL AND LIABILITIES.			PROPERTY AND ASSETS.		
RS.	A.	P.	RS.	A.	P.
Capital—			Fixed capital expenditure—		
Government of Madras—			Buildings—		
As per schedule D ..	11,57,540	10 0	As per Schedule A ..	..	1,48,045 0 0
Add—Profit for the year.	3,55,486	3 2	Plant and machinery—	..	91,517 0 0
	15,13,026	13 2	As per Schedule B ..	..	..
			Plantations—	..	..
			As per separate accounts—	..	75,276 0 2
			Indiabeta division.	..	4,04,184 9 6
			Nadavattam division	..	..
			Office furniture—	..	1,495 0 10
			As per Schedule C ..	..	7,00,517 10 6
				..	1,200 0 0
				..	583 8 11
				..	3,268 4 8
				..	9,130 1 11
				..	829 14 10
				..	3,34,782 15 2
				..	43,011 4 5
				..	3,77,794 3 7
				..	1,785 8 6
				..	3,50,839 11 0
				..	70,907 5 2
				..	4,21,747 0 2

Balance sheet as at 31st March 1923—cont.

CAPITAL AND LIABILITIES—cont.

PROPERTY AND ASSETS--cont.

Work in progress, at valuation.	..	..	Rs. A. P.
Sundry debtors—			
1921-22	..	5,345 5 0	2,250 0 0
Previous years	..	1,464 4 0	
<i>Less—</i> Reserve	..	6,809 9 0	
		1,464 4 0	5,345 5 0
Superintendent, Penitentiary.	..	..	33,795 11 9
Advances ..	..	..	29,529 0 0
Cash and other balances—			
Permanent advance	..	400 0 0	
Cash in hand	..	11 13 0	
			511 13 0
Total		15,88,388 2 8	15,88,388 2 8

Examined and found correct subject to our report of even date.

MADRAS, 30th November 1923.

FRASER AND ROSS,

*Chartered Accountants and Auditors to the Government of Madras.
Production Account, Factory, Naluvantam, for the year ending 31st March 1923.*

	ES.	A.	P.	ES.	A.	P.	ES.	A.	P.
To Stock on 1st April 1923 ..	..	..	..	..	..	..	..	..	..
Bark ..	..	..	2,90,386	0	0	0	..	..	..
Chemicals ..	..	..	46,088	0	0	0	..	..	..
Tools and stores ..	..	..	5,919	8	0	0	..	..	..
Work in progress ..	..	..	28,256	10	0	0	..	..	..
							4,55,598	2	0
Purchases—									
Bark from public ..	..	..	1,58,491	4	7	0	..	..	..
Bark from plantations ..	..	..	86,946	15	11	0	..	..	..
Chemicals ..	..	..	59,084	5	5	0	..	..	..
Tools and stores ..	..	..	3,567	14	6	0	..	..	..
							3,07,389	8	5

18th August 1924]

..	Stock on 31st March 1928—	
Bark ..	..	3,34,792.15
Chemicals ..	..	43,011.45
Tools and stores ..	..	5,804.11
		3,83,658.15

Stock on 31st March 1923—

Expenses—	2,678	0	0			
Fuel estimated value of wood						
892 lots at Rs. 3 from						
plantations.						
Wages for cutting	5,228	7	0	7,904	7	0
				7,992	9	5
Feed and upkeep of bulls ..	3,988	0	2			
Wages—Artificers	6,834	15	3			
Coolies and sirdars.				10,822	15	5
Salaries—Superintendent ..	8,641	5	0			
Office	1,606	2	0			
Travelling allowance	623	0	0	10,870	7	0
				6,670	0	4
Contingencies	..					
				44,260	7	2
Depreciation—						
On Buildings	..			2,400	0	0
On Plant and machinery ..	..			7,280	0	0
On Office furniture, &c. ..	..			250	14	1
				9,930	14	1
				8,27,178	15	1

Total .. 31st March 1923.

Trading Account for the year 1922		Rs.	A.	P.
To Stock on 1st April 1922—		4,09,417	1	3
Quinine sulphate ..	..	12,760	5	4
Quinine hydrochloride ..	..	8,983	0	0
Cinchona febrifuge ..	..	6,474	4	0
Other preparations ..	..	1,313	0	0
Packing materials ..	..	..	..	..
		4,68,939	10	7
Cost as per production account—		4,09,619	7	1
Quinine sulphate ..	..	18,198	9	0
Quinine hydrochloride ..	..	1,862	0	6
Quinine bihydrochloride ..	..	11,290	0	0
Cinchona febrifuge ..	..	..	..	..
Packing materials purchased ..	..	..	..	..
Distribution charges by Penitentiary ..	..	..	..	..
Gross profit carried to Profit and Loss account.		3,68,400	15	11
		13,26,921	3	8
Total ..		13,26,921	3	8

[18th August 1924

Plantation Account, Nadanuatlam and Hooker, for the year ending 31st March 1923 -- cont.

	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
To Expenses—								
Wages—								
Blocks in develop-	....	20,491 11 10						
ment.								
Blocks developed ..	....	7,202 12 1						
Salaries—Superinten-	4,071 2 0		27,694 7 11					
dent.								
Office ..	4,673 14 0							
General wages ..	3,932 12 4							
Travelling allowance.	11 13 0							
Feed and upkeep of	1,422 7 6							
bulls.								
House coolies ..	2,180 12 4							
Repairs to building ..	314 2 6							
Sundry expenses ..	520 11 8							
Carriage	203 4 0							
Total overhead charges..	..	17,430 15 4						
Divided as between								
blocks developed and								
in development in								
the proportion of								
acreage as 6:7—								
Blocks in develop-	....	9,385 14 4						
ment.								
Blocks developed.	....	8,045 1 0						
To Harvesting wages ..	....	..						
Depreciation on build-	....	1,418 8 8						
ings, etc.								
Rent of land .. ..	....	2,636 0 0						
Profit transferred to	....	..						
Profit and Loss ac-								
count.								
Total ..		4,80,086 1 3						

18th August 1924]

CINCHONA DEPARTMENT, OOTACAMUND.

BARK PRODUCTION ACCOUNT.

Dodabetta and Kukul Plantations for the year ending 31st March 1923.

	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
To Value of acreage harvested—									
17,178 lb./3,000 lb. =	....			2,695	9	2			
5.726 acres at									
Rs. 470-12-2 per									
acre.									
„ Maintenance charges—									
Dodabetta	2,490	8	4						
Kukul	391	13	0						
				2,882	5	4			
				515	3	6			
„ Harvesting charges ..	....			5,653	13	0			
„ Proportionate overhead charges.	....								
„ Charges other than those capitalized—									
Depreciation on buildings, etc.	652	1	2						
Rent of land ..	292	8	0						
				974	9	2			
				12,721	8	2			
By Value of bark taken	....			....			12,721	8	2
17,178 lb. = 89,628 units—cost per unit,									
say, Re 0-2-3.2.									
Total ..				12,721	8	2	12,721	8	2

Naduvattam, Hooker, Moyar and Wood Estates Plantations for the year ending 31st March 1923.

	ending 31st March 1920.	
	RS. A. P.	RS. A. P.
To Value of acreage harvested—		
Naduvattam,		
94,002 lb./3,000 lb.		14,556 10 8
= 31·3 acres at		
Rs. 464-9-2·3 per		
acre.		
Hooker, 127,491 lb./		33,746 7 11
3,000 lb. = 42·497		
acres at Rs. 794-1-5·5		
per acre.		

[18th August 1924]

Naduvattam, Hooker, Moyar and Wood Estates Plantations for the year ending 31st March 1923—cont.

	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
To Maintenance charges—									
Naduvattam ..	4,058	7	0						
Hooker ..	3,144	5	1						
				7,202	12	1			
„ Harvesting charges ..	....			5,024	2	0			
„ Proportionate overhead charges.	....			8,024	4	7			
„ Charges other than those capitalized—									
Depreciation on buildings, etc.	1,416	8	6						
Rent of land ..	2,636	0	0						
				4,052	8	6			
				72,606	13	9			
By Value of bark taken—									
Naduvattam, 94,002 lb. = 214,546 units									
Hooker, 127,491 lb. = 454,985 units									
221,493 lb. = 669,481 units									
Cost per unit say, Re. 0-1-8.	..			..			69,930	13	9
To Value of 2,676 loads = 892 lots at Rs. 3. per lot—Firewood.	..			..			2,676	0	0
Total ..				72,606	13	9	72,606	13	9

Cost Account—Quinine produced in 1922-23.

	RS.	A.	P.	RS.	A.	P.
Quinine Sulphate—						
Total charges as per Production account.	..			4,43,520	0	7
Less—Recoveries—						
Cinchona febrifuge, 11,290 lb. at Re. 1.	11,290	0	0	..		
Work in progress—Febrifuge, 3,000 lb. estimated value at As. 12 per lb.	2,250	0	0	..		
Cost of chemicals used for the manufacture of 1,020 lb. quinine hydrochloride at Rs. 3 per lb.	3,060	0	0	..		
Cost of chemicals used for the manufacture of 101 lb. quinine bihydrochloride at Rs. 4 per lb.	404	0	0	17,004	0	0
Net charges ..				4,26,516	0	7

18th August 1924]

Cost account—Quinine produced in 1922-23—cont.

	RS.	A.	P.
Manufactured 32,465½ lb. Quinine Sulphate—cost per lb., say, Rs. 13-2-2.			
Quinine Hydrochloride—			
Cost of 1,152½ lb. Quinine Sulphate used at Rs. 13-2-2.	15,138	9	0
Add—Value of chemicals used ..	3,060	0	0
			18,198 9 0
Total cost of 1,020 lb. Quinine Hydrochloride—cost per lb., say, Rs. 17-13-5.			
Quinine Bi-hydrochloride—			
Cost of 111 lb. Quinine Sulphate used at Rs. 13-2-2.	1,458	0	6
Add—Value of chemicals used ..	404	0	0
			1,862 0 6
Total cost of 101 lb. Quinine Bi-hydrochloride—cost per lb., say, Rs. 18-7-0.			

SCHEDULE A.

	RS.	A.	P.	RS.
Buildings—				
Codubetta—				
As per last Balance Sheet ..	17,151	0	0	
Less—Adjustment during the year	151	0	0	
	17,000	0	0	
Less—Depreciation to date ..	939	0	0	16,061 0 0
Naduvattam—				
As per last Balance Sheet ..	28,506	0	0	
Less—Adjustment during the year	6	0	0	
	28,500	0	0	
Less—Depreciation to date ..	1,568	0	0	26,932 0 0
Factory—				
As per last Balance Sheet ..	79,937	0	0	
Add—Adjustment during the year	63	0	0	
	80,000	0	0	
Less—Depreciation to date ..	4,398	0	0	75,602 0 0
Direction Office—				
As per last Balance Sheet ..	10,000	0	0	
Less—Depreciation to date ..	550	0	0	
				9,450 0 0
				1,28,045 0 0

[18th August 1924]

SCHEDULE B.

Plant and Machinery—

Factory—

	RS.	A.	P.	RS.	A.	P.
As per last Balance Sheet ..	1,04,060	0	0			
Less—Adjustment during the year.	60	0	0			
	<u>1,04,000</u>	<u>0</u>	<u>0</u>			
Less—Depreciation to date ..	12,483	0	0			
				<u>91,517</u>	<u>0</u>	<u>0</u>

SCHEDULE C.

Office Furniture—

Dodabetta—

	RS.	A.	P.	RS.	A.	P.
As per last Balance Sheet ..	156	0	0			
Less—Depreciation ..	10	15	6			

Naduvattam—

As per last Balance Sheet ..	129	0	0			
Less—Depreciation ..	9	0	6			

Factory—

As per last Balance Sheet ..	424	0	0			
Add—Additions ..	253	12	0			

Less—Depreciation ..	677	12	0			
	29	10	11			

Direction Office—

As per last Balance Sheet ..	602	0	0			
Add—Additions ..	22	2	0			

Less—Depreciation ..	624	2	0			
	42	2	8			

581 15 9

1,495 0 10

18th August 1924.]

SCHEDULE D.

	RS.	A.	P.	RS.	A.	P.
Capital—Madras Government—						
Balance as per last Balance Sheet.	..	..	..	17,57,108	1	7

Less—Reduction in value of plantations by re-valuing the unitage of quinine from bark on trees at $3\frac{1}{2}$ per cent instead of 4 per cent.

Naduvattam ..	60,369	14	6
Dodabetta ..	9,343	13	6

69,713 12 0

Amounts written off—

Land ..	4,000	0	0
---------	-------	---	---

Buildings—

Naduvattam ..	6	0	0
Dodabetta ..	151	0	0

Plant and Machinery—

Factory ..	60	0	0
------------	----	---	---

Kukul plantations, value per unit of quinine at one anna instead of As. 1-9 ..

3,751	8	2	7,968	8	2	77,682	4	2
-------	---	---	-------	---	---	--------	---	---

16,79,425 13 5

Add—Buildings, Naduvattam.

63 0 0

16,79,488 13 5

Less—Amount due by Accountant-General, Madras.

*5,21,948 3 5

11,57,540 10 0

* This is made up as follows :—

Collections made by Accountant-General during the year.

Less—Excess collection in last year now adjusted.

Add—Excess collection for adjustments in the next year.

Less—Disbursements Value of Europe Stores as per last Balance Sheet transferred.

Value of Europe Stores purchased during the year.

RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
-----	----	----	-----	----	----	-----	----	----

9,21,637 12 9

9,618 1 0

9,12,019 11 9

862 1 0

9,12,881 12 9

3,59,079 6 3

6,962 6 1

31,864 3 1

3,90,983 9 4

5,21,948 3 5

[18th August 1924]

SCHEDULE D OF ASSETS.

				RS.	A.	P.	RS.	A.	P.
<i>Dodabetta—</i>									
Buildings	..	..	..	16,061	0	0			
Plantations	..	..	..	75,276	0	2			
Office Furniture	..	..	..	145	0	6			
Live-Stock	..	..	..	240	0	0			
Carts and Vehicles	..	..	..	125	8	11			
Loose Tools	..	..	..	766	6	5			
Stores	..	..	..	58	8	0			
Permanent Advance	..	..	..	50	0	0			

92,722 8 0

<i>Naduvattam—</i>									
Buildings	..	..	..	26,932	0	0			
Plantations	..	..	..	4,04,184	9	6			
Office Furniture	..	..	..	119	15	6			
Live-Stock	..	..	..	960	0	0			
Carts and Vehicles	..	..	..	558	0	0			
Loose Tools	..	..	..	2,499	0	0			
Stores	..	..	..	771	6	10			
Permanent Advance	..	..	..	250	0	0			

4,36,274 15 10

<i>Factory—</i>									
Buildings	..	..	..	75,602	0	0			
Plant and Machinery	..	..	..	91,517	0	0			
Office Furniture	..	..	..	648	1	1			
Laboratory equipment	..	..	..	3,268	4	6			
Loose Tools	..	..	..	5,864	11	6			
Bark	..	..	..	3,34,782	15	2			
Chemicals	..	..	..	43,011	4	5			
Work in Progress	..	..	..	2,250	0	0			
Permanent Advance	..	..	..	200	0	0			

5,57,144 4 8

<i>Direction Office—</i>									
Buildings	..	..	..	9,450	0	0			
Office Furniture	..	..	..	581	15	9			
Packing Materials	..	..	..	1,785	8	6			
<i>Manufactured Products—</i>									
Quinine Sulphate	..	..	..	3,56,585	8	0			
Quinine Hydrochloride	..	..	..	48,807	5	0			
Quinine Bi-hydrochloride	..	..	..	1,862	3	0			
Cinchona Febrifuge	..	..	..	10,414	3	0			
Quinine Tablets	..	..	..	3,786	3	0			
Transmission charges to Penitentiary.	..	..	..	291	10	2			

4,21,747 0 2

18th August 1924.]

SCHEDULE OF ASSETS—cont.

				RS.	A.	P.	RS.	A.	P.
Sundry Debtors	..	..	..	5,345	5	0			
Superintendent, Penitentiary.	..	..	..	33,795	11	9			
Advances	..	..	..	29,529	0	0			
Cash in hand	..	..	..	11	13	0			
							5,02,246	6	2

Order—No. 448, Development, dated 11th March 1924

Recorded.

(By order of the Governor in Council)

F. NOYCK,
Secretary to Government.

To the Deputy Director of Agriculture (Cinchona).
 „ the Inspector-General of Prisons.
 „ the Accountant-General.
 „ Messrs. Fraser and Ross.
 „ the Finance Department.
 Editors' Table.

APPENDIX X

(ii)

[Vide item XI (1) Communications to the Council on page 9 supra.]
 G.O. No. 1092, Development, dated 14th June 1924

READ—the following papers:—

I

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to Government of Madras, to the Secretary to Government, Development Department, dated the 11th March 1924.

[Kerala Soap Institute.]

We now have pleasure in handing you herewith a copy of the Balance Sheet of the above as at 31st December 1923 together with relative Profit and Loss Account and Schedules for the quarter ending that date and our report on the audit.

Kindly acknowledge receipt of the enclosures—
 Copies of the enclosures have been forwarded to—
 (1) The Director of Industries, Madras.

(2) The Secretary to Government of Madras, Finance Department.

(3) The Superintendent, Kerala Soap Institute, Calicut.

II

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to Government of Madras, to the Director of Industries, Madras, dated the 11th March 1924.

[Kerala Soap Institute.]

We have the honour to enclose herewith the Balance Sheet of the above as at 31st December 1923 together with relative Manufacturing, Trading and Profit and Loss Accounts for the quarter ending that date.

We have to draw your attention to the following:—

1. *Book debts.*—The profits as shown by the accounts are subject to the realization of outstandings some of which require immediate attention.

(a) *C. Erassa Menon*—Rs. 3,483-8-3.—He was one of the travelling agents. His security has been adjusted in the accounts leaving a sum of Rs. 3,483-8-3 unsecured. He is reported to belong to a respectable family; but all the same it should be immediately collected.

(b) *A. Kasipathi*—Rs. 6,892-10-2.—He was also a travelling agent. This sum is secured by the joint security of Messrs. Murthy & Co. (whose credit is not known) and the debtor. A fixed deposit receipt of the Imperial Bank of India, Calicut, in his own name for Rs. 2,000 is deposited at the Institute as additional security. This deposit was due in November last but the Bank will not pay the amount without his consent as the fixed deposit receipt is not endorsed by the agent.

In our report to Government, dated the 28th September 1923, on the accounts to 31st March 1923 we suggested that all such deposits should be either in the name of the Institute or the Superintendent for the time being.

In one of his recent letters from Cocanada the business manager wrote to the Superintendent that both the agent and the surety are disputing a portion of the amount due and immediate steps should be taken to collect same.

(c) *D. N. Naik Bros. Calicut*—Rs. 15,873-13-0.—They are the present agents for four districts including Malabar and have not given any security. The balance due at the end of February last was over Rs. 25,000 and the advisability of giving such large credit without security should be seriously considered.

2. *Stocks and stores*.—As on 31st December 1923 stocks were not taken the book balances have been accepted as correct.

18th August 1924]

ENCLOSURES
(1)
THE KERALA SOAP INSTITUTE, CALICUT.

Balance Sheet as at 31st December 1923.

[illegible]

Balance sheet as at 31st December 1923—*cont.*

CAPITAL AND LIABILITIES— <i>cont.</i>	RS. A. P.	RS. A. P.	PROPERTY AND ASSETS— <i>cont.</i>	RS. A. P.	RS. A. P.	RS. A. P.
Profit for the quarter—			Stores and raw materials—			
As per Profit and Loss Account	..	1,299 4 4	Soda ash	..	30,121 15 4	..
			Perfumes, Essential oils and colours.	..	5,470 10 7	..
			Raw materials	..	12,270 5 7	..
			Packing materials	..	1,420 1 9	..
			Sundry stores	..	2,681 6 11	51,864 8 2
			Soap basis—			
			Washwell—In process of manufacture.	..	22,182 10 2	..
			Toilet—In process of manufacture.	..	1,746 7 5	..
			Fish oil soft soap—In Factory.	..	238 14 8	..
			Primrose and bar soaps	..	533 12 10	24,691 13 1
			Stock in trade—			
			Vegetol	..	1,775 14 3	..
			Washwell, etc.	..	3,010 11 4	..
			Toilet	..	2,137 5 1	..
			Cheap bar	..	1,213 2 11	..
			Fish oil soaps	..	204 6 0	..
			Book debts—			
			Considered good	..	41,634 15 9	8,341 7 7
			Considered doubtful	..	63 15 0	..
			Considered bad	..	330 11 9	..
			Deposits and advances—			
			Fixed deposit receipts of the Imperial Bank of India, Calcutta, held as Security Deposits as per contra	..	3,200 0 0	3,606 15 0
			Advance for expenses	..	408 15 0	..
			Cash and other balances—			
			Cash and cheques on hand.	..	834 6 10	..
			Permanent advance	..	200 0 0	1,034 6 10
Total	..	2,18,695 0 10	Total	..	..	2,18,695 0 10

Examined and found correct.

MADRAS,
11th March 1924.

FRASER & ROSS,
Chartered Accountants, Commercial Accountants
and Auditors to the Government of Madras.

[18th August 1924]

18th August 1924]

(2)
Manufacturing account for the quarter ending 31st December 1923.

	Vegetol soap.	Washwell soap.	Toilet soap.	Fish-oil soft soap.	Experimental bar soap.	Total.
To stock in process of manufacture ..	RS. A. P. 12,082 7 4	RS. A. P. 1,936 3 4	RS. A. P. 1,809 13 6	RS. A. P. 163 3 6	RS. A. P. 533 10 0	RS. A. P. 14,018 10 8
To cost of raw materials, firewood, etc., used ..	4,849 10 5	27,802 0 1	1,809 13 6	89 3 5	22 0 6	34,978 5 6
To wages ..	76 6 7	803 9 0	89 3 5	9 10 8	22 0 6	799 14 2
To factory overheads ..	373 12 9	4,286 12 10	316 3 4	56 0 6	41 10 3	5,074 7 8
Total ..	5,298 13 9	44,574 13 3	4,151 7 7	228 14 8	617 4 9	54,871 6 0
By materials used for other soaps ..	869 1 0	..	83 2 0	..	83 7 11	1,015 10 11
By finished soaps sent to stores ..	4,429 12 9	22,392 3 1	2,341 14 2	..	..	29,163 14 0
By stock in process of manufacture ..	..	22,182 10 2	1,746 7 5	228 14 8	533 12 10	24,691 13 1
Total ..	5,298 13 9	44,574 13 3	4,151 7 7	228 14 8	617 4 9	54,871 6 0

Trading account for the quarter ending 31st December 1923.

	Vegetol soap.	Washwell soap.	Toilet soap.	Fish-oil soap.	Cheap bar soap.	Total.
To stock on hand ..	RS. A. P. 2,793 8 11	RS. A. P. 3,878 7 5	RS. A. P. 1,487 5 9	RS. A. P. 520 13 5	RS. A. P. 1,649 14 6	RS. A. P. 10,380 2 0
To cost of soaps received from factory	4,429 12 9	22,392 3 1	2,341 14 2	..	..	29,163 14 0
To packing charges, etc. ..	350 0 7	1,543 4 7	1,038 5 5	11 1 1	..	2,992 11 8
To perfumes and essential oils ..	..	..	1,570 14 5	..	..	1,570 14 5
To gross profit carried to profit and loss account ..	806 7 7	7,224 9 10	2,496 9 2	13 6 4	13 0 9	10,759 1 8
Total ..	8,379 13 10	35,038 8 11	9,185 0 11	550 4 10	1,662 15 3	54,816 11 9
By sales less returns ..	6,569 10 5	31,991 8 7	6,863 5 3	345 6 6	446 13 0	46,238 11 9
By free samples issued ..	14 5 2	36 5 0	184 6 7	0 8 4	2 15 4	238 8 5
By stock on hand ..	1,775 14 3	3,010 11 4	2,137 5 1	204 6 0	1,213 2 11	8,341 7 7
Total ..	8,279 13 10	35,038 8 11	9,185 0 11	550 4 10	1,662 15 3	54,816 11 9

(3)
Profit and loss account for the quarter ending 31st December 1923.

	RS. A. P.	RS. A. P.	RS. A. P.
To expenses—			
Establishment charges ..	3,527 6 1		
Rates and taxes ..	36 3 1		
Travelling expenses ..	802 10 0		
Advertisement charges ..	884 0 0		
Printing and stationery ..	345 2 0		
Postage and telegrams ..	160 6 6		
Repairs and replacements ..	1 9 0		
Despatching charges (Freight, etc.)	461 10 4		
Sundry office and factory expenses.	313 14 9		
Laboratory experimental work ..	1 11 0		
Free samples issued ..	238 8 5		
Revaluation of stores (caustic potash).	150 5 6	6,923 6 8	
Depreciation on—			
Office buildings ..	84 0 0		
Laboratory apparatus ..	109 13 4		
Office furniture ..	106 13 0		
Library books ..	60 13 0	361 7 4	
Reserve for expenses credited to Government—	562 0 0		
Director's supervision charges ..	8 8 0		
Insurance premium ..	1,415 0 0		
Interest on capital ..	375 0 0	2,350 8 0	
Audit fee ..		1,299 4 4	
Net profit carried to balance sheet.		10,934 10 4	
Total ..			10,934 10 4

[18th August 1924]

10,934 10 4

Total ..

RS. A. P.
10,759 1 8
143 10 8
31 14 0

By gross profit from trading account.
By sundry sales
By house-rent

18th August 1924]

III

Official Memorandum No. 853 II/24-2, Development, dated
17th March 1924.

[Reference.—Audit report on the Kerala Soap Institute, dated
11th March 1924.]

The Director of Industries is requested to offer his remarks on the above and to report the steps he proposes to take for recovering the book debts Messrs. Fraser and Ross have referred to and for securing the credits which are being allowed to D. N. Naick Brothers.

F. NOYOR,
Secretary to Government.

To the Director of Industries.

IV

Letter from E. F. THOMAS, Esq., C.I.E., I.C.S., Director of Industries, to the Secretary to Government, Development Department, dated 31st March 1924, No. 88-E/24.

In reply to Government Memorandum No. 853 II/24-2, dated the 17th March 1924, I have the honour to enclose the report of the Superintendent of the Kerala Soap Institute which deals in detail with the book debts outstanding.

As regards the unsecured debit against D. V. Naick Brothers, Calicut, the facts are as follows:—

This firm has been doing a very considerable business with the Institute for a long time and this has been entirely satisfactory in the past. When I decided to discontinue working through travellers, the local authorities recommended D. V. Naick as one of the agents with the expectation which has been realized, that he would continue to do considerable business in our soap. It was first intended that he should execute a security bond and the local report was that the firm had sufficient assets to make the security bond worth something. From information which I got subsequently, I came to the conclusion that the security bond when executed by the firm would not be worth very much, and required them to give collateral security, but this the firm has refused to do, and I have therefore made other arrangements with another firm of standing to take over their agency, and meanwhile have instructed the Superintendent to collect the outstandings as soon as possible. I am glad to say that a considerable amount of the outstandings has been realized. It would have been a simple matter to have got a nominal cover for the credit allowed to the firm by taking a security bond from them in which case the auditors would probably have

[18th August 1924]

been completely satisfied. But when I became certain that the security bond would not be worth much, it was obviously my duty to take the step which I have taken.

ENCLOSURE.

Memorandum from the Superintendent, Kerala Soap Institute, Calicut, to the Director of Industries, Madras, dated 18th March 1924.

The Superintendent, Kerala Soap Institute begs to furnish herewith his remarks on the report of the audit of the Institute's accounts for the quarter ending 31st December 1923.

Book debts.—The principal items of book debts considered good as shown in the balance sheet are made of the following amounts:—

	RS.	A.	P.
Mr. Erasa Menon	3,483	8	3
Mr. A. Kasipati	6,892	10	2
Messrs. D. V. Naick Brothers	15,873	13	0
Mr. Adam Hajee Muhammad Sait	5,085	0	0
Messrs. Mallick Brothers	784	2	0
„ Money & Son, Bellary	1,433	6	0
„ T. V. Damodaram Pillai & Co.	683	4	0
V.Ps.	787	7	0
Ananda Chandra Sekher Brothers, Calicut	1,140	7	0
Government Institutions and other sundries	5,866	1	1
	42,029	10	6

Mr. Erasa Menon.—He paid Rs. 60 in February and the balance now due is Rs. 3,423-8-3. He has been asked to remit the full amount before 31st instant. He had, as traveller, executed a personal surety bond for Rs. 4,000 which still holds good.

Mr. Kasipati.—The balance now due is Rs 5,897-6-2. Messrs. Murti & Sons have agreed to pay Rs. 5,000 within three months. The Superintendent, Kerala Soap Institute, has to-day sent another letter to the Director regarding Murti & Sons, which explains the situation fully. Mr. Kasipati's security amount of Rs 2,000 is still in the bank and the two personal surety bonds he had executed as traveller still hold good. His security deposit is in the possession of the undersigned and the bank has agreed not to pay the amount without the production of the receipt.

Messrs. D. V. Naick Brothers.—Their outstandings are not secured by any security. The undersigned has explained the position of their account in his memorandum, dated the 12th instant.

Mr. Adam Hajee Muhammad Sait.—He is our Madras agent and the amounts have been drawn through the Imperial Bank and will be collected on the due dates.

	RS.	A.	P.
Mallick Brothers	784	2	0
Money & Son	1,433	6	0
Damodaram Pillai.	683	4	0

These have been collected since.

[18th August 1924]

Messrs. Ananda Chandra Sekher Brothers—Rs. 1,140-7-0.—They have paid since Rs. 247-3-0. They have been reminded to pay the balance immediately.

Government Institutions and sundries—Rs. 5,866-1-1.—These are good outstandings mostly due by Government Institutions and other reliable persons. These are being collected.

V. Ps.—Rs. 787-7-0.—These amounts have mostly been paid since.

Security deposits—Besides Mr. Kasipati's security deposit receipts, the undersigned holds in his possession the security deposit receipts of Mr. K. Narayanan Nayar, Store-keeper, for Rs. 1,000 and another from the firewood contractor for Rs. 200. The former is in his own name. The period for renewal expires in May 1924, when it will be transferred to the Superintendent's name as required in the Director's Memorandum No. 196-E., dated 8th November 1923. The latter for Rs. 200 is in the name of the Superintendent.

Order No. 1092, Development, dated 14th June 1924.

Recorded.

2. The Director is requested to pay special attention to the realization of the outstanding debts.

3. The Director's attention is drawn to the orders issued in G.O. Mis. No. 27, dated 3rd January 1924, and he is requested to submit for the information of Government with his remarks, if any, a copy of the accounts prepared by Messrs. Fraser & Ross for the half-year ending 30th September 1923.

(By order of the Government, Ministry of Development)

F. NOYCE,
Secretary to Government.

To the Director of Industries.
„ the Accountant-General.
„ Messrs. Fraser & Ross.
„ the Secretary, Legislative Council.
Editors' Table.

APPENDIX X.

(iii)

[Vide item XI (1)—Communications to the Council on page ^{supra}.
G.O. No. 1217, Development, dated 3rd July 1924.

I

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Secretary to Government, Development Department, dated Madras, the 7th March 1924.

[Government Fruit Preserving Institute].

We have the honour to hand you herewith the balance sheet of the above as at 31st December 1923, together with relative profit and loss account for

APPENDIX.

[18th August 1924]

the nine months ending 31st December 1923, safe receipt of which kindly acknowledge.

We also hand you herewith a copy of our report to the Director of Industries on the above.

Copies of the enclosures have been forwarded to (1) the Director of Industries, (2) Secretary to Government of Madras, Finance Department, (3) the Lady Manager, Government Fruit Preserving Institute, Coonoor.

ENCLOSURES

(1)

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Director of Industries, dated the 7th March 1924.
[Government Fruit Preserving Institute—Accounts for the nine months ending 31st December 1923.]

We have the honour to enclose herewith for your information the above accounts (viz., profit and loss account for the nine months ending 31st December 1923 and balance sheet as at 31st December 1923).

We would draw your attention to the following :—

(1) That one-third of the Lady Manager's salary has been capitalized under experimental charges.

(2) That the closing stock has been valued at 8 annas per lb. and the opening stock at 6 annas per lb.

(3) The costs of production as shown on the face of the profit and loss account.

From the figures in the profit and loss account, it is evident that the production and the sales must be very greatly increased before this Institute can be made to work profitably.

APPENDIX.

18th August 1924]

(2)
GOVERNMENT FRUIT PRESERVING INSTITUTE.
Balance sheet as at 31st December 1923.

CAPITAL AND LIABILITIES.		PROPERTY AND ASSETS.	
RS.	A. P.	RS.	A. P.
Capital—		Fixed capital expenditure—	
Government of Madras—		Land .. .. .	.. .. .
As per last balance sheet ..	1,04,557 9 7	Buildings .. .. .	.. .. .
Add amounts drawn for contingencies ..	21,387 4 2	As per last balance sheet ..	46,928 1 8
Less remittances ..	1,26,144 13 9	Additions	137 9 9
	7,439 11 6	Less depreciation to date ..	45,166 11 6
			2,364 1 0
Add interest reserve ..	1,18,675 2 3	Plant and machinery—	
	8,016 6 0	As per last balance sheet ..	15,826 6 10
		Additions	39 4 0
Liabilities—		Less shown under utensils ..	16,865 10 10
For stores supplied ..	80 9 0	Less depreciation to date ..	15,199 13 1
For expenses ..	3,388 3 4		1,864 3 0
For customers' credit balances ..	10 8 3	Office furniture—	
		As per last balance sheet ..	2,742 3 4
		Less shown under utensils ..	6 4 0
		Less depreciation to date ..	2,736 15 4
			197 8 0
		Water-supply—	
		As per last balance sheet ..	2,998 11 6
		Additions	38 4 0
		Less depreciation to date ..	3,036 15 6
			88 2 0
			
			2,950 13 6
			69,525 14 10
			7,898 5 6
			42,801 10 5
			18,835 10 1
			2,539 7 4

Balance sheet as at 31st December 1923—cont.

	RS. A. P.	RS. A. P.
Road ..	..	..
Utensils ..	..	..
Laboratory ..	..	..
Library ..	..	..
Garden account ..	..	..
Preliminary expenses ..	..	..
Experimental charges—		
As per last balance sheet..	1,682 13 9	
Add net expenses for the period.	2,087 9 1	
Loose tools, as per valuation ..	..	3,720 6 10
Stores stock, at cost ..	..	138 2 0
Stationery stock, at cost..	..	7,638 15 9
Stock-in-trade—		
Standard—14,470 lb. at As. 8	7,336 0 0	
per lb. tin.	..	..
Experimental—1,089 lb. at As.	527 12 0	
5 per lb. tin.	..	..
Book debts—		
Considered good ..	..	7,763 13 0
Taxes pre-paid ..	..	1,521 11 6
Cash and other balances—		
Stamps in hand ..	..	182 4 8
Permauent advance ..	..	215 0 0
Cash in hand ..	..	464 8 8
Profit and loss account—		
As per last balance sheet ..	16,414 14 8	861 13 0
Add loss as per profit and loss account.	14,700 7 10	..
Total ..	1,30,120 12 10	31,215 5 6
		1,30,120 12 10

Examined and found correct subject to our report of even date.

FRASER & ROSS,
Chartered Accountants, Commercial Accountants
and Auditors to the Government of Madras.

MADRAS,
7th March 1924.

APPENDIX.

[18th August 1924]

GOVERNMENT FRUIT PRESERVING INSTITUTE.

Profit and Loss Account for the nine months ending 31st December 1923.

	LB.	Per lb. AS.	RS. A. P.	LB.	Per lb. AS.	RS. A. P.
To stock on 1st April 1923 ..	13,731	6-00	5,149 3 6			
Production—						
" Fruits ..	3,715	1 5				
" Sugar ..	1,612	8 10				
" Other materials ..	21	12 4				
" Fuel ..	388	7 5				
" Containers ..	978	10 8				
" Sundry stores (soldier, lacquer and labels, etc.)	863	9 0				
" Wages ..	1,374	4 2				
" Petrol ..	15	5 0				
To office expenses—	10,794	13-32	8,989 10 10			
Manager's pay ..	2,608	5 4				
Staff salaries ..	3,267	1 11				
Advertisement ..	1,594	0 3				
Packaging and transport ..	380	3 7				
Postages and telegrams ..	197	2 0				
Printing and stationery ..	250	7 5				
Discount to traders ..	122	1 7				
Travelling expenses ..	374	1 0				
Sundry expenses ..	49	7 6				
To other expenses—	13-09		8,832 14 7			
Rates and taxes ..	369	12 0				
Repairs and renewals ..	133	4 0				
Tools and laboratory written off.	52	6 3				
Interest on fixed assets ..	3,625	2 0				
Audit fee—reserved ..	375	0 0				
To depreciation—	6-60		4,455 8 3			
On buildings ..	1,013	3 0				
" plant and machinery ..	795	15 0				
" furniture ..	102	10 0				
" utensils ..	75	1 0				
" water-supply ..	86	2 0				
Total ..	3-07		2,072 15 0			
			29,500 4 2			
			24,525			24,525
			Total ..			29,500 4 2
						42-08
						7,403 5 10
						8-00
						7,385 0 0
						143 8 0
						18 0 6
						0 14 0
						22-30
						14,700 7 10

NOTE.—Cost of production per lb. .. 2 4-08
Average selling price per lb. .. 0 11-78

APPENDIX

[18th August 1924]

II.

Letter from E. F. THOMAS, Esq., C.I.E., I.C.S., Director of Industries, to the Secretary to Government, Development Department, dated Madras, the 7th April 1924, No. 101-E/24.

In continuation of my letter, dated 7th March 1924, I have the honour to submit my remarks on Messrs. Fraser & Ross' profit and loss statement and report thereon for the nine months ending 31st December 1923, copy of which is already before Government.

2. There has been some correspondence on the subject between the Lady Manager and the auditors, and I submit copies of these for the information of Government. There is a dispute between them as to the correctness of some of the charges against the Institute but it seems obvious to me that the auditors' figures must be accepted. I will explain only one figure. The sum of Rs. 1,716 regarding which there has been some controversy represents the difference in the value of the opening stock of 13,731 lb. at 6 annas and 8 annas per lb. respectively, and as the auditors say, the revaluation has benefited the working for the nine months to this extent. The point however is not one of great importance. The fate of the Institute must be determined by the figures showing the cost of production over these nine months as shown in the last two pages of the balance sheet. The figures speak for themselves and to my mind with no uncertain voice. The cost in materials, fuel, wages and containers of making 10,794 lb. of jam is Rs. 8,989 (or 13-32 annas per lb.). On much increased production the cost could probably be reduced by a few annas: fruit might be bought in larger quantities at a slightly reduced price and the wages bill for increased production would probably be the same or not much higher. A similar reduction in the cost per lb. of jam on office expenses and other expenses might be achieved by a greater production. The Lady Manager contends that at the present stage interest on fixed assets should not be charged. I do not quite follow her arguments but even if this is allowed, I cannot myself see a production which would bring the average price per lb. below the 11-78 annas of the average selling price. The selling price has to be fixed with reference to the current prices of imported jams and cannot be raised much if at all. It follows therefore that the 'all in' production price must at the worst be limited to about 12 annas to make the Institute pay its way and I see no possibility, remote or near, of making the out from the present rate of Rs. 2-4-08 a pound. The Lady Manager states that 40 per cent of her sales are (vide her letter dated 28th March), of strawberry jam the fruit of which is easily the most costly to buy. If she concentrated on cheaper fruits, her sales would fall; this being the case, it seems unlikely that any great reduction in the cost of fruit will be achieved. The sugar item will remain constant in manufacture; the price may go up, it is unlikely to fall much. An economy can be made on containers but not a great one. Wages as I have said would not increase in proportion to the increase in production. I cannot name a figure of production which would reduce cost in these items to 6 annas a lb.

3. Similarly with regard to office expenses: reorganization at an increased cost is an essential preliminary to increased production. I have argued this in my letter of 7th March 1924, and need not repeat myself. All the other

[18th August 1924]

items under office expenses would increase considerably if increased sales followed on greater production: postage, packing and transport, advertisements and stationery and discount are the items. I cannot estimate an 'all in' cost under these items if the production were trebled. I think it must be concluded that the cost under office expenses would run away with more than the difference between the selling price and the cost on materials and wages. Again even if under 'other expenses' interest on fixed assets is not charged for the present, it will have to be charged in greater amount hereafter.

4. My conclusion is that it is better to face now the concrete facts that the Institute is not paying and is never likely to pay. This is the moral pointed out by auditors and I see no way of evading it.

ENCLOSURES

(1)

Letter from Mrs. R. BRYANT, Manager, Government Fruit Preserving Institute, Coonoor, to the Director of Industries, dated the 21st March 1924.

[Accounts for nine months ending 31st December 1923.]

I have received a copy of the above from Messrs. Fraser & Ross and would be glad to bring the following to your notice.

The stock is entered on the 1st April 1923, 13,731 lb. at the cost of 6 annas per lb. In my letter to Messrs. Fraser & Ross, dated the 10th December 1923, I pointed out that the profit and loss account for this factory for 18 months to the 31st March 1923 was inaccurate in this respect, and that the stock should have been valued at As. 9-7-5 per lb. and not at 6 annas per lb. I also informed the clerk when he was up here in February that the stock must not be valued at 6 annas. The clerk to Messrs. Fraser & Ross promised to let me have a rough copy of the profit and loss account before typing, when I should have corrected this error but he did not do so. Hence a carrying on of this obvious mistake.

2. I beg to point out that the large sum—interest on fixed assets, namely, Rs. 3,525--2--0 should not come into the profit and loss account for the first three years of the working of any factory. It should go into the capital as part of the preliminary expenses.

3. Messrs. Fraser & Ross have made a note that the 'cost of production' is Rs. 2-4-08 per lb.; this is certainly not the cost of production, it is entire amount for running the factory and of the nine months of the profit and loss account; there were five months in which the sales were exceedingly low due entirely to the want of a business manager to put the jam on the market and also for the want of money for advertisement so that out of the said nine months, five months there were no sales worth considering, so that the note 'cost of production of Rs. 2-4-08 per lb.' is out of place and incorrect.

4. Production.—The amount 13-32 annas per lb. cost for the production for the nine months to December 1923, I am glad to say is found to have increased to 11-8 annas per lb. for the five months to the 29th of February 1924. This is due to the decreased prices of fresh fruits notably strawberries, the factory owing to the increase of sales has been able to take fruits on a larger scale and in consequence at a lower price. These prices have been

[18th August 1924]

lowered more than it appears because sugar has risen during the last year from 3-25 annas to 4-5 annas per lb. The cost of containers in the future should be able to be decreased at least half an anna per tin, as soon as the machinery is set up and in working order we can make our own tins.

5. I am glad to be able to inform you that Mr. Wagodapola from Ceylon visited this factory last year and took particular interest in the canning industry. I gave him information, titles of books to read, etc., and he has now started and sent me some of his first products of his canned pineapples. He has called his factory the Ceylon Pineapple Cannery and it is at Peradeniya, Ceylon.

(2)

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Director of Industries, dated Madras, the 24th March 1924.

[Government Fruit Preserving Institute, Coonoor—Accounts for the nine months ending 31st December 1923—Mrs. Bryant's letter, dated 21st instant.]

We did not draw attention to the difference in the rates of valuation of jam stocks because there was any mistake in valuing the opening and closing months working to 31st December 1923 had benefited by the difference of values to the extent of Rs. 1,716.

2. There may be something in what Mrs. Bryant says with regard to interest on capital; but there has never been any suggestion that the interest should be capitalized and the capitalizing of same can only be justified if the factory has not yet reached a full state of equipment.

It must not be overlooked in this connexion that the preliminary expenses and experimental charges have already been capitalized to the extent of Rs. 4,459-3-5 and Rs. 3,720-6-10.

3. In a factory such as the Fruit Preserving Institute, the cost of production must cover the entire costs of the factory including management, interest and all other charges. And for the nine months in question the cost of production was Rs. 2-4-08 as stated on the account. Had the production been larger the cost would have been less; but even taking the sales of the year at the best month which was October, production cost would not have been reduced to a figure at which the factory could have been worked at a profit. It was for the purpose of showing that the sales had increased after the appointment of a business manager and the sales ture on advertising that we showed each month's sales separately in the profit and loss account.

4. The figure in the account which struck us as being most discouraging was the cost of fruit to the quantity of jam produced. The production of the nine months was 10,794 lb. and the fruit cost in same was Rs. 3,715-1-5 or roughly 5½ annas per lb. to production. We are glad to note from paragraph 4 of Mrs. Bryant's letter that the cost of fruit has decreased, as with the cost of 5½ annas per lb. it would be almost impossible in our opinion to produce and sell sufficient jam to cover management and other overhead charges which remain constant irrespective of production.

[18th August 1924]

(3)

Letter from Mrs. R. BRYANT, Manager, Fruit Preserving Institute, Coonoor, to the Director of Industries, dated the 28th March 1924.

[Re Profit and loss account for the nine months ending 31st December 1923.]

I have received Messrs. Fraser & Ross's letter dated 24th March 1924 in answer to mine of the 21st instant which criticises their account for the nine months ending 31st December 1923 for this factory.

I am afraid that there is some mistake in the typing as the first part of the sentence has no sense but the assertion that by putting 6 annas per lb. as the cost of jam has benefited the account to the extent of Rs. 1,716 is no justification for putting down obvious inaccuracies and continuing them. Accounts drawn up in this method are of no value.

2. The Institute has only been selling since January 1923, i.e., fifteen months and out of these fifteen months there were practically no sales for eight months, due to the fact that there was no one here to put the production on the market and there was no grant for advertisements; so the factory has only started really selling for the last seven months including this month March. This being the case, the interest on capital should most certainly be capitalized for at least two to three years from last September, the beginning of the selling. It is most certainly justified because the factory has not reached the full state of either equipment or production. Equipment, because the can-making plant is not erected and production must keep pace with the sales which are still low, which is only to be expected after seven months of advertisement and the propaganda work of the Business Manager. It seems to me that the sum of Rs. 8,000 for preliminary expenses and experimental expenses is far too low to expect to start an entirely new industry in an entirely new country. This view, I think, will be taken by any trader in England.

3. When this Fruit Preserving Institute is allowed to run as a factory, then will be the time for balancing the expenses against the sales, but it seems to me ludicrous to do any such balancing during the nine months to December 1923 when five of these months had practically no sales, and during all those nine months much experimental work was going on and when the cost of running the Institute included interest on capital, depreciation on large sums which are not actual values, i.e., buildings. When the rates and taxes are charged on these said high sums which are not the actual values; and when small amounts of fruits had to be bought necessarily at a very high rate and the growing of special fruits had to be fostered and endless other difficulties had to be overcome, and all these are put to cost of production! although October was the best month for sales, it was certainly not the best for production because most of the fruits bought were strawberries and these were at a very high price then as we were persuading the small local land-owners to grow this fruit. The cost of fruits can only be taken for the whole year as many of the cheap fruits are only in season for parts of the year.

4. Here again the cost of the fruit to the quantity of jam produced for the said nine months is entirely due to the strawberries but it must be remembered that with the strawberry jam we started our sales and now at least 40 per cent of every order is for strawberry jam and if we had not

[18th August 1924]

bought every lb. of strawberries at first brought to the factory, we should not have persuaded the people to grow more and to accept just half the price now that was paid at first. As a matter of fact, taking 1 lb. of each of the fruits used in our price lists we find that we are buying 5.98 lb. to a rupee. But the quantity of jam capable of being made, say from 1 lb. of fruit, varies from 1½ lb. of jam (strawberries) to 8 lb jam (marmalade)! Therefore, I think it is far too early to make any sort of judgment of the possible profit and loss of this factory with only six to seven months commercial working counting to the end of this month, but this most certainly holds that unless money is spent on advertisement and for pushing sales the factory will certainly be a dead loss. Even in England this holds good and far more out here where you have a whole continent to deal with and where it takes two to three weeks for a passenger or a letter to go from one end to the other and two months for transit of goods by goods train.

Order—No. 1217, Development, dated 3rd July 1924.

Recorded.

(By order of the Government, Ministry of Development)

F. NOYCE,
Secretary to Government.

To the Director of Industries.
„ the Accountant-General.
„ Messrs. Fraser and Ross.
„ the Secretary, Legislative Office (for placing on the Council Table).
„ the Finance Department (with ten copies).
„ the Auditor-General (with C.L.).

APPENDIX X.

(iv)

[Vide item XI (1) Communications to the Council on page 91 supra.]

G.O. No. 1035 Development, dated, 28th May 1924.

Russellkonda Saw-Mills—Accounts for 1922-23—Audit Report—
Orders passed.

READ—the following papers :—

I

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Secretary to Government, Development Department, dated the 17th October 1923.

[Russellkonda Saw-Mills.]

We have the honour to enclose herewith the balance sheet of the above as at 31st March 1923, duly certified by us together with the relative Profit and Loss Account for the year ending that date, and our report thereon. Please acknowledge receipt.

Copies of the enclosures have been forwarded to Messrs. Parry & Co., Madras.

18th August 1924]

ENCLOSURES

(1)

Report of Messrs. Fraser & Ross on Russellkonda Saw-Mills,
dated 17th October 1923.

We have the honour to forward herewith the balance sheet of the Russellkonda Saw-Mills as at 31st March 1923, together with relative Profit and Loss Account for the year ending that date. We have to make the following report on the accounts :—

ASSETS.

Fixed capital expenditure.—The figures given in the balance sheet as at 31st March 1922 prepared by Mr. C. F. George have been incorporated in the books.

Buildings.—The value stated against this heading is not complete as the amounts of the items enumerated below have not yet been advised by Government :—

(a) Departmental supervision charge on the construction of the buildings.

(b) Timber supplied by the Forest department for the construction of the saw-mills.

(c) Expenditure on barbed wire fencing, including the cost of the wire.

A sum of Rs. 305 was credited to Buildings account being sale-proceeds of live-stock, etc., used on construction. Loose tools left after construction are lying in godown and as we are advised that they are valueless we suggest that orders be granted to Messrs. Parry & Co.'s Agent at Russellkonda authorizing him to destroy same.

Messrs. Parry & Co.'s Agent values the Feuerheerd pump (original cost Rs. 815-6-7) at Rs. 100. No value has yet been transferred from Buildings account to Stores account therefor but we suggest that this value be adopted.

Machinery.—A sum of Rs. 6,392 being a refund of Customs duty was received during the year of which Rs. 6,080-10-0 was credited to Machinery account; the balance was allocated to Stores.

The amount for demurrage Rs. 486-6-0 referred to in Mr. George's report has not been received and we are of opinion that it is irrecoverable.

Preliminary expenses Rs. 1,577-5-2.—This represents an unrealizable asset and we suggest that the amount be written off as at 31st March 1923, thereby increasing the loss to Rs. 6,216-0-9.

Stores and Spare Gear Rs. 7,125-1-6—*Stock* Rs. 59,482-10-10.—We have satisfied ourselves that the values placed upon these items are in order. Sawn timber has been valued at selling rates less 10 per cent.

Sundry debtors Rs. 17,654-13-5.—All debts are considered good and recoverable.

LIABILITIES.

Government of Madras.—The payments made during the year by the District Forest Officer, Ganjam, have been agreed with the books of the Accountant-General, Madras.

[18th August 1924]

Profit and Loss Account.—It will be seen that from 126,571 cubic feet of timber bought in the log only 41,862·4 cubic feet of saleable planks and scantlings were produced: the direct cost of such sawn timber, leaving out of account all selling charges, office establishment and depreciation, works out at Rs. 1-9-2·4 per cubic foot. The average price realized on sales was Rs. 2-15-5·1 per cubic foot. To the very considerable loss on conversion from logs to saleable sawn timber must be attributed the loss on the year's working.

We note that no charge has been debited to the accounts for cost of fuel. The saw mills use as fuel ends of timber and rejections from saw-mill of which a considerable quantity is sold. We are informed that ordinary forest firewood can be purchased at Russellkonda for Rs. 1-8-0 per ton and suggest that firewood consumed by the mills should be debited at this rate to the credit of Sales account.

Depreciation.—Rates of depreciation vary with the particular classes of machinery employed. It must be borne in mind that a correct charge of depreciation on buildings cannot be debited to the Profit and Loss account until the items mentioned under the head 'Buildings' in this report have been adjusted in the accounts.

Subject to the foregoing remarks we certify that we have obtained all the information and explanations we have required and that the balance sheet, signed by us as relative hereto, in our opinion exhibits a true and correct view of the state of the affairs of the Russellkonda Saw-Mills according to the best of our information and the explanations given to us and as shown by the books of the mills.

18th August 1924.]

(2)
RUSSELLKONDA SAW MILLS.
Balance sheet as at 31st March 1923.

CAPITAL AND LIABILITIES.		PROPERTY AND ASSETS.	
Rs.	A. P.	Rs.	A. P.
Capital—		Fixed capital expenditure—	
Government of Madras		Buildings—	
—Forest Department—		At cost as per last balance	
Balance as per last		sheet.	
3,53,702 4 10		Additions since last balance	
sheet.		sheet.	
Add—Payments by		Loss—Depreciation for the	
District Forest		year.	
Officer—		1,09,843 1 4	
Erection bill ..		2,344 0 0	
New Malabar		2,48,370 3 3	
Trading Com-		Additions since last balance	
pany's bill.		sheet.	
22,327 11 8		Loss—Refund of Customs	
44 11 8		duty.	
22,372 6 11		Loss—Depreciation for the	
3,76,074 11 9		year.	
841 13 3		Furniture—	
3,75,229 14 6		At cost as per last balance	
16,065 13 4		sheet.	
23,934 2 8		Additions since last balance	
40,000 0 0		sheet.	
32,123 0 0		Loss—Depreciation for the	
72,123 0 0		year.	
4,47,352 14 6		6,013 11 0	
		290 4 0	
		314 13 0	
		5,698 15 0	
		12,927 12 0	
		2,42,672 8 10	
		2,39,744 12 10	
		5,723 7 0	
		3,42,417 5 2	

Balance sheet as at 31st March 1923—cont.

Liabilities—	Rs. A. P.	Rs. A. P.	Rs. A. P.
For expenses ..	1,075 6 8		
For other finance ..	2,500 1 0	3,575 7 8	
Preliminary expenses—As per last balance sheet.			Rs. A. P.
Stores and spare gear—			1,577 5 2
Machinery spare parts ..		3,595 7 1	
Tools and stores in stock ..		3,305 10 5	
Tools in use ..		124 0 0	
Stock—			7,125 1 6
25,019·26 cubic feet timber		58,949 6 4	
1,921 cubic feet logs ..		540 4 6	
			59,482 10 10
Sundry debtors—			
Due for timber sold ..		17,442 1 5	
Due for cart-hire advance ..		212 12 0	
			17,654 13 5
Cash and other balances—			
With Imperial Bank of India, Berhampur.		15,626 8 6	
On hand		2,406 3 0	
			18,032 6 6
Profit and Loss Account—			
Loss for the year		4,638 11 7	
			4,638 11 7
Total ..	4,50,928 6 2		4,50,928 6 2

Examined and found correct subject to our report of even date.

MADRAS, 17th October 1923.

FRASER & ROSS,
Chartered Accountants, Commercial Accountants and
Auditors to the Government of Madras.

(3)
RUSSELLKONDA SAW MILLS.

Profit and Loss Account for the year ending 31st March 1928.

[18th August 1924

To purchase—	22. A. P.	22. A. P.	22. A. P.
128,492 c.ft. logs at			
per cubic foot 34.123 00			
			48,929 67

18th August 1924]

Less—1,921 c.ft. uncut logs in stock.	480 4 0				
126,671 c.ft. logs worked.	31,642 12 0				
To cart hire on logs..	4,108 16 2				
" machinery running costs..	8,626 1 9				
" upkeep and maintenance of machinery.	136 14 0				
" general stores ..	6,601 8 8				
" mill establishment ..	16,871 12 10				
Cost of sawn timber 41,862.40 c.ft. at Rs. 1-9-2-4	per cubic foot 66,946 11 0				
Loss on conversion 84,708.60	126,671 cubic feet.				
To cart-hire and loading charges.	..	490 0 2			
" cart-hire, Berhampur ..	..	6,861 4 6			
" charges, Calcutta ..	..	6,094 8 9			
" Berhampur, depot expenses.	..	1,146 8 1			
Managing Agent's fees ..	..	4,200 0 0			
" office establishment ..	..	9,692 9 1			
" stationery and advertising.	..	1,030 8 9			
" travelling expenses ..	..	1,996 3 4			
" postage and telegrams ..	..	410 3 6			
" general expenses ..	..	149 6 1			
" commission on sales ..	..	1,871 12 4			
" taxes ..	..	246 2 0			
" depreciation ..	..	16,912 0 0			
" upkeep and maintenance of building.	..	76 11 0			
Total ..	1,113,610 8 6				

[18th August 1924]

II

Official Memorandum No. 2439-I/23-1, Development, dated 15th November 1923.

Messrs. Fraser & Ross have reported that the value shown in the balance sheet against 'Buildings' is not complete as the amounts of the items mentioned below have not been advised by the Government:—

(a) Departmental supervision charge on the construction of the buildings.

(b) Timber supplied by the Forest department for the construction of the saw-mills.

(c) Expenditure on barbed wire fencing including the cost of the wire.

Item (a) above.—In G.O. No. 1212, Development, dated 23rd August 1923, the Government have issued orders that 15 per cent on the capital cost should be charged for departmental supervision on the construction of the buildings. This rate should be adopted.

Item (b).—A rate of 4 annas per cubic foot should be adopted.

Item (c).—In G.O. No. 1343, Development, dated 10th October 1922, the Government have sanctioned the expenditure of Rs. 830 on fencing the Superintendent's quarters, the quarters for the subordinate staff and the timber depot with barbed wire.

Copies of the above Government Orders are furnished.

2. Messrs. Fraser & Ross are requested to revise the balance sheet in the light of the above remarks and resubmit it to Government as early as possible through the Chief Conservator of Forests and the Accountant-General.

F. NOYCE,
Secretary to Government.

To Messrs. Fraser & Ross, Commercial Accountants and Auditors to the Government of Madras.

III

Letter from Messrs. FRASER & ROSS, Chartered Accountants, Commercial Accountants and Auditors to the Government of Madras, to the Secretary to Government, Development Department, dated the 20th November 1923.

[Your Memorandum No. 2439-I/23-1, dated 15th November 1923.]

With reference to the above memorandum, we have to thank you for the copies of the Government Orders enclosed therewith, and have the following remarks to make:—

(a) *Departmental supervision charge on the construction of the buildings.*—It will be seen from paragraphs (b) and (c) herein that the total cost of the construction of the buildings is not yet known. It is therefore not possible to pass an entry for the full amount of

[18th August 1924.]

the supervision charge in connexion with the construction of the buildings, and we suggest that when the full original cost has been ascertained a formal debit note should be sent by Government to the Russellkonda saw-mills for the amount of the supervision charge under this head to be passed through the books.

(b) *Timber supplied by the Forest department for the construction of the saw-mills.*—We note that the timber supplied for this purpose should be charged at the rate of 4 annas per cubic foot, but we have no information as to the quantity of timber so supplied or used, and until advice of such quantity is received no entry can be passed in respect of this item.

(c) *Expenditure on barbed wire-fencing including the cost of the wire.*—Expenditure on fencing the Superintendent's quarters, quarters for the subordinate staff and the timber depot with barbed wire amounting to Rs. 830 has been sanctioned. This figure was the estimate for fixing only and does not include the value of the wire, and this amount has already been included in the accounts. The value of the wire used must be ascertained before an entry therefor can be passed through the books.

In view of the above and also with reference to our report, dated 17th October 1923, on the audit of the accounts of Russellkonda saw-mills to 31st March 1923, and of the various items of loose tools, stores, etc., mentioned therein, we suggest that no alteration be made in the accounts to 31st March 1923, but that orders should be given to the Agent, Russellkonda saw-mills, on all points in order that they may be finally adjusted in the accounts to 31st March 1924. The books to 31st March 1923 have been definitely closed and we do not think it advisable to now make certain adjusting entries at that date knowing that the accounts will still be incomplete until further information herein asked for is received, and we trust that Government will acquiesce in this suggestion.

As we do not propose to revise the balance sheet already submitted, we have not addressed either the Chief Conservator of Forests or the Accountant-General with reference hereto, and we trust that Government will approve our action.

Order—No. 1035, Development, dated 28th May 1924.

Recorded.

2. The points in regard to which Government have already passed orders as well as those still requiring their orders are dealt with below:—

(1) *Departmental supervision charge on the construction of the buildings.*—A rate of 15 per cent on the capital cost should be charged.

[18th August 1924]

(2) *Timber supplied by the Forest department for the construction of the saw-mill.*—The quantity of timber supplied for the construction of the mills is 26,696·78 cubic feet.

(3) *Expenditure on barbed wire-fencing.*—The value of the wire used in fencing the quarters of the Superintendent and clerks of the Russellkonda saw-mills and timber depot is Rs. 220 and the expenditure incurred in fixing the wire is Rs. 559.

(4) The Government accept the suggestion of the Commercial Accountants and Auditors that loose tools lying in the godown which are reported to be valueless should be destroyed.

(5) The Government also accept the suggestion that the Feuerheed pump should be valued at Rs. 100 and that this amount should be transferred from the Buildings account to the Stores account.

(6) Including the preliminary expenses which are unrealisable, the loss of the concern for the year amounts to Rs. 6,216-0-9. This loss should be adjusted by credit to the personal ledger account at the treasury and charged to the head "Losses on Government Commercial undertakings". To meet this loss a sum of Rs. 6,216 has been sanctioned from the savings surrendered by the Chief Conservator of Forests during the year 1923-24.

(7) Messrs. Fraser & Ross suggest that firewood consumed by the mills should be debited at the rate of Rs. 1-8-0 per ton to the credit of the sales account. The Government accept this suggestion, the effect of which will be that the sales account will be credited with the full proceeds of the production of the mills by debit so far as fuel is concerned to the working expenses of the mills.

(8) Messrs. Fraser & Ross are requested to adjust all the outstanding items in the accounts for the year ending 31st March 1924.

(By order of the Governor in Council)

F. NOYCE,
Secretary to Government.

Editors' Table

APPENDIX XI.

[Vide item XI (2) Communications to the Council on page 92 supra.]

*Proceedings of the Board of Revenue (Separate Revenue),
D. No. 256-Abk., dated the 26th March 1924.*

With reference to the orders in paragraph 5 of G.O. No. 1712, Revenue, dated 21st November 1923, requesting the Board to report some concrete facts as regards violence, insult and intimidation offered by picketers to persons frequenting the shops, the Board submits that 28 such instances

[18th August 1924]

occurred in Madura district and a few in the districts of Chingleput, Ramnad, Tinnevely and Coimbatore. The following are the more important among them :—

Madura district.—(i) On 6th July 1923 at Goripalaiyam, toddy shop, the gathering of hooligans and the attendant crowd became very large, causing obstruction to the thoroughfare. The then District Magistrate, Mr. T. B. Russel, arrived at the spot and ordered the volunteers who had attracted the crowd to disperse. The volunteers refused to do so and sat on the ground. Eighteen of them were charged under the Town Nuisance Act before the Sub-Magistrate, Madura town, who sentenced them to undergo a week's rigorous imprisonment each for causing obstruction to the passage of men in a public place.

(ii) On 8th July 1923 at 5-30 p.m., Faquir-ud-din, Salt peon, Madura range, while returning from the toddy shop at Goripalaiyam, was roughly handled by the volunteers and their associates. Mud was thrown on him and he was abused.

(iii) A Sourashtra corpse carrier named Nagendran went to Vilangudi toddy shop, fearing brutal treatment in the town shops which were being picketed, and encountered about 20 people, among whom were some volunteers who beat him, pushed him down and branded him with a torch.

(iv) On 9th July 1923 some Oddars and their women tried to enter the Kosavapalaiyam toddy shop. The men were pushed aside and the women were threatened to the effect that their ear lobes would be cut if they ventured to enter the shop.

(v) A Muhammadan who went to Puttu tope toddy shop on 9th July 1923 to collect some dues from the renter was obstructed by the volunteers and was told by them insultingly that it would be like eating pig's flesh if he drank toddy.

(vi) An altercation between the tappers and the volunteers at the toddy shop at Toppakulam on 11th July 1923 culminated in a crisis on the night of the same day. At midnight all the sections of the volunteers were mobilised by beat of tom tom at the Kosavapalaiyam toddy shop, an attack upon which was meditated as a result of the abovementioned altercation. A crowd 200 to 250 strong headed by the volunteers gathered near the shop armed with sticks. The crowd shouted plainly showing their intention to attack the tappers. They set fire to the thatched roof of the toddy shop which was soon in flames. The Police interfered and extinguished the fire by means of 13 casks of toddy. The crowd then advanced towards the renter's house, hammered at the door, broke the Mangalore tiles on the roof and carried away two of the posts which supported the roof of the veranda. On their way they also broke seven or eight municipal lanterns and beat two Nadars who were standing in front of the shop.

Forty-two of the volunteers responsible for the abovementioned illegal acts were committed to jail on the 16th July 1923 by the Subdivisional Magistrate, Madura, for failure to furnish security in the proceedings instituted against them under section 107, Criminal Procedure Code.

(vii) On 14th July 1923 a Sourashtra named Baluswami Ayyar was beaten and injured on his nose while he was returning from the Goripalaiyam shop.

[18th August 1924]

(viii) On 14th July 1923, when some volunteers were arrested and escorted to the taluk outcherry where the Subdivisional Magistrate, Madura, was holding court, a shoe was flung at a constable of the reserve force and stones and cow-dung were also thrown at him. The crowd pressed the escort from the rear and one of the constables nearly fell. The crowd pressed the escort out with his bayonet causing some injuries to two or three persons in the mob. This was returned by a shower of stones. The reserve constable was hit with a stone on his head which drew blood.

(ix) On 16th July 1923 a thatched shed belonging to Kaliappa Nadan was set on fire. This shed is opposite to the house of renter, Chinniah Nadan, and it was set on fire with the view that the fire might extend to the house of the latter as well.

(x) On 21st July 1923 two women who carried cakes and prepared mutton to the toddy shop at Kosavapalaiyam were attacked by the volunteers. One was pushed down on to her face. The prepared mutton in the hands of the other woman was snatched from her and thrown on the ground.

(xi) Guzulova Ayyaswami Ayyar, a Sourashtra, went to the cremation ground on 21st July 1923 and on his return drank toddy. The volunteers asked him to open his mouth and smelling that he had drunk toddy three Rowthans who have been identified as having been present and conversing at Goripalaiyam with one of the volunteers beat him. He was treated in the hospital for his injuries.

(xii) On 23rd July 1923 one Gopala Nayudu of Watrap was returning from the Goripalaiyam toddy shop when, in the river bed, he was waylaid and beaten by ten or twelve Muhammadans and cash amounting to Rs. 8-6-0 which he had with him was removed by them. He was sent to the hospital.

The foregoing incidents relate to Madura town and the following to rural areas:—

(1) On 28th May 1923 one Veeriah Goundan of Pannaipuram of Periakulam taluk assaulted a man carrying arrack to the arrack shop at Pannaipuram and broke the arrack bottles.

(2) On 31st May 1923 the same person seized a bottle carried by another man to purchase arrack at the same shop, threatened him against visiting the shop and passed urine into the bottle.

Ramnad district.—In the Tiruppattur taluk of the Devakottai division there was an attempt made by non-co-operators (Muhammadans) to prevent bidders from attending the sale of toddy shops held in August 1923. Subsequently seven Muhammadans were placed before the Subdivisional Magistrate, Devakottai, under section 107, Criminal Procedure Code, on charges of assaulting and intimidating shop-renters, etc., and they were bound over to keep the peace for one year.

Tinnevely district.—The Nadars of Kallikulam continually harassed the renters of that shop by breaking pots and placing night-soil in and round the toddy shop at nights and finally they set fire to that shop on 30th December 1923. A female relative of the renter of Athankarai toddy shop was molested by the Nadar Sangam party and the case was charged before the Revenue Divisional Officer, Koilpatti, but ended in the discharge of the accused. The renter of this shop was interdicted in the village. A case of threatened violence came up before the Divisional Officer. The parties however gave an undertaking that they would not give any further trouble and further proceedings in the matter were dropped.

[18th August 1924]

Coimbatore district.—(i) The renter of Udayampalaiyam toddy shop owned a shed at Tudiyalur. On 10th November 1923 about 25 men entered into it, broke the toddy cask and damaged the picottah appliances found in the shed.

(ii) On the night of 10th November 1923 the tiles on the roof of Tudiyalur toddy shop were removed.

(iii) A toddy cask intended for transport of toddy by rail to Mettupalaiyam shop was removed from the Tudiyalur Railway station yard and is reported to have been burnt.

(iv) On 11th November 1923 about 20 or 30 men entered the Kurudampalaiyam tope near Tudiyalur where a large number of coconut trees had been marked for toddy tapping, broke all toddy pots intended for transport to the several shops and threatened the tappers against tapping trees for fermented toddy. They also destroyed toddy and pots of Mettupalaiyam shop while in transit.

(v) The renter of the toddy shop at Idigarai was beaten by some of the Goundars and all the five pots which contained toddy were broken.

(vi) Two sheds of the tappers in the Kurudampalaiyam tope where trees had been marked for tapping toddy for eight shops were burnt by the Vellala community to frighten the tappers. In the same tope 200 plantain trees and two coconut trees were cut and damaged to frighten the owner of the tope against giving trees for toddy tapping.

All these incidents of rowdyism occurred in or near Tudiyalur, a village situated at a distance of 6 miles north of Coimbatore, on the road to Mettupalaiyam. The violence caused in this locality so much terrified the renters tappers and owners of topes that all the eight shops in the range cease working from 10th November 1923 up to about 15th December 1923.

(True extract)

C. H. MASTERMAN,
Acting Secretary.

[18th August 1924.]

APPENDIX XII.

[Vide item XI (3) Communications to the Council on page 92 supra.]

JUDICIAL (MAGISTERIAL) DEPARTMENT.

Statement of details of expenditure incurred on account of Special Magistrates and their establishments employed in connexion with the trial of cases arising out of the Mappilla rebellion—vide the Hon'ble the Law Member's speech of the 7th February 1924 on the motion for a supplementary grant of Rs. 12,200 under Criminal Justice.

Serial number.	Names of Special Magistrates.	Period of employment.		Pay and allowances.
		From	To	
1	M.B.Ry. M. Karunakaran Avargal ..	1st March 1923	31st March 1923	Rs. A.
2	" K. N. Choyikatti Avargal ..	Do.	30th April ..	400 0 *
3	" M. Govindan Nayar Avargal ..	Do.	30th " "	980 0 *
4	" C. K. Mathai Avargal ..	Do.	30th June ..	1,190 0 *
5	" K. C. Manavedan Raja Avargal ..	Do.	19th April ..	2,080 0 *
6	" T. Sekhara Kurup Avargal ..	Do.	31st July ..	1,325 0 *
7	Khan Bahadur P. A. Amman Sahib Bahadur.	Do.	30th April ..	3,750 0 *
				200 0 †
				1,000 0
				1,481 14
			Total ..	12,316 14

* Includes special pay of Rs. 100 per mensem.

† Represents the arrears of special pay for the months of January and February 1923 drawn in May 1923.

N. E. MARJORIBANKS,
Acting Chief Secretary.

APPENDIX XIII.

[Vide item XI (4) Communications to the Council on page 92 supra.]

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

[26th November 1923 to 3rd April 1924.]

Serial number and subject of the resolution.	When passed by the Council.	Nature of the action.
(1) Daily and mileage allowance to presidents of district boards.	11th December 1923.	The travelling allowance rules were accordingly altered—G.O. No. 1023, L & M., dated 16th April 1924.
(2) Postponement of resettlement of black-soil taluks of Bellary and Anantapur.	Do.	The resolution was not accepted by the Government. They directed that the new rates sanctioned in G.O. No. 1382, Revenue, dated 21st July 1922, should be introduced at once in the black-soil taluks of Bellary and Anantapur districts, but that in view of the state of the season the difference between the resettlement and existing rates of assessment should be remitted in full 1923 (1922-24) on all lands except those that are irrigated by the Tungabhadra channels.

[18th August 1924.]

Serial number and subject of the resolution.	When passed by the Council.	Nature of the action.
(3) British Empire Exhibition.	12th December 1923.	Accepted. The Chairman of the Executive Committee of the British Empire Exhibition has been instructed not to incur any further liability.
(4) Steps to be taken for the improvement and extension of works of irrigation in the Nellore district.	Do.	In connexion with the general examination of irrigation possibilities in the Ceded districts, a preliminary report on the Vengalapuram project has been drawn up and the revenue aspects are being examined by the Board of Revenue. Gaugings are being taken for two other projects in the district—Pulikonda and Rallapad. The Tungabhadra project is being examined and revised with a view to ascertain whether it can be made financially possible. This provides for about 340,000 acres first crop and 60,000 acres second crop in the Nellore district.
(5) Election of presidents of district boards.	13th December 1923.	Presidentships which fell vacant on or after 13th December 1923 were thrown open to election except in two cases †. In these two cases the reasons which necessitated the retention of the power of nomination in the hands of Government were notified in the gazette.
(6) Election of two members of the Legislative Council as members of the Local Advisory Committee of the Madras and Southern Mahratta Railway.	6th February 1924 ..	Communicated to the Agent, Madras and Southern Mahratta Railway, and the members concerned.
(7) Cancellation of the levy of a fee for the inclusion of lands in the irrigable area of the Kistna Eastern and Godavari Western deltas.	8th February 1924 ..	The question as to what action is to be taken on the recommendation of the Legislative Council is under consideration.
(8) Stopping of further amalgamation of villages and restoration of old units of villages and village officers.	9th February 1924 ..	Special officer appointed. The matter is under consideration.
(9) Reinstatement of the Ghat talaiyaris.	3rd April 1924 ..	The Government undertook to re-examine the question. The Inspector-General of Police and the Collectors of districts concerned have been requested to report whether the removal of Ghat talaiyaris has led to much greater insecurity in the case of travellers and whether any restoration is necessary.
(10) Release of Mappilla prisoners convicted of certain offences.	Do.	No action has been taken on the resolution because independently of the resolution it had been decided that the judgments of Mappilla trials should be examined to see which convict could with safety be released. Mr. Hilton Brown is now on special duty in connexion with this.

† Tanjore, Tinnevely, South Arcot, Chingleput, Kistna and Salem.

‡ Guntur and Cuddapah.

R. V. KRISHNA AYYAR,
Secretary to the Council.

[18th August 1924]

APPENDIX XIV.

[Vide item XI (5) Communication to the Council on page 92 supra.]

Statement of expenditure incurred in connexion with His Excellency the Viceroy's visit.

	RS.	A.	P.
1. Extra electrical installation at Government House, Madras ...	710	0	0
2. Police charges including movements of Police and allowances during their special duty ...	85,079	9	0
3. Other miscellaneous charges—			
(i) Printing invitation cards ...	18	8	0
(ii) Printing seat cards ...	10	8	0
(iii) Telephone installation at Government House ...	62	8	0
(iv) Construction of temporary lines in Government House compound for servants, guards, etc. ...	280	0	0
(v) Arrangements made by the Collector of Chingleput for a visit to the Mount ...	96	7	0
4. Batta to village servants for guarding railway line ...	5,349	4	11
Total ...	91,606	12	11

APPENDIX XV.

[Vide item XI (6) Communications to the Council on page 92 supra.]

G.O. No. 992, L. & M., dated 15th April 1924.

In 1921, Group Conferences of Local Boards and Municipal Councils were for the first time organized for each of the five natural divisions of the Presidency, viz., the Northern, the Ceded District, the Central, the Southern and the Western. The action taken by Government on the various resolutions passed at these conferences was indicated in the Annexure to G.O. No. 1345, L. & M., dated 5th August 1922.

2. Similar conferences were held in 1922 at the following centres on the dates entered against each :—

- (I) Northern group—Ganjam, Held at Vizagapatam—28th to 30 October 1922, under the presidency of M.R.Ry. Rao Bahadur A. Krishna Rao Pantulu Garu, President, District Board Nellore.

[18th August 1924]

- (II) Ceded Districts and Chittoor group—Bellary, Anantapur, Kurnool and Cuddapah and Chittoor. Held at Bellary—6th and 7th October 1922, under the presidency of M.R.Ry. Rao Bahadur C. Venkataranga Reddi Garu, President, District Board, Kurnool.
- (III) Central group—North Arcot, South Arcot and Chingleput. Held at Vellore—6th and 7th November 1922, under the presidency of M.R.Ry. Rai Bahadur M. Venkataraghavalu Reddiyar Avargal, President, District Board, Chingleput.
- (IV) Southern group—Trichinopoly, Tanjore, Madura, Ramnad and Tinnevely. Held at Tinnevely—21st and 22nd July 1922, under the presidency of M.R.Ry. Diwan Bahadur M. Krishnan Nayar Avargal.
- (V) Western group—Malabar, South Kanara, Salem, Coimbatore and the Nilgiris. Held at Mangalore—2nd and 3rd October 1922, under the presidency of M.R.Ry. Rao Bahadur T. A. Ramalinga Chettiyar Avargal, President, District Board, Coimbatore.

3. The Government have perused with interest the proceedings of these five conferences and the resolutions passed therein have been classified and tabulated in the Annexure. Some of these resolutions it is for the local bodies themselves to carry out. Some the Government have accepted and given effect to. Some the Government have, after careful consideration, felt unable to comply with. Some others involve issues too complex for immediate decision, while yet others require financial resources which are not available at present. These conferences, on the whole, maintained the standard of those held in 1921.

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

P. L. MOORE,
Acting Secretary to Government.

To the Inspector of Municipal Councils and Local Boards.

- .. Director of Public Instruction.
- .. Surgeon-General.
- .. Director of Public Health.
- .. Director of Town-Planning.
- .. Examiner of Local Fund Accounts.
- .. Sanitary Engineer.
- .. Finance Department.
- .. Revenue Department.
- .. Public Works Department.
- .. Law Department.
- .. Development Department.
- .. Superintendent, Government Press, for publication in the Gazette.

[Annexure.]

[18th August 1924]

Annexure.

RESOLUTIONS PASSED AT THE LOCAL AND MUNICIPAL GROUP CONFERENCES IN 1922.

[Note.—The letter in brackets after each resolution indicates the Conference at which it was passed. Vz. = Vizagapatam; By. = Bellary; Tr. = Tinnevely; Mg. = Mangalore; Vl. = Vellore. The number is the number of the resolution on the Agenda of the Conference at which it was adopted.]

I.—CONSTITUTION AND MANAGEMENT.

- (1) *Committees*—(i) This Conference recommends to the local bodies that the formation of Committees and delegation of powers to them to deal with routine administrative matters is highly desirable and that the following Committees may be formed :—

(1) Public Works Committee.	(3) Public Health Committee.
(2) Education Committee.	(4) Finance Committee.

[Vz 1.]

- (ii) This Conference resolves that Committees be constituted for the following branches of administration :—

(1) Communications,	(3) Public Health,
(2) Education,	(4) Finance and remunerative enterprises,

and that local bodies be advised to transfer to such bodies final powers of disposal over as many matters of routine administration as possible. [Vl. 20.]

- (iii) In the opinion of this Conference the provisions of the Local Boards Act and the District Municipalities Act relating to the scope and the extent of the powers which could be delegated to Committees to deal with routine administrative matters are wide enough for efficient administration. The number of such Committees and the branches of administration for which they should be constituted and the powers that may be delegated to such Committees may be left to the discretion of the concerned local body. [Mg. 1.]

No action on the part of the Government is called for.

- (2) *Elections—Electoral rolls*.—(a) (i) This Conference is of opinion that local bodies may be required to print electoral rolls once in three years and during the interval they may be required to print only addenda and corrigenda lists each year. [Vz. 2]

[18th August 1924]

- (ii) This Conference is of opinion that the provisions of the Local Boards Act and the District Municipalities Act which require that electoral rolls should be prepared and published annually should be suitably amended so as to extend the time to three years and to permit of the publication in the interval of only additions and omissions. [Mg. 3.]

In G.O. No. 1052, L. & M., dated 5th May 1923, the Government have amended rule 4 (1) of the rules for the preparation of electoral rolls for taluk boards so as to permit of the issue of correction slips. The question of similarly amending the rules for the preparation of electoral rolls for union boards and municipal councils is separately under consideration. No amendment of the Act is necessary.

- (b) As taluk and district boards do not possess the necessary agencies and facilities for the preparation of electoral rolls, this Conference requests the Government to be pleased to direct the Revenue Department to continue the preparation of rolls. [Tn. 4.]

The Government have already passed orders in G.O. No. 2587, L. & M., dated 21st December 1922, that the Revenue establishment should continue to prepare the electoral rolls for taluk boards.

- (3) *District Boards—Direct election*.—(i) This Conference is of opinion—

- (a) that it is necessary to have direct election of members of the district board ;
(b) that excluding nominated members 50 per cent of the members should be elected directly by the rate-payers and inhabitants of taluks or divisions ;
(c) that the remaining members should be composed of presidents of taluk boards and members elected by taluk boards. [Vz. 4.]

- (ii) This Conference recommends to Government that at least 50 per cent of the elected seats in the district board should be filled by direct election, the remaining seats being left to be filled by the taluk board. [By. 5.]

- (iii) This Conference is of opinion that, in addition to the election of men to the district board by members of taluk boards, direct election should also be provided by amending the present Act. [Tn. 3.]

- (iv) This Conference considers it desirable that the constitution of district boards should be so changed as to provide for the representation of every taluk board by its

[18th August 1924]

president and one other member elected by the board, the other seats except the one referred to in resolution No. 6 being filled up partly by nomination and partly by direct election, the nominated seats not exceeding 25 per cent of the total strength of the district board. The reconstitution on these lines may be carried into effect after the expiry of the term of the present reconstituted taluk boards. [Mg. 5.]

The matter is under consideration in connexion with the amendment of the Madras Local Boards Act, 1920.

- (4) *Election—Village officers to be barred.*—(a) That the proviso to section 54, sub-section (2) and paragraph 2 of clause (1) of section 13 of the Madras Local Boards Act giving exemption to village officers be repealed. [Vz. 5.]

The question will be considered.

- (5) *Election of presidents.*—That all presidents of district and taluk boards be elected. [Vz. 6.]

The matter is always kept in view by the Government.

- (b) As this Conference is of opinion that the power of electing its president should be given to the district board as in the case of taluk boards, it is resolved that clause (1), section 12 of the Madras Local Boards Act, 1920, be repealed and that the words 'district board and' be inserted between the words 'Every' and 'Taluk' in clause (2) of the same section. [Tn. 2.]

The Government are not prepared to accept the proposal.

- (6) *Election of chairmen by secret ballot.*—(i) This Conference requests the Government to reconsider their decision communicated in G.O. No. 1345, L. & M., dated 5th August 1922, on resolution No. 2 of the Northern Group Conference of local bodies held at Bezvada in the matter of amending the rules regarding elections of chairmen and vice-chairmen so as to provide for voting by ballot as in the case of the presidents and vice-presidents of the local boards. [Vz. 15]

- (ii) That this Conference is of opinion that the rules for the election of chairmen of municipal councils should be so amended as to dispense with the necessity of the voters writing the name of the candidate. [By. 4.]

In G.O. No. 2435, L. & M., dated 7th December 1922, provision has already been made for voting by ballot in the case of elections of chairmen and vice-chairmen.

18th August 1924]

- (7) *Election—Municipal—Voting by illiterates.*—(i) This Conference suggests that in the rules for the election of municipal councillors provision should be made for the polling officers affixing the mark of illiterate electors in the presence of the candidates or their agents. [Vz. 24.]
- (ii) That in regard to elections to municipal councils the Government may be pleased to frame a rule that, in case of illiterate voters, the candidates or their agents be entitled to see that the polling officer puts mark against the name given by the voter. [By. 3.]
- (iii) This Conference resolves that rule 16 (1) of the rules for the election of municipal councillors be so amended as to conform to the corresponding provision in the rules for the election of members for local boards by adding the words 'in the presence of the candidates or their agents,' which expression is not found in the municipal election rules but found only in the election rules for members of local boards. [VI. 17.]

These proposals cannot be accepted as they will nullify the secrecy of the ballot. The rules for the conduct of elections for taluk and union boards have now been amended so that the marking may not be made in public.

- (8) *Election—Graduates to vote.*—(i) This Conference is of opinion that all graduates of a recognized university be given the right to vote at elections in local boards and municipalities. [VI. 9.]
- (ii) This Conference is of opinion that all graduates of any recognized university should be given the right of vote or elections in local boards and municipalities. [Mg. 4.]

These suggestions cannot be accepted.

- (9) *Election—President or Chairman—Candidates not to preside at election meetings.*—This Conference is of opinion that the election rules should be so altered as to prohibit the candidates for the presidentship or chairmanship from presiding over the meetings of local boards and municipalities held for electing their presidents or chairmen respectively. [VI. 19.]

The Government consider that no change is necessary.

- (10) *Election—Municipal—Women to stand as candidates.*—This Conference urges that the sex disqualification in section 43 (1) (b) of the District Municipalities Act should be done away with so as to enable ladies also to stand for election. [Mg. 12.]

[18th August 1924]

Provision has been made in the proposed Bill to amend the Act.
 (11) *Representation of Muhammadans and depressed classes.*—That this Conference resolves that steps be taken to ensure adequate representation in the local bodies of the Muhammadans and depressed classes where their representation is not adequate. [Vz. 9.]

Executive instructions have already been issued in G.O. No. 2525, L. & M., dated 18th December 1922.

(12) *Nomination to municipal councils to be made within two months of election.*—This Conference is of opinion that in the reconstitution of municipal councils the Government should nominate members to the council at least within two months after the election of the members. [Vz. 20.]

The Government see no need to lay down any specific period.

(13) *Union boards to be represented on taluk boards.*—(i) This Conference suggests that provision should be made for the representation of union boards on a taluk board by not more than two representatives. [Vz. 21.]

(ii) This Conference considers that there is considerable force in the demand of union boards for representation in the concerned taluk boards and suggests that the Act may be amended so as to permit of a small percentage of the seats in taluk boards being filled up by election by the union boards in the area of the concerned taluk board. [Mg. 7.]

The Government see no reason to make any such change.

(14) *Reconstitution after dissolution—Old members to be nominated.*—This Conference urges that wherever existing local boards are dissolved and more local boards are brought into existence in their place the power of appointment shall be exercised so as to retain on the new boards all the elected members of the old board. [Vz. 22.]

The Government are not prepared to lay down any hard and fast rules in this respect.

(15) *Reconstitution after dissolution—one month's limitation from last election.*—

This Conference suggests that in the reconstitution of a local board the president of the district board or the taluk board (as the case may be) shall nominate members and fix a date for the election of the president at least within a month after the election of members. [Vz. 23.]

18th August 1924]

The Government are not prepared to accept this suggestion.

(16) *Temporary absence—Presidents and chairmen—to be defined.*—This Conference is of opinion that the term 'temporary absence' in section 23 (2) of the Madras Local Boards Act should apply to absence not exceeding seven days, and that the nature of such absence when the functions of a taluk board president shall devolve on the vice-president should be clearly defined in the Act, as the present wording of section 23 (2) may permit the vice-president performing the president's duties without the president's knowledge however temporarily he may leave the jurisdiction of the taluk board. [Vl. 12.]

The Government are not prepared to make any provision in the Act itself in this regard.

(17) *Delegation of powers of presidents of union boards to members.*—This Conference is of opinion that the presidents of union boards should have power to delegate at their discretion for a period not exceeding 90 days in the aggregate in any year, any and all of their executive powers to any member or members of the boards provided that no such powers or duties be delegated which are expressly forbidden by the boards to be so delegated and to report their action to the boards merely for information. [Vl. 14.]

The Government consider that no change is necessary.

(18) *Each revenue taluk to be constituted a taluk board.*—This Conference is of opinion that each revenue taluk should be constituted into a taluk board under Act XIV of 1920. [Vl. 18.]

There is no need to lay down a hard-and-fast rule.

(19) *Chairman or member of headquarters municipality to be ex officio member of the district board and the president, district board, to be ex officio member of the headquarter municipality.*—This Conference urges that the Local Boards and Municipalities Acts be amended so as to make the chairman, or if he is already a member, any member elected by the council of the headquarters municipality an ex-officio member of the district board and the president, district board, an ex-officio member of the headquarters municipality. [Mg. 6.]

The Government do not consider that a statutory provision is necessary.

[18th August 1924]

- (20) *Vice-presidents for major unions.*—This Conference is of opinion that major unions be allowed the privilege of having their vice-presidents as is done in taluk boards. [Mg. 13.]

The question will be considered if union boards move in the matter.

- (21) *Travelling allowance.*—(i) This Conference is of opinion that the present rates of travelling allowance of president, vice-presidents and members of local boards may be continued subject to the following proviso, viz:—

The presidents of district boards shall not draw more than Rs. 1,500 a year. Presidents of taluk boards shall not draw more than Rs. 750 a year when the jurisdiction consists of more than one revenue taluk and Rs. 500 when it consists of only one revenue taluk. [Vz. 3.]

- (ii) This Conference is of opinion that vice-presidents of district boards may be placed on the same level as presidents of taluk boards for purposes of travelling allowances. [Mg. 11.]

The Government have passed orders in G.O. No. 781, L. & M., dated 28th March 1923.

- (22) *Appointment, punishment and transfer rules.*—(i) This Conference recommends to the Government the cancellation of the draft rules published under sections 70, 71, 199 (1) and (2) and 233 of the Local Boards Act of 1920 in the *Fort St. George Gazette*, dated 12th September 1922, to regulate the appointment, etc., of Local Fund servants as they violate the spirit of the Act and as section 72 is enough for this purpose. [Vz. 10.]

- (ii) That the rules promulgated in G.O. No. 499, L. & M., dated 14th March 1922, be modified so as to restore to the municipal council the right of hearing appeals against the punishment of municipal servants and so as to free the chairman from the obligation of consulting certain officers before making appointments. [Vz. 11.]

- (iii) This Conference requests that Government be pleased to make the following alterations in the draft rules framed for the appointment, punishment and transfer of local board servants:—

The latter portion of rule 4 beginning from 'and shall take charge on arrival, etc.' should be deleted. [Vl. 10.]

[18th August 1924]

- (iv) That this Conference is of opinion that appeals against punishments inflicted on municipal subordinates shall lie to the municipal council and not to the committee consisting of extraneous authorities. [By. 6.]

- (v) Under the present rule no limit is fixed with regard to the amount of fine the presidents of local boards can impose on their subordinates. This Conference is of opinion that the amount of fine should not exceed one-fourth of the subordinate's monthly salary or Rs. 10 whichever is less. [By. 7.]

- (vi) This Conference is of opinion that some of the draft rules proposed to be issued under sections 70, 72, 199 (1) and (2) (a) and 233 of the Madras Local Boards Act of 1920 and published in the *Fort St. George Gazette*, dated 12th September 1922, are reactionary and subversive of the independence of local bodies or self-governing institutions and require to be amended as follows:—

(a) That rule 1 (a) and (b) may be deleted.

(b) That the provision for an appeal committee in rule 14 (c) should be entirely deleted and the power of the district board as the appellate authority be definitely recognized. [By. 29.]

- (vii) (a) This Conference protests against the existing rules regarding punishments of municipal subordinates laid down in G.O. No. 499, L. & M., dated 14th March 1922, as they are too retrograde in character to conduce to the smooth and efficient working of municipal administration and urges that the same may be reconsidered.

- (b) This Conference learns with much concern the proposed framing of a similar rule in the case of local boards and takes this opportunity of representing that it will have a similar effect on the administration of local boards. This Conference considers that the purpose in view may be amply met by prescribing that appeals may be dealt with by committees of local boards and municipalities, the chairman or the president as the case may be, not being a member of the committee. [Mg. 10.]

- (viii) That this Conference is of opinion that appeals against punishments inflicted on municipal subordinates shall lie to the Municipal Council and not to the committee consisting of extraneous authorities. [Tn. 6.]

[18th August 1924]

Orders have been passed in G.Os. No. 1926, L. & M., dated 31st August 1923 and No. 94, L. & M., dated 8th January 1924.

- (23) *Educational qualifications.*—This Conference suggests that Government may prescribe the minimum qualifications for each class of Municipal and Local Board servants including Medical Officers, Health Officers and Engineers, but there should be no further control by Government in the appointments to the posts or in fixing their pay, nor should Provincial subsidies be made dependent on the appointment of Government nominees. [Mg. 9.]

Qualifications have been prescribed for Local Board servants in G.O. No. 2222, L. & M., dated 8th October 1923. The question of prescribing qualifications for Municipal servants is engaging the attention of Government. The proposal to allow local bodies to employ their own medical officers is also under consideration. The Government see no reason to remove the control vested in Government under the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, over the appointment of Health Officers and Engineers.

- (24) *Gratuities for menials.*—This Conference reaffirms the following resolutions passed last year at Saidapet and requests that Government be pleased to give early effect to them:—

That the Municipal Account Code should be so amended as to permit of gratuities being paid to purely manual labourers, e.g., peons and lascars. [VI. 5 (1).]

This will be considered in connexion with the revision of the Local Boards Manual and the Municipal Account Code.

- (25) *Health Officer and Municipal Engineer compulsory.*—(i) This Conference urges that the provision for the appointment of a Health Officer by municipalities and district boards should not be made compulsory. [Mg. 8.]

- (ii) This Conference is of opinion that section 71 of the District Municipalities Act should be so amended as to give a discretion to municipal councils realizing an annual income of one hundred thousand rupees and above in the matter of appointing a Health Officer and a Municipal Engineer. [Tn. 27.]

The Government are not prepared to accept this. The service of District Board Engineers has been provincialized.

- (26) *District cadre for local board and municipal servants.*—This Conference considers that it is highly desirable to create a district cadre for the several classes of local board and

[18th August 1924]

municipal servants, namely, secondary schoolmasters, medical and health officers, sanitary inspectors, overseers and vaccinators, the administration of such service being entrusted to a Joint Committee consisting of representatives from both classes of local bodies. [Mg. 26.]

The matter is one in which the local bodies should take the initiative.

- (27) *Disbursement of salaries to local board servants outside headquarters.*—This Conference is of opinion that rule 275 of the Local Boards Manual should be so amended as to permit a local board to disburse the salaries of their servants outside the headquarters by other means than by money order, e.g., through the agencies of co-operative societies. [Mg. 49.]

This question will be considered in connexion with the revision of the Local Boards Manual.

- (28) *Pensionary contribution.*—This Conference urges that article 93 of the Local Boards Manual and Instruction (120), which lay down that pensionary contributions should be paid though the incumbent is not a permanent servant and therefore not entitled to pension at the time, should be amended so as to make the contribution payable with effect from the date of the qualifying service of each servant. [Mg. 50.]

This will be considered in connexion with the revision of the Local Boards Manual.

- (29) *Headquarters of taluk boards to be transferable at will.*—This Conference is of opinion that a taluk board may transfer its headquarters from one place to another within its jurisdiction with the previous sanction of the district board. [Vz. 19.]

The Government are not prepared to accept the proposal.

- (30) *Panchayats to exercise forest and judicial functions also.*—(i) This Conference recommends that the Madras Village Panchayat Act, 1920, be so amended that a panchayat formed under the Act should be able to exercise every function of benefit to the village, including the exercise of the powers of a panchayat court under the Madras Village Court Act and that when a panchayat under the Madras Village Panchayat Act is established in a village no separate bodies for looking after forests or judicial functions should be allowed to exist in the same village [VI. 6.]

[18th August 1924]

- (ii) This Conference is of opinion that in villages where there are village panchayats under the Panchayat Act, 1920, separate panchayat courts under the Panchayat Court Act of 1920 need not be established but the panchayats formed under the Panchayat Act, 1920, should be entrusted with the necessary judicial powers. [By. 27.]
- (iii) This Conference recommends that the Madras Village Panchayats Act, 1920, should be so amended as to enable Government to invest panchayats formed under that Act with the powers of a village panchayat court under the Village Courts Act. [Tn. 25.]

These questions will be considered in connexion with the amendment of the Madras Village Panchayats Act, 1920.

- (31) *Panchayats—to be formed.*—As the Government is not now in a position to give the necessary funds to local bodies this Conference urges the village panchayats under the Village Panchayat Act be formed as far as possible in every village and that the panchayats so formed to improve their villages in the matter of sanitation, communications, etc., by collecting funds in their own villages without waiting for Government grants. [By. 25.]

The Government have appointed a separate officer, the Registrar General of Panchayats—to organize panchayats. No further action is necessary.

- (32) *Co-operation of Government officers.*—(i) That all persons in the employment of Government who at the time when the Local Boards Act came into force in any district were performing any executive or ministerial duties in carrying out the purposes of the Act, shall continue to discharge such duties. [Vz. 7.]
- (ii) This Conference recommends that a provision be made in the Local Boards Act, 1920, for the continuance of the discharge by Government officers of all such duties as they were performing at the time when the new Act came into force unless and until the Governor in Council shall otherwise direct. [Vl. 7.]
- (iii) This Conference reiterates Resolution No. 3 in its first session held at Coimbatore and urges on Government the immediate necessity for inserting in the Local Boards and Municipalities Acts a distinct provision to the following effect.

[18th August 1924]

All persons in the employ of Government who at the time when the Act came into force in any district were performing any executive or ministerial duties in carrying out the purposes of the Act shall continue to discharge such duties unless and until the Governor in Council shall otherwise direct.

This Conference further urges that pending the passing of such legislation, Government may be pleased to issue instructions to the Revenue and other officers in their employ to render the same service to local bodies in all branches of their administration excluding action in encroachments on public roads vested in such local bodies as they were doing when Collectors and Revenue Divisional officers were Presidents. [Mg. 16.]

- (iv) This Conference requests the Government to be pleased to issue orders directing officers of the Revenue Department to render to the presidents of local boards all the help which they were rendering before the present Local Boards Act came into force. [Tn. 7.]

The Government are not prepared to issue any general order as proposed.

- (33) *New form of accounts—training to Chief Ministerial and Chief Accounts officer of local bodies.*—(a) (i) This Conference recommends that local bodies do make necessary arrangements with the Examiner of Local Fund Accounts to give the Chief Ministerial and the Chief Accounts official of local bodies a training in the new form of accounts. [Vl. 21.]
- (ii) This Conference agrees that it is desirable that facilities should be created for the training of a Chief Ministerial and of a Chief Accounts officer of local bodies in the accounts. [Mg. 2.]
- (b) This Conference is of opinion that frequent changes of forms of accounts prescribed and the large number of returns which are called for for submission by local bodies are not beneficial to the efficient and speedy discharge of work by local bodies and urges that they may be reduced to a minimum. [Mg. 2.]

Orders have been passed in G.O. No. 248, L. & M., dated 29th January 1923, simplifying the form of accounts to be maintained by local bodies.

II.—COMMUNICATIONS.

[18th August 1924]

- (1) *Roads—Salt Department to contribute.*—In view of the greatly increased traffic from salt factories, the roads under the charge of local boards are being damaged. This Conference recommends that Government be requested to arrange for payment of contribution by the Salt Department to the local boards for the upkeep of roads. [Vz. 65 (a).]

Each case will be dealt with on its merits.

- (2) *Bridges, etc.*—That the Government be requested to set apart annually—

- (a) a definite amount for financing the entire cost of construction of bridges and causeways on trunk roads; and
(b) a minimum allotment of 30 lakhs of the loan funds for bridges and causeways on other roads, one half of which should be available for grants to local bodies for meeting the Government's share of the cost of such bridges and causeways, the other half for loans to local bodies for meeting their share of cost. [Vl. 5 (4).]

The present financial position prevents the Government from making any definite promise—Vide item (5) (ii) in part II of the annexure on page 5 of G.O. No. 1345, L. & M., dated 5th August 1922.

Bridges—Irrigation channels—Government to contribute.—In view of the fact that the bunds of Public Works Department tanks are improved and irrigation channels are deeply dug in cart-tracks without the knowledge of the local boards, much difficulty is being experienced by ryots to drive their carts and water stagnates in the neighbourhood or in the midst of some villages with the result that mosquitoes breed there which gives rise to fevers. This Conference recommends therefore that Government be requested to contribute towards the construction of bridges and culverts, etc., at such places. [Vz. 65 (b).]

Each application will be considered on its merits.

- (3) *Provincialization of Engineers.*—(i) This Conference emphatically protests against the provincialization of the District Board Engineering service, if it is to be done at the expense of the poor district boards by cutting the grants for the first and second class roads by 10 per cent. [Vl. 22.]

18th August 1924]

- (ii) This Conference is not in favour of the suggested introduction of a Provincial cadre for District Board Engineers, Assistant Engineers and Municipal Engineers. [Mg. 17.]
(iii) This Conference is of opinion that the recommendations of the Financial Relations Committee regarding the provincialization of District Board Engineer and Assistant Engineers be given effect to as early as possible. [Tn. 26.]

Orders have been passed in G.O. No. 2165, L. & M., dated 2nd October 1923.

- (4) *Encroachments.*—(i) This Conference recommends that the Local Boards Act may be so amended as to confer greater powers on the presidents of local boards in regard to the removal of encroachments and that the presidents of local boards be authorized to issue notices without the approval of the board's consent. [Vl. 23.]
(ii) This Conference supports resolution No. 9 passed at the Trichinopoly Group Conference held in 1921 and urges that local boards be empowered to levy penalty on objectionable encroachments on public roads as provided in section 98 (c) of the old Madras Local Boards Act. [Vl. 25.]
(iii) This Conference recommends that section 159 (1) of the Local Boards Act be so amended that the presidents of local boards may be authorized to issue notices for the removal of encroachments without the approval of the Board as provided in section 98 of the Old Act. [Vz. 58.]

The resolutions are under the consideration of the Government in connexion with the amendment of the Madras Local Boards Act, 1920.

That the Government be requested to order the revenue authorities concerned to prepare a list of encroachments on properties vested in the local boards and send the return (No. 2-a) to the local boards concerned for necessary action being taken under sections 159 (1) and 207 of the Local Boards Act. [By. 35.]

This resolution cannot be accepted.

- (5) *Village roads—Portion of extra land-cess to be earmarked.*—This Conference recommends that in order to satisfy the crying demand for village roads in rural areas at least half the portion of the extra land-cess levied under

[18th August 1924]

section 78 (b) (ii) of the Madras Local Boards Act be earmarked for such roads and that an equal amount or a proportion thereof be contributed by the Government. [VI. 24.]

It is open to taluk boards to spend a portion of the income on village roads. No contribution can be paid by Government.

- (6) *Transport of road materials and coal for local bodies—Railway freight.*—(i) This Conference requests the Local Government to address the Railway Board to fix railway freight of road materials and coal required by local bodies at a rate not exceeding the actual cost to the railway in transporting such materials. [VI. 26.]
- (ii) This Conference considers it absolutely necessary that concessions should be allowed for railway freight for transport of metal required for roads in charge of local boards and municipalities. [Mg. 14.]
- (iii) This Conference requests the Government to address the Railway Board that freight for materials required for roads in charge of local bodies shall be so fixed as not to exceed the actual cost of transport. [Vz. 45.]

The matter is under consideration.

- (7) *Trunk road grants.*—(i) That the grants for roads should be paid within the official year and in anticipation of the inspection and certificate of the Superintending Engineer any over-payments discovered as a result of the Superintending Engineer's inspection being adjusted in the accounts of the next year. [VI. 5 (3).]
- (ii) That the amount of Provincial grant-in-aid for the maintenance of trunk or first-class roads should not be fixed at the maximum of Rs. 500 per mile but should be made elastic and different maxima fixed for different districts with due regard to local conditions. [VI. 5 (2).]
- (iii) This Conference urges that the amount of Provincial grants-in-aid for maintenance of trunk roads in district board and municipal areas should not be restricted to Rs. 500 and Rs. 1,000 a mile respectively but should be elastic with due regard to local conditions and the list of such roads should be revised. This Conference further urges that advances should be given for the maintenance of such roads in the course of a year once in every quarter. [Mg. 15.]

[18th August 1924]

Orders have been passed in G.O. No. 2093, L. & M., dated 22nd September 1923, in regard to the payment of grants within the year.

The Government cannot at present provide the money required to increase the rate of trunk-road grants. The question of fixing the grants for different districts with reference to local conditions is under the consideration of Government.

- (iv) This Conference further urges that Government should contribute not less than 50 per cent of the cost of the maintenance of second-class roads and that the money limit now laid down should be abolished. [Mg. 15.]

The Government cannot accept the suggestion.

- (v) *Stocking of metal.*—That the local bodies be permitted to stock metal in small quantities to meet urgent repairs and be paid for the same. [By. 8.]

The Government are not in favour of the suggestion.

- (vi) That this Conference is of opinion that the collection of the road materials on the trunk roads not spread be paid for by the Government. [By. 9.]

The Government are not prepared to accept the suggestion.

- (vii) That the grant of 10 per cent for establishment charges on the trunk road expenditure is totally inadequate and should be raised. [By. 10.]

The Government are not prepared to accept the suggestion.

- (viii) That advance payments by Government or overdrawal from the treasury should be permitted for expenditure on trunk roads. [By. 11.]

Orders have issued in G.O. No. 2093, L. & M., dated 22nd September 1923.

- (8) *Fourteen lakhs grant not to be diverted for health staff.*—That no portion of the 14 lakhs grant for second-class roads should be diverted for the health staff or any additional expenditure thrown on the boards of this group having regard to their poverty on account of their health staff. [By. 12.]

The Conference presumably means that the whole of what was formerly known as the '14 lakhs' grant should be allotted for second-class roads. The suggestion cannot be accepted.

- (9) *Free grant of timber for foot-bridges.*—This Conference considers it absolutely necessary in the interests of public convenience that Government should assist local boards

[18th August 1924]

by free grants of timber from Government unreserves for providing foot-bridges over torrential streams wherever they are necessary. [Mg. 13.]

The request for free grants of timber cannot be complied with.

- (10) *Grants for second-class roads.*—This Conference requests Government to make subsidies to local bodies for the maintenance of second-class roads on the lines recommended by the Financial Relations Committee. [Vz. 55.]

Orders have been passed in G.O. No. 1096, L. & M., dated 21st June 1922.

- (11) *Contribution from Forest Department for upkeep of roads where timber is transported from Government forests.*—This Conference urges Government to direct the Forest Department to pay a contribution to local bodies for the upkeep of roads and communications in all cases in which the heavy transport of timber, etc., from Government forests shall have caused extraordinary strain on such roads and communications. [Mg. 46.]

Each case will be dealt with on its merits.

- (12) *Railway-cess to be spent on roads and bridges.*—This Conference is of opinion that district boards shall be given liberty to utilize the accumulated railway-cess fund for the construction of new communications and bridges where it is not possible to utilize the same for the construction of railways, light railways and tramways. [Vz. 40.]

This is not permissible under the existing Act.

- (13) *Centage charges—to be waived.*—That in view of the bad financial condition of most local bodies this Conference resolves to request Government to excuse centage charges. [By. 36.]

Each case will be dealt with separately on its merits.

- (14) *Classification of roads.*—This Conference is of opinion that portions of district or taluk board roads within union limits should vest in district or taluk boards concerned instead of the unions as at present. [Tn. 9.]

The Government are considering the question of amending the Madras Local Boards Act to this effect.

- (15) *Common stock of tools and plant and engineering library.*—That this Conference is of opinion that

18th August 1924]

of tools and plant and an engineering library be organized from the funds of the local bodies of this group for the use among members and the Engineering staff. [By. 31.]

No orders of Government are required.

III.—EDUCATION.

ELEMENTARY.

- (1) *Seventy-five per cent of cost to be provided by Government.*—This Conference resolves that the Government should contribute not less than 75 per cent of the total cost of elementary education treating it as a State concern. [Vz. 44.]

The resolution apparently refers to elementary education imparted by local bodies. The request cannot be complied with. A method of subsidizing local bodies has been laid down in the Madras Elementary Education Act.

- (2) *District Educational Councils—Presidents of boards and chairmen of municipal councils to be ex-officio members.*—
(i) This Conference recommends to Government that the Elementary Education Act be so amended as to make presidents of taluk boards and chairmen of municipal councils ex-officio members of the District Educational Council. [Vz. 46.]
(ii) This Conference is of opinion that the Elementary Education Act of 1920 must be so amended as to provide—
(a) That chairmen of municipal councils and presidents of taluk boards shall be ex-officio members of the District Educational Council. [By. 14 (a).]

The suggestion will be considered in connexion with the amendment of the Elementary Education Act, 1920.

- (3) *District Educational Councils—Elected representative of local body to vacate when vacating seat on local body.*—(i) This Conference recommends that the Elementary Education Act be so amended that the members elected by local bodies to the Education Council should automatically cease to be members of the council when they cease to be members of the local bodies that elected them. [Vz. 47.]
(ii) This Conference is of opinion that sections 5 and 8 of the Madras Elementary Education Act should be so amended as to make the representative of a local body

[18th August 1924]

on the District Educational Council vacate his seat on the latter when he ceases to be a member of the local body. [Mg. 27.]

- (iii) This Conference is of opinion that the Elementary Education Act of 1920 must be so amended as to provide that a member of the Educational Council who is elected by a municipal council or by a local board shall be deemed to have vacated his office on the expiry of his term of membership on the Municipal Council or Local Board by which he was elected. [By. 14 (b).]

This suggestion will be considered in connexion with the amendment of the Elementary Education Act, 1920.

- (4) *Government to pay twice the realization under education tax in taluk board areas.*—This Conference resolves that Government be pleased to pay Rs. 2 for every rupee of education tax raised by taluk boards in areas where compulsory education is introduced. [VI. 27.]

The Act is sufficiently elastic to allow the raising of the equivalent contribution in deserving cases. The Government are not prepared to go further at present.

- (5) *Contribution to Elementary Education fund—Not to be enforced.*—This Conference recommends that the Government be requested not to insist upon local bodies which levy education tax to contribute to the Elementary Education fund a sum equal to what they had been spending upon elementary education previous to the levy of the education tax. [VI. 29.]

The proposal cannot be accepted.

- (6) *Cheaper type-designs for elementary school buildings.*—This Conference is of opinion that the present type-designs for elementary school buildings are too costly and otherwise unsuitable for adoption by local bodies and suggests that different designs and plans may be prepared and circulated among local bodies including District Educational Councils for their opinion. [Mg. 21.]

Cheap type-designs of elementary schools have already been circulated with G.Os. No. 1124 W., dated 17th November 1922, and No. 1131 W., dated 10th November 1923.

- (7) *Elementary schools in unions to be entrusted to union boards.*—This Conference considers that the management of elementary schools in union board areas and the charge of school buildings therein may be entrusted with advantage to union boards. [Mg. 22.]

[18th August 1924]

This is not permissible under the existing Local Boards Act, the opening and maintenance of elementary schools being a charge on Taluk Board funds. The Government see no need to amend the Act.

- (8) *Half net cost of elementary education—On introduction of free and compulsory education—To be borne by Government—Additional subsidies.*—This Conference is of opinion that Government should bear not less than half the net cost of elementary education incurred by a local authority on the introduction of free and compulsory education in its area. [Mg. 24 (a).]

The Government are not prepared to accept the suggestion.

This Conference urges that local bodies should not be compelled before introduction of compulsory education to levy additional taxation for the purpose but Government should pay an additional subsidy under section 37 of the Madras Elementary Education Act equal to the amount realized by adjustment from general funds. [Mg. 24 (b).]

The Government are not prepared to accept the suggestion.

- (9) *Higher elementary schools—English to be compulsory.*—This Conference resolves that with a view to co-ordinate elementary education with secondary education and to meet the popular demand for the study of English, English be one of the compulsory languages taught in all higher elementary schools under public management. [Mg. 30.]

This question turns upon the difference between an elementary school proper and the primary department of a secondary school and the point whether such a difference should be maintained is engaging the attention of Government.

- (10) *All buildings for elementary schools to be eligible for the usual grant-in-aid.*—This Conference recommends to Government that all buildings meant for elementary schools be considered eligible for the usual grant-in-aid provided they make adequate provision for light and air in the opinion of the District Educational Council according to the standards laid down in writing by such a council. [By. 13.]

For schools managed by local bodies Government give subsidies in deserving cases. District Educational Councils can give building grants to aided elementary schools up to a limit of Rs. 2,500 in each case. No further action is necessary.

[18th August 1924]

- (11) *Elementary schoolmasters—Increase of salary.*—That the scale of salaries of the elementary schoolmasters be raised suitably so as to ensure greater efficiency and that the system of granting capitation allowances to them be immediately stopped. [By. 15.]

Raising the pay of teachers of elementary schools under local bodies is a matter for the consideration of local bodies themselves. Orders have already been passed in G.O. No. 1164, Law (Education), dated 3rd October 1922, directing the abolition of capitation allowances to teachers in the employ of local bodies.

- (12) *Elementary schoolmasters—Allowance—(a) Local bodies' share may be met from Elementary Education fund.*

This Conference is of opinion that with regard to the Rs. 4 allowance to elementary schoolmasters the present disability imposed on the local bodies that they should not meet their share of the allowance from the Elementary Education fund should be removed. [By. 16.]

The prohibition applies only to the proceeds of the education tax which is a part of the Elementary Education fund.

- (b) *Government grants.*—That Government be requested to sanction the whole of the Rs. 4 allowance to elementary schoolmasters and to treat this grant as part of the recurring expenditure of the preceding year within the meaning of the proviso to section 37 of the Madras Elementary Education Act of 1920. [VI. 5-6.]

- (c) This Conference urges that the grant of Rs. 2 allowance for payment to elementary schoolmasters from Provincial funds should be increased to Rs. 4 and it should be treated as part of the recurring expenditure of the preceding year within the meaning of section 37 of the Madras Elementary Education Act. [Mg. 23.]

The Government have already dealt with this—vide item (2) (b) under III—Education in the annexure to G.O. No. 1345, L. & M., dated 5th August 1922.

- (d) This Conference resolves that the Government be requested to sanction a subsidy of Rs. 2 per mensem per teacher to all the taluk boards contributing an equal share and Rs. 3 per mensem per teacher to all the municipalities which will pay the same sum of Rs. 3. [Tn. 10.]

The Government are not prepared to comply with this request.

[18th August 1924]

- (e) This Conference is of opinion that the Government should be requested to raise by 50 per cent the present scale of Provincial subsidy in cases where full grants are not already given. [Tn. 12.]

The Government are not prepared to accept the suggestion.

MUHAMMADAN EDUCATION.

- (13) *Higher grade elementary schools to be established by the Government.*—This Conference requests Government to establish higher grade elementary schools for Muhammadans (boys and girls) at each headquarters station of the district and open schools for the training of Muhammadan boys and girls. [Vz. 66.]

The Government do not directly manage elementary schools. The opening of new schools is in the hands of local bodies and private managers.

- (14) *New schools to be opened.*—In view of the backward state of Muhammadan Elementary Education, this Conference requests Government, Educational Councils and local boards to establish new schools and appoint Urdu teachers in accordance with the proceedings of the Director of Public Instruction No. 3936, dated 20th September 1920, in places where separate Muhammadan schools cannot be started for want of sufficient strength. [Vz. 67.]

This request is for the local boards to consider. It is not the function of District Educational Councils to open new schools.

SECONDARY EDUCATION.

- (15) *Three-fourths cost to be borne by Government.*—(i) This Conference suggests that the cost of the secondary education be shared between Government and the local bodies in the proportion of 3 to 1 as recommended by the Financial Relations Committee in paragraph 23 of Appendix A of its report except in cases where Government now bears the whole or higher proportion and the Conference further suggests that the recommendation of the Financial Relations Committee in respect of the responsibility of Government and local bodies for meeting the net cost of secondary schools be accepted. [Vz. 61.]

Government have already passed orders on these suggestions—vide (1) (b) under III—Education in the annexure to G.O. No. 1345, L. & M., dated 5th August 1922.

[18th August 1922]

- (16) (i) *High schools to be opened in taluk headquarters and in Ceded districts.*—This Conference suggests that each district board should maintain at least one high school in every taluk headquarters where there are no such schools. [VI. 30.]

This is for district boards to consider.

- (ii) That in view of the deplorable backward condition in education of this group of districts this Conference resolves to request the Government to increase the number of high schools there. [By. 17.]

The policy of Government is to rely on private agency as far as possible. If proposals for opening schools are received, they will receive due consideration.

- (17) *Half-fee concessions in high schools—Certificates from non-official members of local bodies and District Educational Councils to be accepted.*—This Conference requests Government that the rules insisting upon the production of a certificate from a Government official not below the rank of a Deputy Tahsildar by pupils seeking half-fee concessions in high schools and colleges should be so modified and amended as to permit the production of a certificate from any of the non-official members of local bodies including members of the District Educational Councils. [Mg. 28.]

The list of officers competent to grant the certificates specified in G.O. No. 239, Education, dated 1st March 1922, is wide enough.

- (18) *Secondary schools—Salaries.*—That in secondary schools under the management of public bodies the salaries of teachers of different grades be standardized with special provision for backward localities and that Government be requested to bear the entire net cost. [VI. 5 (5).]

The Government do not propose to take action in the matter of standardization of pay of high school teachers in view of the variations in the conditions of different localities. As already stated in G.O. No. 1345, L. & M., dated 5th August 1922, they are not prepared to undertake the entire net cost.

GENERAL.

- (19) *Secondary schools to be managed by district boards—Elementary schools to be managed by taluk boards.*—This Conference recommends that all secondary schools should

[18th August 1924]

be managed by district boards, taluk boards being entrusted with the management of only elementary schools. [Mg. 20.]

This is already provided for in the existing Local Boards Act—vide Rules 1-A (4) and 1-B (3) in Schedule V of the Act.

- (20) *Elementary and secondary schools opened with the aid of Provincial funds to be maintained by Government.*—This Conference urges that in the case of elementary and secondary schools opened out of Provincial subsidies the entire cost of the maintenance of such schools be met out of Provincial funds. [Mg. 29.]

The Government are not prepared to accept this recommendation as a general enunciation of policy. Each case will however be considered on its merits.

- (21) *Vocational training.*—This Conference suggests that vocational training including the spinning wheel should be introduced in all or any of the elementary and secondary schools and that the spinning wheel should be introduced as a compulsory subject in all girls' schools. [Vz. 60.]

Vocational training is being introduced, wherever feasible, in higher elementary and secondary schools. The Government are unable to accept the recommendation in the latter part of the resolution.

- (22) *Village libraries—To be paid for by district boards and Government.*—(i) This Conference is of opinion that the District Board shall stimulate village library movement by contributing half the cost of village libraries properly organized and the Government be requested to contribute not less than Rs. 50 per year for each of such libraries established. [Vz. 59.]

- (ii) That this Conference resolves to request the Government to allot not less than Rs. 50 annually to each village panchayat constituted under the Village Panchayat Act for starting and maintaining a library in the village and also suitable allotments for libraries in municipal and union areas. [By. 26.]

The question of making contributions to village libraries from District Board funds is one for the consideration of district boards.

In 1921, a sum of Rs. 15,000 was distributed by Government to local bodies for the maintenance of public libraries and a similar sum has been provided in the current year's budget. Beyond this it will not be possible to do anything at present.

[18th August 1924]

- (23) *Common technical library.*—That a common technical library be organized from the funds of the local bodies from the Ceded districts group for the use of their members. [By. 32.]

This is a matter for the consideration of the local bodies concerned.

- (24) *Schools to be open to all classes.*—This Conference is of opinion that only schools open to all classes should be maintained out of municipal and local board funds. [Mg. 19.]

No action on the part of the Government is called for. The Government have declared that schools under public management should be open to pupils of all castes.

- (25) *Technical—Industrial schools.*—(i) *Government to pay two-thirds.*—This Conference recommends to the Government that technical and industrial schools be started in every district under the management of local bodies and that Government should bear two-thirds and the local board concerned one-third of the cost thereof. [Vz. 64.]

- (ii) *To be established by Government.*—(a) This Conference is of opinion that it is absolutely necessary that technical schools should be established by Government in suitable centres and that vocational training should be included in the curricula of studies for secondary schools. [Mg. 25.]

- (b) This Conference is of opinion that it is absolutely necessary that technical and industrial schools should be established by Government in suitable centres and vocational training included in the curricula of studies for secondary schools. [Vl. 28.]

Proposals for the opening of technical and industrial schools by local bodies will be considered by Government if concrete proposals are placed before them. As for including vocational training in the curricula of studies this is being done as far as possible.

- (26) *Free and compulsory primary education.*—This Conference is of opinion that it is desirable and necessary to introduce free and compulsory primary education in all municipal areas. [Tn. 11.]

It is for municipal councils to move in the matter.

- (27) *Scouting organization in Ceded districts.*—This Conference is of opinion that a scout officer be appointed by the District Boards of this group to organize and promote

18th August 1924]

scouting in their districts and the Assistant Scout Commissioner be asked to submit to the President of the Conference a recommendatory detailed plan to work out the resolution. [By. 37.]

No orders of Government are required.

IV.—PUBLIC HEALTH.

MEDICAL RELIEF.

- (1) *Training of midwives.*—(i) This Conference recommends to the Government to arrange for the training of midwives and dhaies in centres where hospitals for women and children exist and authorize the medical officer in charge to grant certificates to trained midwives and dhaies. [Vz. 48.]
- (ii) That facilities be afforded in each district for training indigenous midwives with a view to the early introduction of the system of registering and licensing them at least in municipal towns. [V. 15 (7).]

The suggestions are under consideration.

- (2) *Sub-assistant surgeons—Transfer.*—*Presidents to be consulted.*—(i) That in the case of sub-assistant surgeons working under taluk boards, transfers should not be made without consulting the presidents of the boards concerned. [Vz. 50.]
- (ii) That in the opinion of the Conference the Surgeon-General should not transfer or post sub-assistant surgeons to the district without the consent of the president, district board, local boards or the municipal chairman concerned and that no correspondence should pass between him and the District Medical and Sanitary Officer to such matters except through the President, District Board. [Tn. 29.]
- (i) Orders have been passed in G.O. No. 1926, L. & M., dated 31st August 1923.
- (ii) The Government consider that the suggestion is impracticable.

- (3) *Compounders, midwives and vaccinators—Appointment.*—*Taluk boards to have larger powers.*—This Conference urges the desirability of vesting in the Presidents of taluk boards powers of independently appointing and transferring compounders, midwives and vaccinators working in the territorial jurisdictions of the respective boards. [Vz. 51.]

Orders have been passed in G.O. No. 1926, L & M., dated 31st August 1923.

[18th August 1924]

- (4) *Grants—Medical institutions.*—This Conference recommends that not less than half the net cost of all the medical institutions of the local and municipal bodies be met by Government. [Vz. 53.]

Orders have been passed in G.O. No. 1687, P.H., dated 10th October 1923.

- (5) *Ayurvedic and Unani dispensaries.*—(i) This Conference is of opinion that the local bodies should manage and maintain Ayurvedic and Unani dispensaries within their jurisdiction. [Vz. 62.]

- (ii) This Conference resolves that every local body should maintain or aid indigenous medical institutions with its funds. [Tn. 13.]

This is a matter which lies within the discretion of local bodies. With a view to the extension of medical relief in rural areas, this Conference recommends to local bodies the establishment of Ayurvedic and Unani dispensaries and appeals to Government to extend to such dispensaries the same help as is now given to Allopathic dispensaries. [Mg. 36.]

The question will be considered in connexion with the report of the Committee on the indigenous systems of medicine.

- (6) *Drugs to be supplied by District Medical Officer.*—This Conference recommends to the Government that all medicines which are not poisonous be supplied at particular prices by the District Medical Officer. [Vz. 63 (1).]

The Government do not consider that the suggestion is practicable.

- (7) *Fees of medical officers.*—That Government be requested to fix the visiting fees of medical officers as before and for visiting places outside the limits he shall be paid in addition the mileage according to the rates provided for in the revised travelling allowance rules. [Vz. 63 (2).]

The Government are not prepared to lay down any hard and fast rules on the subject.

- (8) *Maternity cases—Attendance of medical officers to be compulsory.*—This Conference is of opinion that it is obligatory for medical officers to attend on labour cases when their services are required in the same manner as it is obligatory in cholera cases. [Vz. 63 (3).]

18th August 1924]

Maternity cases do not stand on the same footing as cases of cholera which is an epidemic disease. However the Government do not consider that any medical man will refuse to attend in cases of emergency.

- (9) *In rural areas—Medical officers to undertake itinerant work at weekly shandies, etc.*—(i) That this Conference approves of the suggestion that medical relief in rural areas can be better organized, especially by utilizing to better purpose those medical institutions which do not give full-time work for a medical officer and recommends the deputation of such medical officers to undertake an itinerant work at weekly shandies or in other suitable centres. [By. 18.]

- (ii) This Conference entirely approves of the suggestion that medical relief in rural areas can be better organized, especially by utilizing to better purpose those medical institutions which do not give fulltime work for a medical officer and commend the deputation of such medical officers to undertake itinerant work at weekly shandies or in other suitable centres. [Vl. 35.]

- (iii) This Conference entirely approves of the suggestion that medical relief in rural areas can be better organized, especially by utilizing to better purpose those medical institutions which do not give full-time work for a medical officer and commend the deputation of such medical officers to undertake an itinerant work at weekly shandies or in other suitable centres. [Mg. 32.]

- (iv) This Conference is of opinion that some of the existing dispensaries do not provide sufficient work for the medical officer in charge and that efforts should be made to spread medical relief for such dispensaries to the surrounding areas and villages by closing them on certain days in the week and sending the medical officer to visit such dispensaries in surrounding areas. [Tn. 18.]

The resolutions are in accordance with the recommendations made by the Government in G.O. No. 1606, P.H., dated 28th November 1921.

- (10) *Senior medical officers—Posting to Ceded districts.*—That this Conference is of opinion that the Government should be requested—

- (1) to put a stop to the practice in vogue of not sending senior medical officers to serve in the Ceded districts and

[18th August 1924]

(2) not to give senior medical men the option of choosing the stations where they should serve. [By. 22.]

Postings of medical officers are regulated by the Surgeon-General in accordance with certain general principles. The Government do not consider that any change in the system is called for at present.

(11) *Medical Stores*—Name rates for local bodies as for Government.—(i) That this Conference resolves to request Government to charge for Medical Stores the same rates for medical institutions under local bodies as they charge for the Government institutions. [By. 23.]

(ii) This Conference resolves that Government be pleased to supply medicines to the local and municipal hospitals and dispensaries at the same rates at which they are supplied to Government institutions. [VI. 32.]

(iii) This Conference urges that orders may be passed directing the Government Medical Stores to supply medicines to local bodies at the same rates as are charged to Government institutions or if this cannot be done, arrangements should be made for the starting of separate Medical Stores for local bodies. [Mg. 34.]

(iv) This Conference requests the Government to be pleased to supply to local bodies with Medical Stores at the same rate at which they are supplied to Government institutions. [Tn. 16.]

The matter is under consideration.

(12) *Taluk Headquarter and Municipal hospitals*—Management to be undertaken by Government—Half grant to all medical institutions.—(i) This Conference urges upon Government to undertake the management of all Taluk Headquarter and Municipal hospitals and to pay to each municipality and local board at least half the cost of the medical institutions under them irrespective of the time and conditions under which they were started. [VI. 34.]

(ii) This Conference urges Government to pay to each municipality and local board at least half the cost of the medical institutions under them irrespective of the time and conditions under which they were started. [Mg. 33.]

Orders have been passed in G.O. No. 1687, P.H., dated 10th October 1923.

(13) *Medical inspection of elementary schools*.—(i) This Conference considers it necessary that Government should take

[18th August 1924]

immediate steps for arranging medical inspection of children in elementary schools at Government cost. [Mg. 31.]

(ii) This Conference resolves that local bodies should arrange for systematic medical inspections of school children and requests Government to assist the local bodies liberally with funds and men. [Tn. 14.]

So far, it has been found possible to contemplate medical inspection of pupils only in recognized secondary schools. A system of grant-in-aid for medical inspections in respect of such schools was also approved in G.O. No. 208, Education, dated 12th February 1920. The question of making revised arrangements for medical inspection is under consideration and pending orders thereon the system of grant-in-aid is kept in abeyance.

(14) *Co-ordination of medical activity in a district*.—This Conference recommends that a complete survey should be made of the hospitals and dispensaries in each district and that a concerted effort should be made to co-ordinate medical activity throughout the district. [Tn. 17.]

The Government endorse the suggestion and commend it for the consideration of all local bodies.

This Conference recommends that the question of financial responsibilities for medical relief for the districts as a whole should be enquired into and that the principles governing the distribution of the cost of such medical relief among the Government, the local boards, the municipal councils and other agencies should be settled. [Tn. 19.]

Orders have been passed in G.O. No. 1687, P.H., dated 10th October 1923, regarding the assistance to be given from provincial funds towards the cost of medical institutions at taluk headquarters. As regards other institutions, the matter is under consideration. The Government consider that the distribution of the cost as between different local bodies is one to be decided by the local bodies themselves with reference to the number of patients treated from their respective areas.

PREVENTIVE MEDICINE.

(15) *Propaganda—Committees and equipment*.—(i) In order to spread knowledge regarding epidemic and other health matters, this Conference recommends that local boards and municipalities should take steps to form local committees, e.g., ward committees, which should undertake propaganda in public health work in schools, markets, etc., in their own areas. [Vz. 49.]

[18th August 1924]

- (ii) That in order to spread knowledge regarding epidemics and other health matters, this Conference recommends that local bodies and municipalities should encourage the formation of local committees, e.g., ward committees, which should undertake propaganda in the public health work in schools, markets, etc., in their own areas. [By. 19.]
- (iii) In order to spread knowledge regarding epidemics and other health matters this Conference recommends that local boards and municipalities should form local committees, e.g., ward committees which should undertake propaganda in Public Health work in schools, markets, etc., in their own areas. [Vl. 31 (a).]
- (iv) In order to spread knowledge regarding epidemics and other health matters this Conference recommends that local bodies and municipalities should encourage the formation of local committees, e.g., ward committees which should undertake propaganda in Public Health work in schools, markets, etc., in their own areas. [Mg. 37.]

No orders of Government are required.

This Conference resolves that Government be pleased to supply district boards at Government expense with magic lanterns and slides to enable local bodies to do the propaganda work. [Vl. 33.]

The proposal cannot be accepted in the present financial stringency.

- (16) *District Health Committees—Constitution.*—This Conference recommends that the District Health Committees should for the present consist of the President, District Board, the presidents of taluk boards, the District Medical and Sanitary Officer and the chairmen of municipalities, the District Health Officer will act as Secretary to the Committee, the President, District Board, being the President of the Committee. [Vz. 52.]

The Government have considered the question of constituting District Health Committees on the lines indicated but have decided to drop it.

- (17) *Scavenging tax.*—(i) This Conference considers that the option now resting with house-owners to place private latrines and cess-pools under municipal agency be done away with and that provision be made in the Madras

18th August 1924]

District Municipalities Act for the levy of a scavenging tax on all houses as part of property tax instead of private scavenging fees as at present. [Vz. 57.]

- (ii) This Conference is of opinion that private scavenging fees in municipalities should be incorporated as a tax with the bills for house and water tax. [Mg. 44.]

Provision for the levy of a scavenging tax has been made in the Bill to amend the District Municipalities Act, 1920.

- (18) *Health and Welfare Association—Formation of local branches—Municipal and rural areas.*—(i) That in view of the general high infantile mortality both in rural and municipal areas this Conference recommends the formation of the local branches of the Health and Welfare Association. [By. 20.]
- (ii) In view of the general high infantile mortality both in municipal and rural areas, this Conference recommends the formation of local branches of the Central Health and Welfare Association. [Vl. 31 b.]
- (iii) This Conference recommends in view of the general high infantile mortality both in municipal and rural areas the formation of local branches of the Central Health and Welfare Association. [Mg. 38.]
- (iv) This Conference recommends in view of the general high infantile mortality both in municipal and rural areas the formation of the local branches of the Central Health and Welfare Association. [Vz. 54.]

No action on the part of the Government is called for.

- (19) *Water-supply—Depressed classes—Grants for Taluk Boards.*—That this Conference resolves to impress on Government the necessity for making liberal grants for taluk boards for providing the depressed classes with adequate water-supply. [By. 21.]

The Commissioner of Labour is fully aware of the need for providing the depressed classes with adequate water-supply.

- (20) *Power to enforce provision of latrines and scavenging in local board areas.*—This Conference is of opinion that in non-panchayat areas under local boards the Act should be so amended as to give power to enforce in towns an adequate provision of latrines and satisfactory arrangements for scavenging. [Mg. 35.]

[18th August 1924]

The suggestion cannot be accepted.

- (21) *Plague policing charges to be met by Government.*—This Conference urges that plague policing charges should be met as heretofore by Government. [Mg. 46.]

This has been accepted in G.O. No. 181, Judicial, dated 20th April 1923.

- (22) *Tanks to be vested in local boards.*—This Conference resolves that the Government be requested that all tanks in local board areas not used for irrigation or other purposes should not be alienated or leased out on patta or otherwise disposed of except to local boards for the purpose for which they were originally intended. [Vz. 41.]

The resolution is not clear. Disused tanks will revert to Government and will be disposed of by the Revenue Department.

This Conference resolves that the kuntas that are vested in the local boards ought not to revert to Government until the local boards concerned are consulted and until they express the opinion that the kuntas are not used for the purpose for which they are intended. [By. 34.]

Orders have issued in G.O. No. 927, L. & M., dated 18th April 1923, published in Part I-A of the *Fort St. George Gazette*, dated 24th April 1923.

- (23) *Government subsidies—Rural sanitation.*—That Government be requested to sanction an annual recurring grant for rural sanitation equal to one-fourth of the receipts of each taluk board from land cess since the stoppage of these grants has adversely affected the sinking of wells especially in Adi-Dravida quarters, the cleaning and filling up of insanitary public tanks and the removal of prickly-pear and noxious vegetation. [Vl. 5(8).]

The question is engaging the attention of the Government.

- (24) *Revaccination.*—This Conference recommends that all municipalities should encourage revaccination. [Tn. 15.]

The question of making revaccination compulsory has been considered and dropped in view of administrative and other objections raised—vide G.O. No. 1372, P.H., dated 14th August 1923.

- (25) *Plague and Cholera charges to be met by Government.*—This Conference recommends that the Government should be pleased to bear all the expenses in connexion with the combating of Plague and Cholera from Provincial Funds. [Tn. 20.]

[18th August 1924]

The suggestion cannot be accepted.

- (26) *Levy of contributions from temples or other institutions.*—

This Conference recommends that section 156 of the Madras District Municipalities Act and section 128 of the Local Boards Act should be so amended as to permit of contributions being levied from trustees and other persons in charge of temples or other institutions towards expenses incurred in connexion with public health safety and convenience in the local area in which such temples or institutions are located. [Tn. 21.]

Necessary amendments have been proposed in the draft bills to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920.

- (27) *Acquisition of land and buildings for conservancy lanes.*—

This Conference is of opinion that the following provision must be inserted in the District Municipalities and the Local Boards Acts:—

(a) "Notwithstanding anything that is contained in the Town-Planning Act and the Land Acquisition Act, it shall be competent for the Municipal Council or the Local Board to acquire any site or building thereon within the Municipal or the Local Board area and for forming conservancy lanes."

(b) The Council or Board, after due notice to the parties concerned and hearing their objections, if any, may resolve upon acquiring or not acquiring such site or building.

(c) The Council or Board shall be competent to fix the value of the site or building so acquired.

(d) The Council or Board may fix a date when it will take possession of the said site or building thereon which date shall not be within a month after the said resolution provided that the aggrieved party may, if not satisfied with the amount of compensation decided by the Council or Board, apply to the principal Court of Civil Jurisdiction by a petition for deciding the question. [By. 38.]

The Government do not consider that the provision suggested is necessary.

[18th August 1924]

V.—TAXATION AND FINANCE.

- (1) *Tax on passengers at ports.*—This Conference requests that provision be made in the Madras District Municipalities Act for the levy in municipalities which are ports a tax analogous to the pilgrim tax on passengers sailing or landing from steamers in the port so as to enable municipal councils to meet the charges of special arrangements for sanitation, water-supply and hospitals for infectious diseases on account of the gathering of such passengers. [Vz. 56.]

The Government do not consider that the proposed provision is necessary.

- (2) *Definition of company to be altered so as to include companies outside British Empire.*—This Conference recommends to Government that the definition of 'Company' in the District Municipalities Act and the Madras Local Boards Act be so altered as to include any companies whether registered within the British Empire or outside. [Vl. 38.]

Necessary amendments have been included in the Amending Bills.

- (3) *Surplus receipts under Cattle Trespass Act to be made over to local bodies.*—This Conference requests Government to make over the surplus receipts under fines and penalties collected under the Cattle Trespass Act in municipal areas to municipalities, to unions in union areas, to village panchayats where such panchayats exist and to taluk boards in other areas. [Vl. 39.]

Unless all local bodies are prepared to take over all the pounds in the area concerned, the question cannot be considered.

- (4) *Tax on amusements.*—This Conference resolves to recommend that local boards and municipalities be empowered to levy tax on public amusements for the benefit of local bodies in places to which the provisions in the Public Resorts Act are extended. [Vl. 40.]

The question of introducing a Bill for the taxing of amusements is under the consideration of Government.

- (5) *Cess on abkari revenue.*—This Conference resolves to recommend that local bodies be empowered to levy a cess on abkari revenue at a rate not exceeding one anna in the rupee of such revenue. [Vl. 41.]

The Government are not prepared to accept the recommendation.

[18th August 1924]

- (6) *Lands outside municipal limits to be exempt.*—(i) This Conference recommends that section 93 (1) of the District Municipalities Act (V of 1920) may be amended by deleting the words 'inside the municipal limits' occurring after the words 'houses and lands'. [Vl. 42.]
- (ii) This Conference resolves that the provisions of Act V of 1920 relating to the imposition of profession tax be so amended as to exclude from their operation the incomes derived from lands and houses outside the municipal limits. [Vz. 34.]
- (iii) This Conference recommends that in the levy of profession tax the income from lands within British India should not be taken into account. [Tn. 22.]

Necessary amendments have been included in the Bill to amend the Madras District Municipalities Act, 1920.

- (7) *Houses in which owners live to be classed as houses not ordinarily let—Examiner's interpretation contested.*—This Conference protests against the interpretation of the Examiner of Local Fund Accounts that the houses in which the owners live are to be classed as houses not ordinarily let under section 82 of the District Municipalities Act. [Vl. 43.]

The Examiner has since issued another Circular No. L.F. 13-105-4445, dated 25th October 1922, making it clear that municipal councils have the discretion to assess houses not ordinarily let on the basis of annual income where it can be estimated.

- (8) *Persons holding appointments public or private or in receipt of pensions or income from investments to be made liable to profession tax.*—That this Conference requests the Ministry of Local Self-Government Department to get section 93, sub-section (1) amended so as to make liable to profession tax persons holding appointments public or private or in receipt of pensions or income from investments. [By. 24.]

The question will be considered.

- (9) *Levy of octrois and terminal tax on goods.*—This Conference is opposed to the introduction of legislation enabling local bodies to levy octrois and terminal taxes on goods. [Mg. 43.]

No such legislation is at present under the consideration of the Government.

- (10) *No stamps to be affixed to petitions presented to Municipal Councils.*—This Conference resolves that Government be

[18th August 1924]

requested to amend the Court Fees Act so that no stamps need be affixed to petitions and applications presented to Municipal Councils. [Mg. 47.]

The Government see no reason to accept the proposal.

- (11) *Madras District Municipalities Act to be amended—To lay down a gradation to work equitably on tax-payers.*—This Conference urges that the District Municipalities Act be so amended as to lay down a gradation which would work equitably on the tax-payers. [Mg. 48.]

The question is under consideration in connexion with the amendment of the Act.

- (12) *Contribution—Government sanction to be dispensed with.*—(a) This Conference is of opinion that rule 4 of Schedule V of the Local Boards Act, 1920, should be so amended as to empower local boards to make without the sanction of Government any contributions up to the limits specified below within one year:—

Union Boards, Rs. 100.

Taluk Boards, Rs. 250.

District Boards, Rs. 1,000.

- (b) This Conference is of opinion that rule 53 of Schedule 4 of Madras Act V of 1920 should be amended as to empower the Municipal Council to incur expenditure without the sanction of Government up to a limit of Rs. 250. [Vz. 25.]

The Government do not at present see sufficient reasons to accept the recommendations.

- (13) *Land-cess—Taluk Board share to be revised.*—Resolved that regard being had to financial stringency of Taluk Boards, the Government may be pleased to proceed with the amendment of the Local Boards Act of 1920 with regard to Taluk Board share of land-cess promised in G.O. No. 1345, L. & M., dated 5th August 1922. [Vz. 26.]

The question is under the consideration of the Government.

- (14) *Land Revenue—Union sites to be exempt from taxation.*—This Conference resolves that lands within the areas used as, or required for, dwelling and public purposes shall be exempted from payment of land revenue to Government. [Vz. 27.]

The resolution is under consideration.

18th August 1924]

- (15) *Land Revenue share to be given to local bodies.*—This Conference resolves to reiterate its former resolution that with a view to increase the resources of local bodies and to enable them to carry out every necessary and urgent reforms in local administration the local Government be requested to give a definite share of land revenue to local boards. [Vz. 28.]

The Government have agreed to transfer to Municipal Councils with effect from 1st April 1923 the excess of the ground rent in municipal areas over the agricultural assessment. They are not prepared to go further at present.

- (16) *Taram assessment and ground rents to be abolished in municipal areas.*—The Conference now reiterates its resolution adopted at the last Conference that the levy of taram assessment and ground rent on lands within municipal areas shall be abolished. [Vz. 29.]

The Government are not prepared to accept the suggestion.

- (17) *Land unoccupied—Government land to be made over to Municipal Councils.*—The Conference resolves that the ownership and power of disposal of all unoccupied Government land in municipal areas not required for Government purposes should vest in municipalities. [Vz. 30.]

The Government are not prepared to accept the suggestion—G.O. No. 1809, L. & M., dated 30th September 1922.

- (18) *Investment in Co-operative Banks.*—This Conference resolves that the Inspector of Local Boards and Municipalities be empowered by Government to allow local bodies to invest their surplus funds above Rs. 5,000 in Central Urban District Co-operative Banks up to three years instead of one year as at present. [Vz. 32.]

This resolution has been accepted—vide G.O. No. 1043, L. & M., dated 4th May 1923.

- (19) *Grants—Adjustment.*—This Conference resolves that in respect of works or services for which Government have undertaken to pay a grant all local bodies should be authorized on the certificate of the Chairman or the President of the Local Body concerned that work or expenditure up to a certain value or amount has been done or incurred to draw from the Treasury in

[18th August 1924]

monthly or periodical instalments portions of the grant promised up to 75 per cent, the balance of 25 per cent being payable only after final inspection by a competent authority. [Vz. 33.]

Orders have been passed in G.O. No. 2636, L. & M., dated 23rd November 1923.

- (20) *Profession tax—Income under Rs. 30 per mensem—To be exempt.*—The Conference resolves that all those coming under item 3 in class 10 of rule 17 of Schedule II (viz., those in receipts of income of less than Rs. 30 per month) of District Municipalities Act of 1920 be exempted from assessment to profession tax. [Vz. 35.]

In the Bill to amend the Madras District Municipalities Act, 1920, the scales of profession tax have been regraded and power given to Councils to exempt any one or more of the classes from liability to profession tax.

- (21) *Exemption of municipal employees from taxation.*—This Conference resolves that section 117 of Act V of 1920 be so amended as to constitute the Municipal Councils as the final authority to grant exemptions to their own subordinates from the payments of taxes or tolls for the conveyance used by them for discharge of municipal duties. [Vz. 36.]

The Government are not in favour of the recommendation.

- (22) *Licences on Excise.*—This Conference resolves that the local bodies be permitted to levy a licence fee on the consumption of spirituous and intoxicating liquors within their respective areas. [Vz. 37.]

The Government are not prepared to accept the recommendation.

- (23) *Income-tax surcharge.*—This Conference requests that in view of the fact that the tax resources of Municipal Councils require considerable augmentation, the Government will be pleased to obtain from the Government of India a general sanction on behalf of all municipalities for the levy of surcharge on the income-tax provided under section 115 of the Madras District Municipalities Act, 1920. [Vz. 42.]

The Government are not prepared to move as proposed.

- (24) *Tree licences to be collected by Government and credited to local bodies.*—In view of the fact that a large number of fruit-bearing trees on beds and bunds of tanks, ponds

[18th August 1924]

and alongside village streets, cart-tracks, battai-poram-bokes, etc., will be licensed by the Taluk Board, and that it is not possible for Taluk Boards to collect tree licence fees from the tree pattadars direct, the Revenue Department should be authorized to collect such fees and credit them to the accounts of the respective boards. [Vl. 8.]

The Government have issued instructions in G.Os. No. 473, L. & M., dated 22nd February 1923 and No. 1157, L. & M., dated 22nd May 1923, published on pages 118 and 254, respectively, of Part I-A of the *Fort St. George Gazette*, dated 27th February and 29th May 1923.

- (25) *Companies tax—Companies to be given a right of appeal.*—This Conference considers that it is necessary to amend rule 16 in Schedule IV of the District Municipalities Act so as to give a company a right of appeal to the Council in regard to the levy of companies tax. [Mg. 51.]

Necessary amendments have been included in the Bill to amend the Madras District Municipalities Act, 1920.

- (26) *District Concurrent Audit.*—This Conference in reiterating its resolution No. 21 passed in its session held at Coimbatore adheres to the opinion that the present audit of the accounts of local bodies is not satisfactory and that a District Concurrent Audit should be organized under the control of the Examiner of Local Fund Accounts and provision made for the pre-auditing of bills in the District Board Engineer's office as is done in the Department of Public Works Engineer's office. [Mg. 52.]

Orders have been issued in G.O. No. 1016, Finance, dated 27th November 1922, on the question of Audit. The Government do not consider that the pre-auditing of bills in the District Board Engineer's office is practicable.

- (27) *Compassionate grants.*—(a) This Conference recommends to the Government that the five lakhs compensation grant to poorer local boards be continued until all the recommendations of the Financial Relations Committee are given effect to regarding grants to roads, medical institutions and schools.

- (b) This Conference also desires to bring to the notice of the Government that the financial position of the local bodies in this group of districts has been seriously crippled

[18th August 1924]

by the discontinuation of the compassionate grant and that even after availing themselves of the full powers of the additional taxation permissible the local bodies are not in a position to run their services satisfactorily unless the Government continues the compassionate grant as heretofore. [By. 30.]

In 1922-23 a compassionate grant of five lakhs was distributed to taluk boards (G.O. No. 1118, L. & M., dated 28th June 1922). In 1923-24 compassionate grants have been given to some district and taluk boards to wipe off their deficits.

(28) *Overdrawals from treasury.*—That local bodies which have account with the Government Treasury should be permitted to overdraw their account to the extent of the estimated land cess for the year and of the educational, medical and recurring grants and in the case of municipalities to overdraw to the extent of two-thirds of the estimated receipts according to the budget of the year. [By. 33.]

Under G.O. No. 2636, L. & M., dated 23rd November 1923, monthly adjustment is made of land-cess and other revenue collected by Government on behalf of local boards. The question of making similar adjustments in respect of grants for educational and medical purposes is under consideration.

(29) *Arrears—restriction in writing off—to be removed.*—This Conference requests that section 118 of the District Municipalities Act be so amended as to make it clear that power to write off all items of irrecoverable revenue is conferred on municipal councils. [Vz. 14.]

In the Bill to amend the Madras District Municipalities Act, 1920, provision is made for empowering councils to write off dues other than taxes or tolls, but the Government consider that their sanction should be retained as a safeguard.

(30) *Appropriation of earmarked funds for ordinary expenditure.*—

(i) That this Conference is of opinion that G.O. No. 1018, L. & M., dated 9th June 1922, prohibiting the appropriation of the earmarked funds for ordinary expenditure without the previous sanction of Governor in Council is in the present state of municipal finances and owing to the adoption by the Government of the principle of postpayment of grants and subsidies and to the rigid provisions of surcharge is a source of great hardship. This Conference therefore recommends that it should be so modified as to enable municipal councils

[18th August 1924]

to make temporary appropriations from all funds on condition that they are reappropriated before the close of the official year. [Vz. 17.]

(ii) Municipal councils should have power to utilize temporarily earmarked funds for other purposes if the same be adjustable before the close of the official year or if this cannot be permitted the grant for trunk roads and for elementary education be adjusted in advances subject to post audit. [Vl. 15.]

The matter is under consideration.

With the monthly adjustment of land cess, etc., and Provincial grants the necessity for temporary diversion of earmarked funds should however become very rare.

(31) *Surcharge rules to be altered.*—(i) That the provisions relating to audit, surcharge and disallowance contained in rules 56 to 62 of Schedule IV of the District Municipalities Act are unnecessarily rigid and humiliating and should be amended so as to penalize only acts done in bad faith and without due care and caution and not acts done in good faith and in the interest of the administration and of the public and without wilful or deliberate neglect. [Vz. 16.]

(ii) This Conference is strongly of opinion that the provision of the District Municipalities Act empowering Auditors to surcharge should be amended in the following manner:—

(1) That the surcharge should be made by the Government after giving an opportunity for explanation to the person concerned and not to the Auditor.

(2) That the provision relating to appeals to Government and the payment of the sum in dispute be repealed.

(3) That in case of a decision by the Government against the person concerned he shall have a right of suit in the Principal Civil Court of original jurisdiction to set aside the decision of Government within one month from the date on which he had received or been served with the decision of the Government. [Tn. 23.]

The Government are not prepared to accept these recommendations.

[18th August 1924]

(32) *Provincial grants—Periodical payment.*—(i) This Conference recommends that where Provincial grants are due for works or services they should be paid in monthly or periodical instalments on the following system:—

(a) At the end of each month or other period the President of the local board or the chairman of the municipal council concerned should submit to the District Treasury Officer an application for adjustment of the amount due on the basis of the expenditure incurred in the year up to the end of that month or period supported by a certificate of the President or Chairman as to the value of work done. Instalments of grants should be paid up to 75 per cent thereof, the remaining 25 per cent alone being payable after final inspection of the inspecting officer, if any;

(b) That the grant under section 37 of the Elementary Education Act equivalent to the proceeds of the Education tax should be paid in the year, during which the tax is levied on an estimate of the probable receipts therefrom in that year any difference between such estimate and the actuals when ascertained being adjusted in the grant of the following year. [Vl. 16.]

Orders have issued in G.O. No. 2636, L. & M., dated 23rd November 1923.

(ii) This Conference is of opinion that the Government should be requested to raise by 50 per cent the present scale of Provincial subsidy in cases where full grants are not already given. [Tn. 12.]

The Government cannot accept the recommendation.

(33) *Non-tax Revenues*—(1) *Motor Vehicles Act and Rules to be amended—administration of Act to be entrusted to Presidents of district boards and chairmen of municipal councils.*—This Conference urges the desirability of amending the Indian Motor Vehicles Act and the rules framed thereunder so as to entrust the administration of the Act to the president, district board, and the chairman, municipal council, in their respective areas [Mg. 39.]

This resolution cannot be accepted.

(34) *Financing Railway construction—local bodies to combine to raise loans.*—

(i) This Conference is of opinion that district board should combine for the purpose of raising the necessary funds by means of loans for financing schemes of railway construction. [Mg. 40.]

[18th August 1924]

(ii) This Conference requests the Government to constitute a separate local loans fund for the province. [Vz. 31.]

The Government have under consideration a proposal for the formation of a joint loans fund for all local bodies in the Presidency.

(35) *Licensing of private cart-stands.*—This Conference considers it necessary that sections 186 and 187 of the Local Boards Act should be so amended as to permit boards to license private cart-stands though not lawfully established before the commencement of the Act and new private cart-stands. [Mg. 41.]

The proposal cannot be accepted.

(36) *Porambores and vacant sites in municipalities and unions to be vested in municipal councils and union boards.*—This Conference urges that all porambores and vacant sites in municipal areas belonging to Government should be vested in municipal councils and they may be exploited to the best advantage of the municipalities and that the same should be done in the case of union boards as well. [Mg. 42.]

The Government are not prepared to transfer to municipal councils vacant Government land unless the exploitation of such land forms part of an approved town-planning scheme under the Madras Town-Planning Act—vide G.O. No. 1809, L. & M., dated 30th September 1922.

(37) *Fees and rents—private markets—to be defined.*—Section 171, clause 3 of the Madras Local Boards Act, speaks of 'Fees and rents' in the case of private markets. This Conference requests Government to clearly define the two words 'Fees and rents'. [Vl. 36.]

This will be considered in connexion with the amendment of the Madras Local Boards Act, 1920.

(38) *Investigation of possibilities of developing income from remunerative enterprises.*—This Conference recommends that every local body should make a systematic investigation of the possibilities of developing income from remunerative enterprises such as markets, cart-stands, slaughter-houses and tree-planting. [Vl. 37.]

No orders of Government are required.

(39) *Transport services—pamphlet to be issued.*—This Conference requests Government to issue an exhaustive pamphlet

[18th August 1924]

on motor bus service and light railways as remunerative enterprises for local boards and street tramways in municipalities. [Vz. 38.]

The subject of light-railways is under consideration. Information in regard to motor bus service can be obtained from leading motor engineers. A pamphlet on street tramways does not seem necessary.

- (40) *Markets—Private—in Municipalities to be controlled.*—This Conference is of opinion that the provisions regarding private markets of the District Municipalities Act be amended on the lines of the principles embodied in the Local Boards Act of 1920 so as to ensure effective control over them in the interests of public health and sanitation. [Vz. 39.]

Necessary provisions have been included in the Bill to amend the Madras District Municipalities Act, 1920.

- (41) *Cattle slaughter.*—That G.O. No. 1564, L. & M., dated 4th September 1922, declaring illegal all resolutions and by-laws prohibiting the slaughter of cows and cattle within municipal limits be cancelled. [Vz. 12.]

The Government see no reason to cancel the order.

- (42) *Licences—Municipalities to be barred from licensing outside their jurisdiction.*—This Conference requests Government to delete from section 249 of the Madras District Municipalities Act the provisions relating to the power of Municipal Councils to grant licences for offensive and dangerous trades carried on within three miles of municipal limits. [Vz. 18.]

Necessary provisions have been included in the amending Bills.

- (43) *Cart-stands and thrashing floors—to be provided by Government—Cattle-stands.*—This Conference requests Government to render help for allotting sites in rural areas for cattle stands and thrashing floors. [Vz. 43.]

The attention of local bodies is invited to G.O. No. 3034, Revenue, dated 24th August 1918, placed on Editors' Table.

18th August 1924]

cumbersome procedure tending to cause unnecessary delay in the carrying out of a town-planning scheme and recommends the adoption of a simple procedure

- (a) By adding the words 'with a draft scheme as hereunder' after the words 'The resolution under section 9' in section 10 of the Act.
- (b) By the omission of section 11 of the Act.
- (c) By the omission of section 14, clauses (1) and (4).
- (d) By the omission of the words 'sanction or' in section 14, clause (3).
- (e) By the substitution of section 14, clause (5), by the words 'A scheme when sanctioned by the Municipal Council and not disallowed by the Local Government within two months from the date of the notification of the Council and under section 10 of the Act shall have effect as if it were enacted in the Act.'
- (f) By suitable modification of sections 18 and 34 of the Act [By. 28.]

The Government do not consider that any amendment is called for.

- (45) *Propaganda work—Ceded Districts—Finance, Constitution, Education and Public Health.*—(1) This Conference resolves to impress on the several local boards in the group the need for the propaganda work through local board members and honorary workers wherever available in the fields of finance, constitution, education and public health with a view to create and foster deeper and wider civic consciousness on the part of the people.

- (2) That this Conference also resolves to suggest to the Government the desirability of contributing at least a moiety of the expense which a local board incurs in this direction. [By. 39.]

- (1) It is for the local bodies to take the necessary action.
- (2) The Government are not prepared to accept the recommendation

- (46) *Rules to be approved by the Legislative Council.*—That inasmuch as in several instances the rule-making power of the Government has been exercised to take away from the local bodies powers that they had possessed even under the Act of 1884 and as the representations made by the local bodies protesting against these rules have not been of much efficacy, this Conference considers it necessary that all rules promulgated by the Governor

[18th August 1924]

in Council should be laid on the table of the Legislative Council and the same should not be brought into force unless the Legislative Council by resolution approves the draft rules with or without modification or additions. [Vz. 8.]

The Government are not prepared to accept the suggestion.

- (47) *Plans and estimates prepared by Local Fund Engineering staff to be accepted by Sanitary Engineer.*—That in the opinion of the conference the Sanitary Engineer should accept plans and estimates prepared by the Local Fund Engineering staff getting the defects alone rectified without insisting upon the same being prepared by the Public Works Department. [Tn. 28.]

The Government are not prepared to accept the recommendation.

APPENDIX XVI.

[Vide item XI (7) Communications to the Council, on page 32 supra.]

Text of the legal advice on the municipal resolutions prohibiting the slaughter of cattle within municipal limits.

Opinion No. 167.

[Reference—Memorandum No. 6779-1, L. & M., dated 9th May 1921, Local Self-Government Department.]

I am clearly of opinion that it is not open to the Anakapalle Municipal Council to prohibit slaughter of cows and cattle within the municipal limits however laudable the attempt might be from many points of view. The slaughtering of cattle and the selling of their carcass is a lawful trade under the law of the land. Section 254 of the Madras District Municipalities Act, V of 1920, imposes a duty on the Municipal Council to provide a sufficient number of places for use as municipal slaughter-houses and within the Municipality no person is allowed to slaughter animals for sale as food except in a public or licensed slaughter-house under section 257. The power of making by-laws vested by section 306 in the Municipality is in respect of the control and supervision of slaughter-houses and of places used for the skinning and the cutting of carcass, for the control and supervision of slaughtering and of butchers.

In a very well-known case decided by the Judicial Committee of the Privy Council reported in 1896 A. C. 88, it was laid down that a statutory power conferred upon a Municipal Council to make by-laws for regulating and governing a trade *does not, in the absence of an express power of prohibition, authorize the making it unlawful to carry on a lawful trade in a lawful manner.* The case arose out of the revised statutes of Ontario which gave powers to 'regulate, control and prevent'. Purporting to act under the Statute the Corporation of the City of Toronto prohibited hawkers from

[18th August 1924]

plying their trade in an important part of the Municipality. In the language of Lord Davery delivering the judgment "there is a marked distinction to be drawn between the prohibition and prevention of a trade and the regulation and governance of it and indeed a power to regulate and govern seems to imply the continued existence of that which is to be regulated or governed." (See also Maxwell on the Interpretation of Statutes, page 524.)

I am therefore of opinion that the resolutions of the Municipal Council of Anakapalle are ultra vires and ought to be cancelled by Government under section 36 of the District Municipalities Act.

MADRAS,
13th May 1921.

C. P. RAMASWAMI AYYAR,
Advocate-General.

APPENDIX XVII.

[Vide item XI (8) Communications to the Council on page 92 supra.]

Report of the Board of Revenue on the quality of the liquor supplied to the South Kanara district.

[From the Board of Revenue, Separate Revenue, dated the 16th April 1924, No. D. 339, Abkari.]

Resolution.—The Board submits to Government the following report on the various points raised in questions Nos. 356 and 357 asked in the Legislative Council on 7th February 1924 by Mr. J. A. Saldanha regarding the quality of the liquor supplied to the South Kanara district.

2. *Question No. 356 (i) (a).*—The water used in the Mangalore Warehouse for reducing O.P. spirit to issue strength is taken from the well in the Warehouse compound. The District Medical and Sanitary Officer, Mangalore, examined the well water in 1921 and declared it to be of good quality. The Assistant Commissioner of Distilleries who inspected the well also reports that the water is not brackish but is good and quite fit for human consumption. A sample of the water was recently analysed in the Board's Laboratory and it was found to be of very good quality fit for reducing spirit. A copy of the analysis report is appended herewith.

(b) The water required for reducing operations is first pumped from the well into a tank made of steel plates. The tank is properly gauged to estimate the quantity of water that will be required for the purpose and is kept clean by periodical cleaning. The water is not allowed to stand in the tank and stagnate but is immediately passed into the spirit vat.

(c) As the water is free from impurities and quite fit for human consumption it has not been found necessary to filter it.

(d) From the Nellikuppam Distillery strong O.P. spirit is transported to all warehouses in distant places in galvanized steel barrels or drums. It is true that the internal coating of rust in some of the old barrels gave the liquor a reddish colour. Orders have already been issued that these old steel barrels should be regalvanized.

[18th August 1924]

(e) The Board directed that the discoloured liquor should be issued only after it has been filtered through twofold flannel bags. The filtered liquor was, on analysis (report enclosed), found to be wholesome and it was therefore allowed to be issued for consumption.

(f) The allegation that much of the liquor sold in shops in South Kanara district is adulterated with camphor boiled in hot water or liquid camphor mixed in water is unfounded. The local abkari officers—the Assistant Commissioner, West Coast division, and the Inspectors, Udipi, Mangalore, Kasaragod circles—who made inquiries in the matter, report that no such adulteration was noticed by them and that they did not receive any complaint about it. The Commissioner will be glad to receive from the hon. Member a list of the shops in which liquor is adulterated in this way.

3. Question No. 356 (ii) (a) & (b).—The discolouration was due to the rust adhering to the inside of some of the old galvanized barrels and to the suspension of fine rust particles in the liquor. The suspended particles settle down if the liquor is allowed to stand undisturbed for a while. There was no taint or any poisonous matter in the liquor. The discoloured liquor contained in certain vats from which the sediment could not be altogether removed by filtration was sent back to the distillery for redistillation. Messrs. Parry & Co. have also been instructed to transport in future liquor to Mangalore in wooden casks or in drums which have been regalvanized.

4. Question No. 356 (iii).—The only complaint received about the liquor was from a renter of Mangalore town in August 1923. Samples of the liquor were then obtained from the renter and the warehouse and were analysed in the Board's Laboratory. Both the samples were found to become clear on filtration. Nothing was found wrong with the renter's sample except that it contained more sediment than the samples from the warehouse. A copy of the report on the analysis is appended. The Board then directed that the discoloured liquor should be issued only after filtration. It is ordered that the discoloured unfilterable liquor in the warehouse should be returned to the distillery for redistillation. Some intending bidders of shops for the lease 1924-25 in the Mangalore town petitioned to the Board in January 1924 against the use of steel barrels for the transport of liquor but as the Board had already taken action in the matter, there was no need to make any local inquiry.

5. Question No. 357 (2).—There was no occasion during 1923 to reject any cask or quantity of liquor sent by Messrs. Parry & Co. to the Mangalore Warehouse as inferior in quality or below the required under-proof strength. The sample of water taken from the warehouse well at Mangalore has been analysed as under:—

Total solid grains per gallon—

Organic

Inorganic

30.0

7.0

The inorganic residue consists of traces of lime and sodium chloride and the organic is nothing but carbonic acid gas found in combination with the lime. The water is free from poisonous impurities and there is nothing wrong with it. It is of very good quality and may safely be used for reducing

[18th August 1924]

Serial Nos.—91-92.

C.R. Nos. 1838 and 2017-Abkari/23, Warehouse Officer, Mangalore.

Description of the sample.—

Liquor—Submitting for analysis a sample of — taken from issue vat for comparison with the one submitted by the renter of arrack shop No. 1, Mangalore.

Seals correct and intact.

The two samples have been examined as under:—

Results of analysis.

	Renter's sample.	Warehouse Officer's sample.
Hydr. strength	38.6 u.p.	35.7 u.p.
True strength	37.4 "	35.2 "
Obscure	1.2 per cent.	0.5 per cent.
Organic	106.0	12.0
Inorganic	117.0	8.0
Acidity	4.2	4.2
Nature of Inorganic	Iron.	Iron.

Residue (No copper in both).

Both the samples become clear on filtration and there appears to be nothing wrong with the renter's sample but for the presence of a large quantity of both organic and inorganic matter. The renter's sample evidently represents the sediment left in the issue jar. The Warehouse Officer's suspicion that the liquor is invariably coloured by being issued from Nellikuppam Distillery in steel barrels is also true owing to the formation of a large quantity of ferric oxide due to the action on steel barrels in which it is issued.

Messrs. Parry & Co. to be requested to issue liquor filtered through two-fold flannel bags in the case of those warehouses to which liquor is sent in steel barrels.

APPENDIX XVIII.

[Vide item 11 (9) Communications to the Council on page 92 supra].

Report on the compulsory recitation of certain Christian creeds by the boys of the M.E.L.M. school at Ambur, North Arcot district.

Letter from R. LITTLEHAILES, Esq., Director of Public Instruction, B.O.O. No. 260 D/24, dated 18th March 1924.

I have the honour to submit below the information asked for in clauses (a) to (e) of Legislative Council question No. 630:—

(a) All boys of the M.E.L.M. School at Ambur were compelled to recite the Apostle's creed.

(b) Threats were used but not carried into effect.

[18th August 1924]

(c) The practice was in vogue in the school from about the 15th of October 1923 till about the 18th February 1924. It has been stopped now.

(d) Inquiries were instituted as soon as the matter was brought to the notice of the educational authorities. A report has just been received. The matter is still under consideration.

(e) There are no papers on the subject.

2. The District Educational Officer has just informed me that the practice of saying the Apostle's creed has been stopped on account of the manager's illness but will possibly be continued when he gets better.

3. Another secondary school has just been opened in Ambur and I have received an application for its recognition. I have referred the matter to the District Secondary Education Board for its remarks. There is little doubt, however, but that recognition will be granted if the management of the M.E.L.M. School is to insist upon religious instruction being given in the School, religious instruction of a type which is not insisted upon in any other school in South India under mission management.

4. Regarding Legislative Council question No. 528, I have the honour to suggest that the questioner be referred to the answer to be given to question No. 630 as regards queries (a) and (b). With regard to query (c), it will suffice if the questioner is informed that the matter is still under consideration and that the question of a conscience clause has been referred to District Secondary Education Boards.

Letter from the District Educational Officer, North Arcot, R.O.C. No. 267/24, dated 19th February 1924, to the Director of Public Instruction, Madras.
[Reference.—Your Proceedings R.O.C. No. 260-D/24, dated 10th February 1924.]

In obedience to your proceedings which I received on 13th February 1924, I reached Ambur on 14th February 1924. As the schools were closed on account of some local festival I had to content myself with some preliminary inquiries. Next day 15th February 1924 I made further inquiry, and interviewed the Rev. Mr. Boriack, Manager and Bible Instructor, to the pupils of the sixth form. The pupils were questioned in the class in the presence of the headmaster. Some members in the staff were also interviewed. There is truth in the statement that the manager compelled the pupils to recite the particular creed of the Lutherans and study the commentary hereon—

(1) I believe in God the Father Almighty, Maker of Heaven and Earth.

(2) And in Jesus Christ, His only Son, Our Lord, who was conceived by the Holy Ghost, born of the Virgin Mary, suffered under Pontius Pilate; was crucified, dead and buried. He descended into Hell, the third day He rose again from the dead. He ascended into the Heaven, and sitteth at the Right Hand of God the Father Almighty from thence He shall come to judge the quick and the dead.

(3) I believe in the Holy Ghost, The Holy Christian Church, the Communion of the Saints, the Forgiveness of the Sin, the Resurrection of the Body, and the Life Everlasting.

[18th August 1924]

Routine punishments allowed in school discipline such as imposition or standing for a few minutes for not learning a lesson cannot be considered as a serious form of punishment. Threat may have been made though never carried. The pupils were given the alternative of going out of the school. This was difficult for the pupils at this stage of their high school course. The manager's letter and the report of the headmaster are submitted in original. Copies of the statements of two pupils are submitted as being sufficient for the purpose, the names of the pupils are omitted for obvious reasons in the copies.

Letter from Rev. L. BORIACK, B.A., Manager, M.E.L.M. High School, Ambur, to M.R.Ry. R. TATACHARYA AVARGAL, M.A., L.T., Acting District Educational Officer, North Arcot, Vellore (at present in camp at Ambur), dated February 1924, No. R.O.C. 5/24.

I have the honour, upon your personal request and in reply to your letter, dated 15th February 1924, to give in writing a brief account of our conversation this forenoon.

In the VI form we have been reading the Gospel according to St. Mathew and learning the six chief parts of Dr. Luther's Small Catechism, taking a few small portion for every class, with very few exceptions, when the lesson for the day was not well known and then treated as review in the next class. For several months all the boys learned quite well. We finished the first Chief Part and a portion of the second, when on 24th January 1924 not any of the Hindu boys had learned their lesson for the day. When asked how it was that the lesson had not been learned, some few minor excuses were offered at first. But later in the lesson the real reason came out.

As there is no bar on religious instructions, I told the boys that this being a Mission School, I could expect them to learn the lessons in the religion also. This was not a prayer or devotion or confession at all. It was simply a lesson for the purpose of getting acquainted with Christianity. When they enrolled in our Mission school, they thereby agreed to take the course offered. If however any of them felt that they could not conscientiously learn these fundamentals and 'First things' about Christianity, they were at liberty to leave our Mission school and go to another school. The term certificate would be issued them without any objection.

In the afternoon of the day on which this happened I had to go away for a conference. After a week I returned. During the first class after my return I spoke to the boys again along the same lines. For the next class all the boys had learned their lessons and are still learning.

The allegation that various punishments were threatened is not in accordance with fact. The fact that they were given the liberty to leave the school, if they could not with a good conscience take the religious course planned, would go to show that already.

Finally trusting that the foregoing account will be satisfactory and meet with your approval.

M.E.L.M. HIGH SCHOOL, AMBUR,
15th February 1924.

A statement of what the students of the VI form said in my presence for the question put to them by the District Educational Officer.

[18th August 1924]

All of them admitted that the Bible Instructor had asked them to study the Creed, and that if they refused to do they would not be allowed to appear for the Board Examination. They also admitted that they did not believe that he would influence the staff against their being sent up for the Public examination. They said that two of them had been punished with imposition for the non-preparation of this lesson in Bible.

(Signed)

I am a student of VI form of M.E.L.M. High School at Ambur. We have to attend Bible classes conducted by Rev. L. Boriack, B.A., the Manager of the institution. I have been the student of this institution for the last eight years (i.e., from 1915). Neither Rev. Hamanon nor Rev. Kuoble who were also handling Bible classes previously ever compelled us to believe in Christianity. Unfortunately the present Manager not only went as far as compelling us to believe in Christ, but also went a step further in compelling us to repeat the Creed by heart, the text of which in Tamil runs as follows:—

We were also compelled to get by heart the particular Lutheran Commentary upon the Creed.

One day he came to the class and the undermentioned conversation took place between the Hindu students and the Manager.

Manager: (When he came to the class he asked the Christian students to recite the Creed at first). *They finished repeating. Then he asked me to repeat the Creed.*

Myself: (I am a Hindu. A Tamil saying says that we must study a particular thing without a mistake and then we must act according to it. If not, we would not get Heaven according to our Sastras. So, thinking the abovementioned thoughts, I replied him as follows):—
“I have got a boil in my eye, so I could not study any lessons to-day.”

Manager: “You would have studied it by closing one of your eyes in which you have got a boil.”

Then I kept quiet. He asked for my name and noted it down in his Bible book. Again he asked all the Hindu students who told him some lame excuse.

Another part of the Creed was written on the blackboard and he asked me whether I would recite another day's part. I told him as follows:—
“My parents reproach me for reading the Bible at home and they say that they will drive me out of their house and they also told me that I would be converted as a Christian in course of time.”

Manager: “Oh! First you must obey the God and then your parent. It is told in the Bible.”

Myself: “I have no belief in your Bible.”

Manager: “Then why do you read in a Mission School? Here you ought to study the Bible.”

Myself: “As there are no other schools of Hindus in this town I have to study here and as you are compelling me to read I am reading, otherwise I won't read it.”

[19th August 1924]

Then he wrote something in his book and turned to the other student asking him to recite the Creed. He at once cried “I have no belief in Jesus Christ.”

Manager sat still for a while keeping his finger on his nose. Then he wrote something in his Bible book (I think) about the student. He asked another student who told him that he would not get salvation by reading the Bible and explained in detail. Then he asked all the Hindu students; all of them refused to recite it. Teaching some verses in St. Mathew he told us to prepare next day's lesson for which we answered in negative.

After that, he told us that he would not send us for the Board Examination and would also dismiss us if we would not study the Creed and Bible.

(Signed) ———

Student of VI Form,
M.E.L.M. High School, Ambur.

M.E.L.M. HIGH SCHOOL, AMBUR,

15th February 1924.

To the Inspector of Schools,
North Arcot district, Vellore.

Dear Sir,

I am asked by you to give a statement about the studying of the Creed in the Bible class. So I am saying all that happened in the class in the following paragraph.

First our Bible Instructor taught us only St. Mathew. One day he asked us whether we know the Commandments or not. All except the Christians said that they did not know. So he asked us to study the Commandments and their meanings. We did not refuse. We simply studied and recited them. All except two recited the Commandments. So he found that the two were disobedient and gave them imposition.

Then he asked us to study the Lord's Prayer. Some of them studied in Tamil and the others studied in English. Then all of us studied in English. After this he asked us to study the Creed either in English or in Tamil. We asked him to teach in English. He taught us in English and we recited the Creed in English. Then he asked us to study the meaning. When he asked us to study the meaning I, even though a non-Lutheran boy, like the Lutheran Christians, studied and recited it. The Hindu students refused. Then our teacher said that we must study, because it is a Christian school. When the students found this, they said that they would not study because they are unbelievers. Then he began to threaten them saying that he would not allow them to sit in the examination which he never did and also said that if they did not like to study they could go to any other school. He said that he had no objection if the students wanted to go to any other school.

[18th August 1924]

The students who refused to study said that because it is a Creed they could not confess by studying on the Creed. Then he said that is not a confession but it is only a class lesson. When he found that all except the Christians are refusing, he left out the Creed and asked us to study some portion in St. Mathew which is the class book for us in Bible. We then studied the portion in St. Mathew. Only these happened in the class.

(Signed) . . .
Student of VI Form.

Proceedings of the Director of Public Instruction, R.O.C. No. 260-D/24, dated 12th March 1924.

READ—the following paper:—

Letter from the District Educational Officer, North Arcot, dated 19th February 1924, R.C. No. 367/24.

The District Educational Officer is requested to be good enough to give specific answers to the following questions:—

- (1) Were the non-Christian boys of the M. E. L. M. High School at Ambur, compelled to recite the Christian Creeds, such as the Apostle's Creed?
- (2) Were any threats used to exact obedience in this matter, such as the threat to disallow them from appearing for examination?
- (3) If the answer to (1) is in the affirmative from what date to what date was this practice continued in the school? Has it been stopped now?

2. The reply to this reference should be submitted to the Director by return of post.

Camp Ambur, 17th March 1924.

From M.R.Ry. R. TATACHARYA AVARGAL, M.A., L.T., District Educational Officer, North Arcot, to the Director of Public Instruction, Madras, dated the 17th March 1924, No. R.O.C. 267/24.

[Reference your Proceedings No. 260 D/24, dated 12th March 1924.]

Sir,—I have the honour to submit, after interview with the Manager, the following reply:—

(1) & (3) Yes. The Apostles Creed is not taught in other Mission schools.

From about 15th October 1923 to 18th February 1924.

Temporarily stopped on account of the Manager's illness; will possibly be continued when he gets better.

(2) Threats may have been uttered, but unfortunately the pupils gave him no chance for carrying them out as they learnt the Creed. The pupils have all been sent up for the Public Examination.

[18th August 1924]

APPENDIX XIX.

[Vide item XI (10) Communications to the Council on page 93 supra.]

SRI MEENAKSHI SETHUPATHI DEAF AND DUMB
SCHOOL, MADURA.

FINANCIAL STATEMENT FOR THE YEAR 1921-22.

Receipts.	Amount.			Expenditure.	Amount.		
	RS.	A.	P.		RS.	A.	P.
1. Subscriptions and donations.	600	0	0	1. Teaching staff ...	1,115	0	0
2. Annual contribution from the Madura District Board.	300	0	0	2. Servants including writer.	204	0	0
3. Miscellaneous receipts—M.R.Ry. Muthu Alagappa Chettiyar's annual contribution to feed one boy.	84	0	0	3. Rents ...	220	0	0
4. Amount contributed by management for the upkeep of the school during the year.	3,465	14	0	4. Ordinary repairs and upkeep.	10	0	0
				5. Contingencies ...	1,677	6	0
				6. Furniture ...	40	0	0
				7. Boarding charges.	1,183	8	0
Total ...	4,449	14	0	Total ...	4,449	14	0

A. SWAMINATHA PILLAI,
Correspondent.

Camp, Tirupattur, 6th June 1922.

APPENDIX

[18th August 1922]

DEAF AND DUMB SCHOOL, MADURA.
FINANCIAL STATEMENT FOR THE YEAR 1922-23.

STATEMENT FOR THE YEAR 1922-23.

Receipts.			Expenditure.				
Amount.			Amount.				
RS.	A.	P.	RS.	A.	P.		
1. Subscriptions and donations.	252	0	0	1. Teaching staff ...	1,160	5	4
2. Grants-in-aid received—Teaching.	518	0	0	2. Servants including writer.	204	0	0
3. Amount contributed by management for the upkeep of the school during the year.	3,479	1	4	3. Rents ...	498	0	0
				4. Contingencies—			
				(a) Letter paper envelopes.	66	12	0
				(b) Boarding charges.	1,608	0	0
				(c) Travelling allowance.	712	0	0
Total ...	4,249	1	4	Total ...	4,249	1	4

Madras 141

Madura, 14th August 1923.

SWAMI PITCHAI AMMAL,
Correspondent.DEAF AND DUMB SCHOOL, MYLAPORE, MADRAS.
FINANCIAL STATEMENT FOR THE YEAR 1920-21.

STATEMENT FOR THE YEAR 1920-21.

Receipts.

	Amount.		
	RS.	A.	P.
1. Subscriptions and donations.	2,676	12	3
2. Actual receipts by fees—Ordinary.	47	0	0
3. Grants-in-aid received—Teaching.	2,287	0	0
4. Amount contributed by management for the upkeep of the school during the year.	978	8	8
Total ...	5,989	4	11

Expenditure.

	Amount.		
	RS.	A.	P.
1. Teaching staff ...	3,265	0	0
2. Servants including writer.	214	0	0
3. Taxes ...	376	4	10
4. Licences ...	20	0	0
5. Ordinary repairs and upkeep.	147	10	0
6. Contingencies ...	642	13	7
7. Furniture...	62	2	0
8. Outlay not falling under the above heads—Bank charges.	3	6	6
9. Electric lights fitted.	1,258	0	0
Total ...	5,989	4	11

Mylapore 8th April 1921

Mylapore, 8th April 1921.

M. KATHERINE MASE,
Correspondent.

APPENDIX

247

18th August 1924]

DEAF AND DUMB SCHOOL, MYLAPORE, MADRAS.

FINANCIAL STATEMENT FOR THE YEAR 1921-22.

Receipts.				Expenditure.			
Amount.				Amount.			
	RS.	A.	P.		RS.	A.	P.
1. Actual receipts by fees—Ordinary.	85	0	0	1. Teaching staff ...	3,369	9	9
2. Grants-in-aid received—				2. Servants including writer.	204	0	0
(a) Teaching.	2,287	0	0	3. Taxes ...	376	4	9
(b) Building.	110	0	0	4. Licences ...	6	0	0
(c) Furniture and apparatus.	1,161	0	0	5. Ordinary repairs and upkeep.	216	10	6
3. Miscellaneous receipts.	56	0	0	6. Contingencies ...	323	0	6
4. Amount contributed by management for the upkeep of the school during the year.	1,321	14	5	7. New buildings ...	110	0	0
				8. Furniture ...	3	0	0
				9. Connexion of electric light.	355	0	3
				10. Outlay not falling under the above heads—			
				(a) Conveyance repairs.	54	9	2
				(b) Bank charges.	2	11	6
Total ...	5,020	14	5	Total ...	5,020	14	5

Mylapore, 7th April 1922.

G. A. MITCHELL,
Correspondent.

DEAF AND DUMB SCHOOL, MYLAPORE, MADRAS.

FINANCIAL STATEMENT FOR THE YEAR 1922-23.

STATEMENT FOR THE YEAR 1933-34.

Receipts.				Expenditure.			
Amount.				Amount.			
	Rs.	A.	P.		Rs.	A.	P.
1. Subscriptions and donations.	3,116	3	2	1. Teaching staff ...	3,616	0	0
2. Actual receipts by fees—Ordinary.	33	0	0	2. Servants including writer.	210	0	0
3. Grants-in aid received—Teaching.	2,207	0	0	3. Taxes ...	359	10	2
4. Amount contributed by management for the upkeep of the school during the year.	1,716	0	0	4. Licences ..	6	0	0
				5. Ordinary repairs and upkeep.	500	0	0
				6. Contingencies ...	420	11	6
				7. Outlay not falling under the above heads.	88	0	0
				8. Bank charges ...	4	15	0
				9. Balance carried forward to hostel.	1,866	14	6
Total ...	7,072	3	2	Total ...	7,072	4	8

Mylapore, 7th April 1923.

G. A. MITCHELL,
Correspondent.

[18th August 1924]

DEAF AND DUMB SCHOOL, GUNTUR.

FINANCIAL STATEMENT FOR THE YEAR 1922-23.

Receipts.

	Amount.
	RS. A. P.
1. Presents by the pupils at the end of their course during 1922-23.	900 0 0
Total ...	900 0 0

Expenditure.

	Amount.
	RS. A. P.
1. Teachers' maintenance.	600 0 0
2. Establishment ...	174 0 0
3. Rents ...	250 0 0
4. Boarding and clothing for poor students.	700 0 0
5. Contingencies and cost of Karpoor *	1,200 0 0
6. Other expenses ...	15 0 0
	2,939 0 0
7. Ceremonies connected with the school.	600 0 0
Total expenditure ...	3,539 0 0
Total income ...	900 0 0
Net cost to the management.	2,639 0 0

Guntur, 8th May 1923.

S. VENKOOJI RAO,
Correspondent.

N.B.—As the methods are original and based on *yogic* experiments the cost is not likely to decrease.

* It is required for daily use in reducing the heat incidental to the *yogic* practices of the teacher.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 19th August 1924.

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.) in the chair.

I

NEW MEMBER.

Major-General THOMAS HENRY SYMONS, O.B.E., I.M.S., was sworn in.

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.]

Collectorates.

Muhammadan representation in the Revenue Department in Ganjam.

80 Q.—MR. MUHAMMAD MOOSA SAIT SAHIB: Will the hon. the Member for Revenue be pleased to state—

(1) the number of Hindu, Muhammadan and Christian graduates of Ganjam and Vizagapatam districts who were directly recruited as probationary revenue inspectors and probationary deputy tahsildars;

(2) why no Muhammadan graduates were selected for either of these appointments in the Ganjam district;

(3) whether any Muhammadan in the Ganjam and Vizagapatam districts rose to the position of the tahsildar during the last forty years;

(4) whether there has been no Muhammadan qualified for the post;

(5) whether it is a fact that when His Excellency the Governor visited the Ganjam district the local Muhammadans waited on him in a deputation and pressed, among other things, for some encouragement to be shown to the first Muhammadan graduate of the district; and

(6) what action was taken by the Government on the subsequent memorials sent by the deputationists in the matter?

A.—(1) Probationary Revenue Inspectors—Information is not available with Government. Probationary Deputy Tahsildars—The number of graduates of the Ganjam and Vizagapatam districts recruited as Probationary Deputy Tahsildars is—

Hindus.	Muhammadans.	Christians.
5	Nil.	Nil.

[19th August 1924]

- (2) A Muhammadan graduate was selected as Probationary Revenue Inspector in the Vizagapatam district in 1916. Only a few appointments of Probationary Deputy Tahsildars are made at a time and the best qualified for appointment are selected from among those who apply. Selection is not confined to the candidates of any particular districts.
- (3) & (4) Government have no information.
- (5) Yes.
- (6) The Government on enquiry were satisfied that the Collector of Ganjam was doing the best he could do for Muhammadans. They did not therefore consider that any further orders were necessary.

Mr. YAHYA ALI SAHIB:—"With reference to the answer to clauses (3) and (4) of the question, will the Government be pleased to call for the information?"

Muhammadan representation in the Revenue Department in Ganjam.

81 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Revenue be pleased to state—

- (1) whether it is a fact
- (a) that not a single Mussalman has been directly recruited in the Ganjam and Vizagapatam districts as probationary deputy tahsildar or as probationary revenue inspector;
- (b) that not a single Mussalman has risen during the last forty years to the position either of a tahsildar or of a deputy tahsildar in the aforesaid districts;
- (c) that the Mussalmans of the said districts have to that effect submitted memorials and representations to the Government as well as to His Excellency the Governor; and
- (2) if so, why the claims of the Muhammadan community to an adequate representation in the Revenue service in the said districts have been overlooked for such a length of time?

A.—(a), (b) & (c) (2) The hon. Member is referred to the answers given to clauses (1) to (3) and (6) of question No. 80.

(c) (1) Representations from the Muhammadans of the Ganjam district only were received by Government.

Criminal Justice.

Orders under section 144, Criminal Procedure Code, at the Mannargudi Conference.

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

- (a) whether they have perused the contents of the orders under section 144, Criminal Procedure Code, passed by the Subdivisional Magistrate on certain members of this Council on the eve of the Mannargudi Conference;
- (b) whether any steps have been taken by them to communicate the statement of their policy in respect of this matter made in this Council on the 28th of March last on my motion for adjournment to consider similar earlier orders to the magistrates of the Tanjore district;

[19th August 1924]

(c) whether any correspondence has taken place on this matter between the Government and the District Magistrate;

(d) whether, as a result of my speech made at the Mannargudi Conference before I had knowledge of this order, there was any breach of the peace; and

(e) whether it is a fact that the District Collector has decided to take active measures to put down the mirasidars' struggle?

A.—(a) Their attention has been drawn to them.

(b) The Government informed the District Magistrate that they deprecated the prohibition of meetings in advance unless rioting was actually apprehended. They did not interfere with the discretion of the Magistrate to issue prohibitory orders under section 144, Criminal Procedure Code, to individuals.

(c) No, save as above stated.

(d) The Government understand the issue of orders under section 144, Criminal Procedure Code, had the desired effect.

(e) The Government have no reason to suppose that the Collector has decided to take any measures other than those he is authorized by law to take for the collection of the Government revenue.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (d), may I ask the hon. the Law Member to say what was the desired effect?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The District Magistrate has informed us that the apprehended trouble did not arise."

Mr. S. SATYAMURTI:—"I want to know, Sir, whether the Government have satisfied themselves that there were good grounds for the District Magistrate apprehending trouble and that the apprehended trouble was prevented by the service of these orders?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"All that I can say on that subject is that we took it for granted that the District Magistrate had grounds, and we did not analyse the grounds."

Famine.

Alleged famine conditions in Attur taluk, Salem district.

83 Q.—Mr. R. VEERIAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that owing to famine in Attur taluk, Salem district, the poorer classes of people are migrating to Ceylon in order to find their livelihood;

(b) if so, what steps have been taken to relieve the distressed people;

(c) whether it is a fact that cattle are sold on account of famine by the poorer classes of people at Rs. 3 and Rs. 4 per head; and

(d) if the Government have no information, whether they will be pleased to call for it?

A.—(a) & (b) There is no general distress in the Attur taluk calling for relief measures by Government, but the Government understand that a large number of labourers emigrated to Ceylon between January and June partly due to the unfavourable character of the season but largely due to the prospect of getting more lucrative employment there.

[19th August 1924]

(c) & (d) No. The Government are informed that there has been a fall in the price of cattle ranging from 20 to 25 per cent, which is due to scarcity of fodder. As a measure of relief, permission for free-cutting and removal of grass from all reserved forests has been granted.

Mr. R. VEERIAN :—"With reference to clause (a) of the question, may I know whether the poorer classes of people who migrated to Ceylon in large numbers between January and June were composed chiefly of the depressed classes?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am willing to accept that information as correct."

Mr. T. ADINARAYANA CHETTIYAR :—"With reference to the answer to clauses (a) and (b) may I know the basis on which it is stated that the emigration was not due so much to the general distress as to the desire to earn more wages?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"This emigration has been taking place not only at this period solely but for a long number of years."

Supply of fodder in Anantapur district.

84 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

- (a) whether cattle are dying in Anantapur district on account of starvation;
- (b) whether the Mysore Government have opened depots in the bordering villages and sell fodder at Rs. 20 a ton in them;
- (c) whether the ryots of Anantapur have asked for steps being taken by the Government to supply fodder at a moderate price for their benefit; and
- (d) what are the orders passed on the point?

- A.—(a) Deaths of cattle have been reported from parts of the district, especially Madakasira and Penukonda taluks.
- (b) The Government have no information.
- (c) No requests on the subject were received by Government from ryots beyond the joint letter of the hon. Member and Mr. H. Siva Rao.
- (d) The Collector has been authorized to import paddy and cholam fodder into the district and sell it departmentally at reasonable rates and at convenient centres, especially to the poorer classes.

Land Revenue.

Assignment of lands to ex-service men in Malabar and South Kanara.

- 85 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased—
- (1) to place before the House a statement showing the number of applications from ex-service men, combatant and non-combatant separately (with community, caste and sub-caste, Adi-Dravida, etc.) for assignment of lands in South Kanara and Malabar districts, and the total area applied for;

[19th August 1924]

(b) how many of these applications have been granted and what area of land has been assigned;

(c) how many applications have been refused and generally on what grounds;

(d) how many are pending and why;

(e) how many applications which have been pending and rejected are from Christians; and

(2) to enquire and to state—

(a) whether there have been complaints before the Collectors of the districts, the Revenue Board or the Government on the ground of inordinate delays and whether great hardship has not been caused by delays and by lands being assigned and offered at great distances from towns and places in which the applicants reside;

(b) whether a joint application, dated 14th April 1924, to the Revenue Board has been made by the South Kanara Ex-Military Men's Union, Mangalore, for reservation of lands including Chembu-Gudde forest block of Ullal for grant to ex-service men of South Kanara who have not been assigned any lands;

(c) what action has been taken on that application; and

(d) so far as the assignment of lands south of the Netravati river in the Mangalore taluk is concerned, how many acres of them were assigned during the years 1919–1923 to ex-military service men and how many to others—the latter classified as Brahmans, Non-Brahmans, Panchamas, Indian Christians and Muhammadans?

A.—(1) The Government have no information.

(2) (a) Individual complaints of delays have occasionally been received by Government and suitable action taken thereon. Information on the other points is not available.

(b) to (d) The Government have no information.

Disposal of lands attached to travellers' bungalows.

86 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased—

- (1) to specify approximately the area of land forming part of the compounds, and reserved outside the compounds, of travellers' bungalows and sheds and Public Works Department rest-houses in the town of Mangalore and within twenty-five miles outside that town, and on what grounds such areas are reserved at a time when there is a keen demand for sites for houses and for lands for cultivation, especially from ex-service men;
- (2) to state whether Government have objection to assign to ex-war service men such lands not essentially required for the bungalows, subject to conditions of preventing overcrowding and insanitation or obstruction of the views and prospects from the bungalows; and

(3) to inquire and state whether any application was made by, or on behalf of, any ex-war service men for pieces of lands out of several acres of Government land round the compound (covering about 2 acres) of the small travellers' bungalow or Public Works Department shed near the Ullal railway station near Mangalore and whether such application was refused and, if so, on what grounds?

A.—(1) & (3) The Government have no information.

(2) The question does not arise.

[19th August 1924]

Form of address in notices of attachment.

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

(a) the reasons why in Form No. 5 under Board's Standing Order No. 41 issuing notices of attachment under section 27, the Mirasidars are addressed in the singular number in Tamil; and

(b) whether it is a fact that the use of such language is resented by Indians?

A.—The attention of Government was recently drawn to this fact and they have issued necessary orders for the revision of the forms.

Settlement.*Tanjore settlement.*

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

(a) whether he has considered the resolutions of the Tanjore Mirasidars at Mayavaram;

(b) the reasons why the maximum rate provided for in the Land Revenue Settlement Bill has not been applied to the Tanjore re-settlement; and

(c) whether the Government propose to take any action to relieve the economic situation in Tanjore, consequent on the enforcement of the re-settlement rates?

A.—The hon. Member is referred to the answer to question No. 2.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (b), may I ask the hon. the Member for Revenue—I see he is absent."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am acting as the Member for Revenue also."

Mr. S. SATYAMURTI:—"I am very glad. May I ask the hon. the Law Member, as acting for the Revenue Member, to state what the reasons are why the maximum rate provided for has not been applied to the lands in Tanjore the assessment on which has been increased only up to 18½ per cent? I am asking that question because, as far as I remember, no reasons are given in the communiqué as to why the proposed concessions were not extended to these lands in Tanjore."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The policy of the Government in this matter was to adhere to the underlying principle of the clause in the draft Bill which was rejected by this House and orders were issued on that basis."

Mr. S. SATYAMURTI:—"Since, therefore, the policy of the Government is now admitted to be the application of the maximum provided for in the draft Bill submitted to this House, may I ask the hon. the Law Member why, when the occasion arose, a proportionate concession was not given in the case of lands whose assessment was increased by less than 25 per cent?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"No such proportionate diminution arose in the draft Bill, and as the hon. the Revenue Member said yesterday this decision was arrived at after consideration of all the circumstances."

[19th August 1924]

Land Revenue Settlement Bill.

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

(a) what action the Government propose to take, consequent on the rejection of the Land Revenue Settlement Bill by the Council, and with a view to the carrying out of the recommendations of the Joint Parliamentary Committee on this matter;

(b) whether the Government propose to introduce the Bill drafted by the Committee which sat on it, first, and

(c) if not, why not?

A.—(a), (b) & (c) The question is engaging the attention of Government.

Mr. S. SATYAMURTI:—"May I ask when approximately the Government expect to be in a position to come to a decision on this matter?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is impossible to say that.

But the first question for decision is whether the Government are going to make up their mind to draft a Bill. Until a decision is arrived at on that matter, no definite answer can be given."

Mr. S. SATYAMURTI:—"I want to know when they expect to make up their mind on that matter."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The difficulty is in fixing any period. Various persons have to be consulted and the Government themselves have to deliberate on the matter."

Tanjore Resettlement.

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

(a) whether any reduction of assessment is contemplated in respect of increases in assessment on land in the Tanjore district below 25 per cent of the previous assessment; and

(b) if not, the reasons?

A.—(a) No.

(b) Government see no reason for going beyond the concessions already granted.

Resettlement in Tadpatri taluk.

91 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the revenue in certain villages of the taluk of Tadpatri has been raised by 50 per cent in the recent resettlement; and

(b) whether he has considered the advisability of applying the maximum limit of 18½ per cent to these villages also?

A.—(a) The hon. Member presumably refers to the six villages, viz., Mutsukota, Arakatevamula, Chintakunta, Surapalle, Dosavedu and Chalavamula of the Tadpatri taluk, the enhancement of assessment of which at resettlement works out to about 50 per cent.

[19th August 1924]

- (b) Yes. The fixation of the maximum of 18½ per cent applies only to enhancements of assessments based solely on a rise in prices. In the present case, the enhancement is due to the raising of these villages at resettlement from group II to group I; the Government passed orders on these villages after careful consideration and they see no reason for a reconsideration of the orders.

Mr. G. RAMESWARA RAO :—"Is it right that a classification made thirty years ago should be revised now and incremental assessment also added thereto?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I fail to see how this is a desire for information."

Diwan Bahadur P. KESAVA PILLAI :—"May I know, with regard to the answer to clause (b), whether in raising these villages at resettlement from group II to group I the chronic state of famine that is existing for the last five years has been taken into consideration by the Government as also the impoverishment of the people?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The decision was on the ground that the existing grouping was wrong, and that is why the present classification was adopted. The question of famine conditions during a certain number of years is not exactly cognate to this matter."

Diwan Bahadur P. KESAVA PILLAI :—"Is not the condition of the ryot a cognate question when you are raising the assessment?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"If the condition is really bad, it is a matter for action to be taken by Government on the basis of the actual conditions."

Diwan Bahadur P. KESAVA PILLAI :—"Will the hon. Member take that into consideration?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It has to be."

Treasure-trove.

Legal rights of the finder of a currency note.

92 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the notification in the *Fort St. George Gazette* of the 27th May 1924 under the signature of the Sub-Magistrate of Sattur; and

(b) whether the Government have taken legal opinion on the question of the legal rights of the finder of goods in the absence of the owner, and the result of the reference to Law officers?

A.—(a) Yes.

(b) A report is being called for

19th August 1924]

Village establishments.

Regrouping of villages.

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

(1) the action taken by him on the resolution of the Council in the last session regarding the regrouping of villages;

(2) the number of villages that have been newly proposed for regrouping and actually regrouped from March 15th in the district of Ganjam and also in the Chatrapur taluk; and

(3) whether the Government propose to revert to the old state of things?

A.—(1) & (3) The Government have referred the question to the Special Officer who has been appointed to inquire into the land revenue system. In the meantime the Board of Revenue has been asked to delay or stop the regrouping in areas in which it has not far advanced.

(2) The Government have no information.

Mr. P. ANJANEYULU :—"With reference to the answer to clauses (1) and (3), may I know when the reference to the Special Officer is likely to be concluded and when the Government is likely to be in a position to start the regrouping of villages?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The matter has delayed because of the unfortunate illness of the Special Officer, who is expected to return to duty about the end of September next. As soon as he finishes the investigation, the Government will look into the matter."

Mr. G. RAMESWARA RAO :—"May I know what is meant by 'the regrouping in areas not far advanced'?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It means what is said there."

Mr. G. RAMESWARA RAO :—"What is the extent of the 'far'?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I want notice."

Sriman SASIBHUSHAN RATH Mahasayo :—"With reference to the answer to clause (2), will the Government call for the information?"

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

Sriman BISWANATH DAS Mahasayo :—"With regard to answers to clauses (1) and (3), may I know the date until which time the regrouping in areas in which it has not far advanced will be delayed?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"That is just the matter which has to be decided."

Sriman BISWANATH DAS Mahasayo :—"Does the hon. Member consider that the regrouping process has far advanced in Ganjam?"

Mr. T. ADINARAYANA CHETTIYAR :—"With reference to the answer to clauses (1) and (3), is the delay due to the Special Officer's illness?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Yes, I said he was unfortunately ill."

[19th August 1924]

Mr. T. ADINARAYANA CHETTIYAR :—" Is this special officer still in charge of this matter although he has been on leave ? "

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

Arms and Explosives.

Grant of licences for arms to Nadars in Tinnevely district.

94 Q.—Mr. A. CHIDAMBARA NADAR : Will the hon. the Home Member be pleased to state—

- (1) why the Government cancelled the gun licences granted to the Nadars in Nanguneri taluk, Tinnevely district;
- (2) whether the grounds on which the licences were cancelled are still subsisting;
- (3) whether it is a fact that most of the licences were granted with a view to safeguarding the cultivated lands from devastation by wild beasts; and
- (4) whether any representation has been made to the Government on the matter and if so, what steps have been taken?

A.—(1) The Government understand that the District Magistrate cancelled some licences because the licensees were suspected of supplying ammunition to Jambulinga Nadar.

(2) No.

(3) The Government have no information.

(4) No.

Mr. A. CHIDAMBARA NADAR :—" With regard to the answer to clause (3), will the Government call for the information ? "

The hon. Sir ARTHUR KNAPP :—" No, Sir. I think no useful purpose will be served by calling for the information. If the persons whose licences have been cancelled apply to the District Magistrate that they require these licences for safeguarding their lands from devastation by wild beasts, I have no doubt that their application will be considered."

Mr. A. CHIDAMBARA NADAR :—" May I know whether the Government will consider the question of renewing the licences ? "

The hon. Sir ARTHUR KNAPP :—" The Government are not renewing the licences but the District Magistrate."

Cinchona.

The export of quinine from the Naduvattam Factory to the Federated Malay States.

95 Q.—Rao Sahib U. RAMA RAO : Will the hon. the Home Member be pleased to state—

- (1) whether it is a fact that the quinine exported from the Government Factory at Naduvattam to Federated Malay States during the current year was found on examination to be inferior to Howard's Quinine Bi-hydrochloride available in the market and was on that account rejected; and

[19th August 1924]

(ii) to lay on the table the correspondence with the Federated Malay States regarding this transaction?

A.—(i) No quinine from the Government factory at Naduvattam has been exported to the Federated Malay States. In 1923, the Government of the Federated Malay States were asked if they would be prepared to purchase their requirements of quinine from this Government and samples of quinine preparations manufactured at the Government quinine factory were supplied to them. The quinine bi-hydrochloride, which is the preparation of quinine most used in the Federated Malay States and for the manufacture of which the Factory at Naduvattam possesses no special apparatus, was considered to be darker in colour, less soluble and to contain more sulphate than that manufactured by Messrs. Howard Brothers. In these circumstances, the Government of the Federated Malay States replied that, as they had been purchasing quinine from England for some time past and that as the English preparations were becoming well known to the indigenous population, they were advised by their medical officers to continue to purchase quinine from manufacturers in the United Kingdom.

(ii) The Government consider that no useful purpose would be served by placing the correspondence on the Council Table.

Rao Sahib U. RAMA RAO :—" May I ask the hon. the Home Member whether the quinine factory is working at a loss ? "

The hon. Sir ARTHUR KNAPP :—" May I ask your ruling, Sir, as to whether this supplementary question arises out of this question ? It is a very general question whether the quinine factory is working at a loss."

Rao Sahib U. RAMA RAO :—" The manufacture of quinine is in the hands of a man who is not an expert . . . "

The hon. the PRESIDENT :—" I am sorry to interrupt the hon. Member. Would the hon. Member kindly indicate that particular portion of the answer upon which his supplementary question is based ? "

Court of Wards.

Administration of estates under the Court of Wards.

96 Q.—Mr. S. MUTTAYYA MUDALIYAR : Will the hon. the Home Member be pleased to state the reasons for the high rate of administration charges of estates under the Court of Wards?

A.—As explained in the reports of the Court of Wards there is—

- (1) a general increase in the administration charges due to increase in the rate of pay and travelling allowance of estate subordinates, and
- (2) in particular years the proportion of administration charges to receipts is apparently above the normal if an unfavourable season reduces the actual receipts for the year.

[19th August 1924]

Editors' Table.

The privileges of the Editors' Table.

97 Q.—MR. G. RAMESWARA RAO: Will the hon. the Home Member, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(a) whether the privileges of the Editors' Table are accorded to all editors;

(b) what are the qualifications, if any, for such privileges and where are they defined;

(c) what are the circumstances which would entail a forfeiture of the privileges, whether they are defined clearly anywhere and if so where;

(d) what in particular was the conduct of the *Swarajya* which led to the privileges being withdrawn from its editor; and

(e) whether notice was given to the editor to explain himself and if not, why not?

A.—(a), (b) & (c) The matter is within the discretion of the Government. The main consideration on which Editors' Table privileges are accorded to newspapers is their circulation. They are withheld from newspapers, otherwise eligible, if the Government consider that there are good reasons for withholding them.

(d) The Government considered the tone of the paper to be generally scurrilous and vulgar.

(e) In the circumstances, the Government did not consider that any useful purpose would be served by asking the editor to explain.

MR. G. RAMESWARA RAO:—"With reference to the answer to clause (d), may I request the Government to give us instances in which the tone of the newspaper was discovered to be 'scurrilous and vulgar'?"

The hon. MR. R. A. GRAHAM:—"The Government see no reason to give instances."

MR. G. RAMESWARA RAO:—"I want information on that point?"

The hon. MR. R. A. GRAHAM:—"It is open to the hon. Member to read the newspaper himself."

MR. S. SATYAMURTI:—"With reference to the last two lines in the answer to clauses (a), (b) and (c), may I ask whether the hon. the Finance Member will give us some idea of the nature of the reasons which actuate the Government in withholding such privileges from newspapers?"

The hon. MR. R. A. GRAHAM:—"Each case must be decided as it arises."

MR. S. SATYAMURTI:—"Therefore, may I take it that there are no general principles at all governing these matters?"

The hon. MR. R. A. GRAHAM:—"There are undoubtedly general principles. But I am not prepared to detail them now."

MR. S. SATYAMURTI:—"May I know why the hon. the Finance Member is not prepared to detail the reasons?"

The hon. the PRESIDENT:—"It does not arise out of the answer."

[19th August 1924]

MR. S. SATYAMURTI:—"With reference to clause (d), may I ask the hon. the Finance Member whether the tone of the paper began to be considered 'scurrilous and vulgar' when it began to perform the well-known constitutional task of attacking the Ministers and the Ministerial party?"

The hon. the PRESIDENT:—"I do not think that requires an answer."

MR. T. ADINARAYANA CHETTIYAR:—"With regard to the answer to clause (d), do the scurrilousness and vulgarity come under any of the sections of the Penal Code or the criminal law of the land?"

The hon. MR. R. A. GRAHAM:—"If the paper offends against the criminal law, it will be dealt with accordingly."

Withdrawal of Editors' Table privileges from 'Swarajya'.

98 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

- (a) whether it is a fact that the privileges of the Editors' Table have been withdrawn from *Swarajya*;
- (b) what those privileges are;
- (c) the reasons why those privileges are given to newspapers;
- (d) the newspapers which enjoy these privileges now;
- (e) the reasons why those privileges were withdrawn from *Swarajya*; and
- (f) whether the hon. the Ministers were consulted in this matter and what their opinion was?

A.—(a) Yes.

(b) The supply direct of official publications and news.

(c) To enable editors to obtain authoritative particulars of official publications and information expeditiously.

(d) A list of newspapers now holding Editors' Table privileges is laid on the table."

(e) The hon. Member is referred to the answer to clause (d) of question No. 97.

(f) As repeatedly explained in this Council, information regarding the consultations of the Government cannot be published.

MR. S. SATYAMURTI:—"With reference to the answer to clause (c), may I take it that the supply of these papers to the newspapers is not for the consumption of the newspaper editor, but for the consumption of the public through the editors?"

The hon. MR. R. A. GRAHAM:—"I think the hon. Member is correct."

MR. T. ADINARAYANA CHETTIYAR:—"Does not Government think that the withholding of correct information from certain newspapers is likely to lead to those newspapers committing greater mistakes?"

The hon. MR. R. A. GRAHAM:—"I am afraid the Government cannot take any responsibility for that."

[19th August 1924]

Withdrawal of Editors' Table privileges from 'Swarajya'.

99 Q.—MR. C. RAMALINGA REDDI: Will the hon. the Home Member, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

- (a) whether it is a fact that the privileges of the Editors' Table were withdrawn from *Swarajya* with effect from 16th April 1924;
- (b) on what date the order was passed and on what grounds; and
- (c) when it was communicated to the *Swarajya*?

A.—(a) Yes.

(b) The date of the order was the 16th April 1924. For the grounds of the order, the hon. Member is referred to the answer to question No. 97 (d).

(c) On the 19th May 1924 in reply to an inquiry from the editor.

MR. C. V. VENKATARAMANA AYYANGAR:—"May I know with reference to the answer to clause (b) who drew the attention of the Government to that article? Is it the Government Secretariat or anybody else?"

The hon. the PRESIDENT:—"Does this supplemental question arise out of the answer given?"

MR. C. V. VENKATARAMANA AYYANGAR:—"Yes, Sir, out of the grounds for the order. Some one should have drawn their attention to it."

The hon. the PRESIDENT:—"The answer to (b) has reference to the answer to question No. 97. Apparently there is something in that answer which says that the Government derived their information from somebody else, and the hon. Member is wanting to know who that person was. Otherwise I do not think that part of the answer suggests the supplemental question just now put."

MR. S. SATYAMURTI:—"With reference to the answer to clause (c) of this question, may I ask the reasons why the order was not communicated to the editor of the paper till the Government was addressed by the paper?"

The hon. MR. R. A. GRAHAM:—"I am not sure there was any necessity to communicate the order at all."

Forests.*Reclassification of forests and formation of forest panchayats.*

100 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Home Member be pleased to state—

- (1) whether any special officer has been deputed for the reclassification of forests, and if so, when;
- (2) whether he has submitted any report;
- (3) whether any steps have been taken to extend the introduction of the private forest panchayat system all over the Presidency and to transfer to their management the forests other than those reserved for departmental management either as protective or as remunerative forests;
- (4) whether from the Nellore district there has been any call for the formation of any such panchayats; and

[19th August 1924]

(5) the reason why the Government have not yet sanctioned the additional staff required for extending the activities of the Forest Panchayat Officer to Nellore and other districts not yet brought within his purview?

A.—(1) Mr. T. A. Whitehead, Acting Conservator of Forests, has been deputed to carry out the reclassification of forests in addition to his own duties as Conservator, Third Circle. He entered on his duties on 18th June 1924.

(2) The work is not complete and no report has therefore been submitted.

(3) & (5) Before sanctioning the general extension of the panchayat system, the Government desired to satisfy themselves that the movement was proceeding on sound lines. They therefore called for a report from the Conservators of Forests regarding the working of the forest panchayats in the various circles. This report has not yet been received.

(4) The Government have no information.

MR. YAHYA ALI SAHIB:—"With reference to the answer to clause (4), may I know if the Government perused the latest report of the Forest Panchayat Officer from which it would appear that there was a call for Forest Panchayats from Nellore?"

The hon. Sir ARTHUR KNAPP:—"I assume that the report has reached the hands of the hon. Member. If so, it should have reached the Government also. But with regard to the substance, may I ask why, if the hon. Member had perused it himself, he asked the question."

MR. YAHYA ALI SAHIB:—"The object is to elicit explanation from the Government as to why the call was not answered?"

The hon. Sir ARTHUR KNAPP:—"With reference to that, Sir, I will only say that it is covered by your announcement yesterday."

Forest exploitation in South Kanara.

101 Q.—MR. J. A. SALDANHA: Will the hon. the Home Member be pleased—

(1) to place before the Council the recommendation of the Chief Forest Engineer, with the opinion (if any) of the Chief Conservator of Forests and Government orders (if any) as to forest exploitation in South Kanara; and

(2) to state whether the scheme proposed will involve the construction of light railways and in which parts of the district?

A.—The Chief Forest Engineer has not yet submitted proposals for the exploitation of forests in the South Kanara district.

Jails.*Treatment of Khazi Abdur Rahman Sahib in the Cuddalore jail.*

102 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Home Member be pleased to state whether it is a fact that Khazi Abdur Rahman Sahib, serving his term of imprisonment in the Cuddalore jail, is refused permission to see his near relatives and if so, under what circumstances?

A.—No.

Malabar affairs.

[19th August 1924]

Release of Mappilla prisoners.

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

- (a) whether the Government have considered the resolution of the Legislative Council regarding the release of Mappilla prisoners;
 (b) whether the Government intend to give effect to the resolution; and
 (c) if not, why not?

A.—The Government have no intention of ordering any such general release of Mappilla rebellion prisoners as was recommended in the resolution. An analysis of the cases of the Mappilla prisoners still in jail is however now being made, and if in the course of that investigation instances are found in which persons convicted of the less serious offences can be released without danger to the peace in Malabar, the Government will continue the policy hitherto followed of releasing such persons.

Mr. S. SATYAMURTI:—“ May I ask the hon. the Home Member if the Government propose to make any change in their policy as a result of the resolution passed by this Council? It is stated there ‘ the Government will continue the policy hitherto followed ’. May I take it, therefore, that so far as this resolution is concerned it was so much time wasted on its discussion? ”

The hon. Sir ARTHUR KNAPP:—“ If my hon. Friend thinks that it is a waste of time to consider these things here, he is entitled to his opinion. Personally, I do not think it is. ”

Mr. S. SATYAMURTI:—“ I am asking the question because the resolution recommended that there should be a change in the policy of the Government. The Government's answer here says that they propose to continue their original policy. I am asking the hon. the Home Member, in a more direct form, whether as a result of the resolution adopted by this House there was or will be a change in the policy of the Government? ”

The hon. Sir ARTHUR KNAPP:—“ My answer is that the persons responsible for that resolution acted in ignorance as to what was already the policy of the Government if they thought that they recommended a change of policy of the Government. ”

Mr. C. V. VENKATARAMANA AYYANGAR:—“ May I know whether the Special Officer has been appointed after or before the vote of the Council? ”

The hon. Sir ARTHUR KNAPP:—“ After. ”

Mr. C. V. VENKATARAMANA AYYANGAR:—“ Was not the appointment due to the resolution of this House? ”

The hon. Sir ARTHUR KNAPP:—“ No, Sir. ”

Mr. S. SATYAMURTI:—“ I think the hon. the Home Member was present during that debate. May I ask him why he did not intervene when he was present? ”

The hon. Sir ARTHUR KNAPP:—“ Not once but fifty times have I told this House that our policy has been to release any Mappilla whom we can safely release. ”

19th August 1924]

Mr. T. ADINARAYANA CHETTIYAR:—“ Who is the Special Officer investigating the matter, Sir? ”

The hon. Sir ARTHUR KNAPP:—“ Mr. Hilton Brown. ”

Mr. T. ADINARAYANA CHETTIYAR:—“ What was he, Sir? ”

The hon. Sir ARTHUR KNAPP:—“ The hon. Member may refer to the Civil List. ”

Mr. T. ADINARAYANA CHETTIYAR:—“ Thank you, Sir. ”

Release of Mappilla prisoners.

104 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur: Will the hon. the Home Member be pleased to state the number of Mappilla prisoners released in accordance with a resolution passed in the last session of the Legislative Council?

A.—The hon. Member is referred to the answer to question No. 103.

Alleged distress among the Mappillas.

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

- (a) whether the attention of Government has been drawn to the statement of Mr. Yaqub Hassan regarding widespread distress amongst the Mappillas; and
 (b) what action Government have taken to afford relief?

A.—(a) Yes.

- (b) The Government do not accept as correct the impressions formed by Mr. Yaqub Hassan during his three days' tour round the rebellion area in the course of which he paid flying visits to twenty-one different places. The reports of their own local officers in no way confirm the suggestion that the Mappillas generally are in a state of destitution or are threatened with extinction. The Government fully recognize that, as a result of the rebellion, the families of those Mappillas who took part in the rising and were either killed or removed to jail have been left with greatly diminished resources and have been obliged to change their mode of life or even to suffer privation, but this is the inevitable sequel to the action of the Mappillas themselves and it is not in the power of Government to relieve the community from the effect of its own actions. Should anything like famine conditions arise either among the population generally or among the Mappilla women who have lost their supporters, the Government will take full responsibility for dealing with the position; they can only leave to private philanthropy such efforts for the benefit of the Mappilla population as Mr. Yaqub Hassan advocates.

Mr. C. RAMALINGA REDDI:—“ May I point out this, Sir? I wonder why the hon. Member is pleased to lay down a policy of that kind when the Government have charged themselves with humanitarian duties even in the case of their enemies, let alone their subjects. ”

[19th August 1924]

The hon. Sir ARTHUR KNAPP:—"In the answer it is said that the Government do take responsibility. If the hon. Member is pleased, I have no objection to add the word 'entirely' so that the answer will run 'it is not entirely in the power of Government', etc."

Mr. UPPI SAHIB:—"Are there any more Mappillas in jail who were in jail before the rebellion and who were arrested outside the rebellion area?"

The hon. Sir ARTHUR KNAPP:—"I am not sure how that question arises out of the answer."

Mr. C. RAMALINGA REDDI:—"Has the attention of the Government been drawn to any case of Mappillas outside the area who were arrested and sentenced to imprisonment?"

The hon. Sir ARTHUR KNAPP:—"I want notice."

Release of Mappilla prisoners.

106 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to state what effect the Government have given to the resolution of this Council concerning the release of prisoners convicted in connexion with the late Mappilla rebellion in Malabar?

A.—The hon. Member is referred to the answer to question No. 103.

Rearrest of certain Mappillas.

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

(a) what were the offences for which (1) Kunhammad, (2) K. Ahamad, (3) V. Assaneutti, (4) M. Ibrayin of Tirurangali, who had all been in jail long before the rebellion began and had never been in rebel area after their release, were rearrested and detained; and

(b) whether they were tried and convicted before a proper Law Court; if so, what is the term of their imprisonment?

A.—(a) & (b) In the absence of their full house names it is not possible to identify the persons to whom the hon. Member refers.

Marine.

Expenditure on the Cochin Harbour Works.

108 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Home Member and the hon. the Member for Finance be pleased to state—

(1) the total amount of expenditure incurred so far on the Cochin Harbour Works, the amount likely to be spent in the current year and the probable future expenditure required to bring the scheme to the final stage;

(2) what proportionate expenditure the Governments of Cochin and Travancore have agreed to spend and the amounts so far contributed by them in comparison with our expenditure;

(3) whether it is the intention of the Government to convert the metre gauge section from Shoranur to Ernakulam into broad gauge and also extend the same as far as Cochin; and

[19th August 1924]

(4) the stages which the various works now taken in hand have reached and the time required to finish the remaining plans and works, and whether Government is confident of the success of the venture considering the amount of expenditure involved?

A.—(1) Prior to April 1920, a sum of Rs. 2.30 lakhs was spent from provincial revenues on investigation and protective works. During the period 1st April 1920 to 30th June 1923, a sum of about Rs. 9 lakhs was spent on an experimental cutting through the bar. This was paid in equal shares by the Government of Madras and the Travancore and Cochin Darbars. Between 1st July 1923 and 31st March 1924, a sum of about Rs. 1.50 lakhs was spent from the Cochin Landing and Shipping Fund on the maintenance of the works. It is anticipated that a sum of about Rs. 1.50 lakhs will be required for expenditure on the maintenance of the works from 1st April to 30th December 1924.

It is estimated that a sum of about Rs. 45 lakhs will be needed if it is decided to develop the harbour up to the stage when it will be possible for ocean-going steamers to get across the bar and discharge at moorings inside the backwater. This estimate provides for certain reclamation work for which the Cochin Darbar will pay.

(2) The Travancore and Cochin Darbars have each paid one-third of the cost of the experiment, viz., Rs. 3 lakhs, the remaining one-third having been paid by the Government of Madras. They have agreed also each to reimburse to the Government of Madras one-third of the amount (Rs. 2.30 lakhs) expended on works anterior to the experiment provided the experiment is declared to be a success.

(3) The conversion of the metre gauge section from Shoranur to Ernakulam to broad gauge is a matter for the Railway Board, but it is understood that they are alive to the probability of its eventual conversion. There is at present no intention to extend the Shoranur-Ernakulam line to Cochin.

(4) The experimental works have been completed and the report of the Harbour Engineer on the result of the experiment has been referred to a committee of experts in England for opinion. If their opinion is favourable, the next stage of the scheme will be proceeded with. It is expected that these works will take about four years.

Military.

Appointments of ex-military men.

109 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to place before the House statements showing—

(1) (i) the number of applications from ex-military men in South Kanara, Malabar, Coimbatore and Salem districts for clerical and menial posts;

(ii) the number of such applicants appointed to permanent posts;

[19th August 1924]

- (iii) the number of them
- (a) who have been holding acting posts and are not yet confirmed;
 - (b) who have never held any posts;
- (2) on what grounds the concessions offered by Government have been withheld from such men;
- (3) what policy has been followed by the various Collectors of the different districts specified above in granting the concessions in view of the conflicting claims of the qualified non-military service men as against those of the ex-military men; and
- (4) what orders Government propose to pass or have passed to adjust such conflicting interests?

A.—(1) Since no fixed period for which the information is required is stated and the collection of such information would entail much labour in the offices of the Secretariat, the Board of Revenue and all the subordinate offices of the four districts in question, the Government regret that the information required cannot be supplied. Since 1922 a return is published half-yearly and placed on the Editors' Table showing the number of clerical and menial posts offered to ex-military men in mufassal and other offices. The Government do not think it necessary to collect further information.

(2) It is impossible in the circumstances to answer this question, but if any instance is brought to notice in which an ex-military man, qualified for and ready to take up a particular post, has been improperly refused employment, the Government will gladly inquire into the case.

(3) The Government have no information.

(4) The hon. Member is referred to the following Government Orders defining the policy of the Government:—

G.O. No. 320, Revenue (Special), dated the 2nd November 1920.

G.O. No. 319, Public, dated the 8th April 1922.

G.O. No. 74, Public, dated the 5th February 1923.

G.O. No. 379, Public, dated the 27th May 1924.

The Government have given the widest possible publicity to all these orders.

Mr. J. A. SALDANHA:—"With reference to clause (3), will the Government call for information on the policy followed by the different Collectors and the interpretation they put upon the orders of Government? So far as I know, they put different interpretations upon the orders which are referred to in clause (4)."

The hon. Sir ARTHUR KNAPP:—"I would suggest to my hon. Friend that no purpose will be served by calling for the interpretations of the different Collectors. The answer in clause (2) is clear and if there are any such specific instances, the Government have no objection to look into them."

19th August 1924]

Passports.

Passport for a Muhammadan student to go to England.

110 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) whether any Muhammadan student had applied to Government last year for a passport to enable him to proceed to England for the prosecution of his studies there; and

(b) if there was such an application, the orders passed thereon with reasons, if any?

A.—(a) Yes.

(b) The application was refused.

Mr. YAHYA ALI SAHIB:—"May I know why the application was refused?"

The hon. Sir ARTHUR KNAPP:—"I am not prepared to inform the hon. Member why the application was refused."

Railways.

The Indian refreshment room at the Arkonam railway station.

111 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Home Member be pleased to state—

(1) whether the Indian refreshment room attached to the Arkonam railway station is a railway concern or a private one;

(2) whether it is permissible for the manager to refuse meals to any body;

(3) whether the Government are aware that the manager refused meals lately to a respectable gentleman belonging to the non-Brahman class; and

(4) whether the Railway authorities have received any such complaints and what action, if any, was taken?

A.—The Government have no information.

Overcrowding in railways.

112 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Home Member be pleased to state—

(a) whether it is not a fact that overcrowding in railways exists especially in the third class;

(b) whether the Railway Company knowingly thrust in passengers into the compartments far in excess of the number that can ordinarily be seated in the compartment which number is written by the company itself inside in English and Tamil; and

(c) why the company is not taking steps to disallow entirely the free wandering of beggars with nasty diseases inside railway compartments, the disease very often being of a contagious character, and, in order to avoid contact, passengers are sometimes compelled to part with small changes to them and thus protect themselves?

[19th August 1924]

A.—The question relates to a Central Subject and the Government are not in a position to answer it.

Mr. S. SATYAMURTI:—"May I know from the hon. the Home Member whether even in a matter like this the Local Government are absolutely powerless?"

The hon. Sir ARTHUR KNAPP:—"Absolutely powerless to interfere or powerless to answer the question?"

Mr. S. SATYAMURTI:—"Powerlessness to answer means want of willingness to interfere. I only want to know if the Local Government are powerless to interfere in a matter of this kind. Can they not even bring this to the notice of the Central Government?"

The hon. Sir ARTHUR KNAPP:—"There is nothing to prevent the Local Government from bringing such facts to the notice of the Government of India or the Railway Board. But I should like to invite the attention of the House to the restrictions and limitations placed upon us as regards these subjects by our own rules and standing orders, and these should be obeyed. The best means to deal with such matters is for representatives of this Presidency to move in the Legislative Assembly."

11-30 a.m. Mr. T. ADINARAYANA CHETTIYAR:—"Why, then, was this question admitted at all?"

The hon. Sir ARTHUR KNAPP:—"I am not responsible for the admission of the question."

Acts.

Amendment to the Estates Land Act.

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

(a) whether the Government have appointed a committee to consider and report on the amendment of the Estates Land Act;

(b) if so, what the personnel of the committee is; and

(c) whether its enquiry will be public and evidence will be taken?

A.—(a) & (b) The hon. Member is referred to G.O. No. 1917, Law (General), dated 27th June 1924, which has been placed on the Editors' Table.*

(c) The Committee will decide whether evidence should be taken and a public enquiry should be held and, if so, on what points.

Sriman BISWANATH DAS Mahasaya:—"May I know, Sir, whether the Committee will consider the whole Act or only parts of it?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Any imperfections in the Act pointed out by the Committee will be considered."

Mr. C. RAMALINGA REDDI:—"Do the terms of reference include details or only general matters of interest?"

* Vide Appendix II on page 814 infra.

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If hon. Members will turn to Appendix II, they will find it stated: 'The Government have been for some time engaged in the work of scrutinizing the various provisions of the Estates Land Act, 1908, and examining suggestions which have been received'."

Sriman BISWANATH DAS Mahasaya:—"On the 17th March 1920 the hon. the Law Member gave the House an undertaking that the Committee would take evidence. May I know, Sir, why the Committee is now given the option?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The reason is obvious. Though the Committee will take some evidence, it will have the power to decide on the extent of the evidence, the number of the witnesses, whether they should call for a memorandum and so on."

Civil Justice.

Arrears in civil courts.

114 Q.—Mr. MUHAMMAD MOOSA SAIT SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the arrears in civil courts have decreased or increased in the past year; and

(b) if there is no reduction, whether the Government propose to take steps to appoint additional officers and get the arrears disposed of?

A.—(a) & (b) The Government have not yet received the statistics of civil courts for the year 1923. It is the policy of the Government to sanction the creation of additional courts on the recommendation of the High Court for the clearance of arrears.

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member whether the policy of the Government, as foreshadowed in the Bill, will not be to create additional courts but only to appoint additional Judges?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"This answer is framed only with reference to the state of things existing at present. My proposal, which I trust the House will accept, will be that it will be unnecessary hereafter to create new courts. But I could only answer with reference to things existing at present."

Transfer of District Munsifs.

115 Q.—Mr. MUHAMMAD MOOSA SAIT SAHIB: With reference to the Government Order in regard to appointment of officials with reference to linguistic areas, will the hon. the Law Member be pleased to state what action has been taken by the High Court in regard to transfer and appointment of District Munsifs and to carry out orders in the Government Order?

A.—The hon. Member presumably refers to G.O. No. 82, Public, dated the 27th January 1922. The Government have no doubt that the hon. the Judges of the High Court are keeping the principle in view in ordering transfers and making appointments.

[19th August 1924]

Appointment of the ministerial staff in the District Court of North Malabar.

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

(a) whether Mr. V. P. Rao, I.C.S., some time District Judge of North Malabar, appointed a raw law graduate as the Sarishtadar of the District Court, overlooking the claims of experienced men including at least one law graduate; and

(b) what are the claims of this raw man to be so appointed?

A.—The Government have no information. Appointments to the office of Sarishtadar of District Courts are made by the Judges of such Courts and are subject to the control of the High Court under section 22 of the Civil Courts Act.

Recruitment of District Judges.

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

(a) whether any selection has been made from the Bar for direct recruitment as District Judges;

(b) if so, the names of the persons so selected;

(c) the principles on which the selection has been made; and

(d) whether all the Judges of the High Court, apart from the Chief Justice, were consulted in the selection?

A.—(a) & (b) M.R.Ry. Rao Bahadur A. V. Govinda Menon Avargal has been appointed Temporary Additional Sessions Judge, Coimbatore.

(c) Fitness for the place.

(d) The Government do not think it is in the public interests to state the names of persons consulted.

Mr. S. SATYAMURTI:—"With reference to clause (d), may I ask, Sir, whether the High Court was consulted at all in this matter?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The High Court was consulted in the sense in which usually the High Court is consulted."

Mr. G. RAMESWARA RAO:—"May I know what the usual way is?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is a certain procedure for consulting the High Court in certain matters, i.e., it may be all the Judges, or it may be certain Judges, or it may be the Chief Justice."

Mr. S. SATYAMURTI:—"May I know what the procedure was in this matter?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The answer already given covers this question, viz., 'The Government do not think it is in the public interests to state the names of persons consulted'."

Mr. S. SATYAMURTI:—"I am asking about the procedure and not about the names of the Judges."

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The procedure until very recently was to consult High Court through the Chief Justice in the appointments of District Judges."

Mr. S. SATYAMURTI:—"What is the recent change?"

Muhammadian representation in the High Court Bench.

118 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state—

(a) what the strength of the Madras High Court was when the hon. Mr. (now Sir) Abdur Rahim was appointed thereto and what its present strength is; and

(b) whether the necessity for a Muhammadan Judge recognized by the appointment of the hon. Mr. Tyabjee during the temporary absence on deputation of the hon. Sir Abdur Rahim has ceased to exist now?

A.—(a) At the time of the appointment of Mr. (now Sir) Abdur Rahim, the High Court consisted of seven Judges; there are now twelve Judges.

(b) The appointment of Mr. Tyabjee as an acting Judge in 1912 cannot properly be construed as recognition of the necessity for a Muhammadan Judge. The appointments of Judges are not based on racial or communal considerations.

Correspondence relating to the appointment of High Court Judges.

119 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to lay on the table the correspondence relating to the appointment of High Court Judges that has passed between this Government and the Government of India or the Secretary of State for India since the advent of the Reforms?

A.—Assuming that the question refers to correspondence regarding the numerical strength of the High Court, the answer is in the negative as it is not open to the Local Government to publish such correspondence. If the question refers to the appointment of individual Judges, there is no such correspondence.

The status of copyists.

120 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Law Member be pleased to state—

(1) what is the actual nominal pay of a copyist;

(2) whether it is not much below that of a clerk;

(3) whether the Salaries Committee and the Legislative Council recommended that the pay of the copyist should be enhanced to that of a clerk;

(4) what became of the above recommendation;

(5) whether there is any difference in the rate of wages of judicial copyists and revenue copyists; and

(6) if so, why?

A.—(1) The pay of a copyist is Rs. 14-8-0 per mensem in the mufassal civil courts and Rs. 23 per mensem in the High Court.

(2) Yes; but it is open to a copyist to earn additional remuneration without limit according to the amount of work done by him.

[19th August 1924]

- (3) The First Salaries Committee recommended that when a copyist was fully employed his total remuneration should work out at Rs. 80 per mensem which was the proposed minimum pay of a clerk. The Second Committee of 1921 (composed of certain members of the Legislative Council) recommended a 50 per cent increase in the scale of remuneration then in force.
- (4) The Government accepted the recommendation of the Second Committee for a 50 per cent increase in the remuneration and revised the scale on that basis.
- (5) The answer is in the affirmative.
- (6) There is difference in the nature of the copying work in these departments.

Criminal Justice.

Release of prisoners convicted of political offences.

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

- (a) whether it is a fact that Government allowed discretion to the District Collectors to order the release of prisoners convicted for political offences;
- (b) if so, whether any conditions were imposed on the exercise of this discretion and if so, what; and
- (c) whether any of the prisoners convicted for picketing liquor shops in Madura were sent out of jail in consequence of Government's action; if so, how many?

A.—(a) Under section 401 of the Criminal Procedure Code only the Governor-General in Council or the Local Government may exercise the power to remit or suspend sentences. There is no recognized category of political offences.

(b) Does not arise.

(c) No persons were convicted for picketing liquor shops in Madura. Certain persons were bound over to keep the peace because of their violent conduct towards those visiting liquor shops in that town and, as they did not give the security fixed by the Magistrate, went to prison. The Government approved of the District Magistrate's proposal to cancel the orders in the case of certain of these persons if they expressed regret for their conduct and promised not to repeat it. None of them, however, has taken advantage of this concession.

Meetings and conferences prohibited last year.

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

- (a) the number of meetings or conferences prohibited during the years 1922 and 1923;
- (b) the number and names of persons on whom prohibitory orders were served under section 144 and the conferences in connexion with which such orders were served during the same years; and
- (c) at how many of these conferences there were breaches of peace or whether any breaches of peace occurred as a result of those conferences?

19th August 1924]

- A.—(a) & (b) The Government have no information beyond that contained in the Annual Criminal Statistics.
- (c) The Government have not specific details for all cases. The hon. Member must be aware that these orders are passed by the local authorities with a view to prevent breaches of the peace.

The mode of execution of the prohibition order on Mr. Satyamurti at Mannargudi.

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

(a) whether it is a fact that an order under section 144 was kept ready to be served on Mr. Satyamurti prohibiting him from taking part in the Mannargudi Conference but that it was not served till after Mr. Satyamurti had made his speech at that conference;

(b) what breaches of peace occurred as a result of this mishap in serving the order; and

(c) whether any disciplinary action was taken on the officials who were responsible for failing to serve the order in time?

A.—(a) The Government understand that the facts are substantially as stated in the question.

(b) The hon. Member is referred to the answer to clause (d) of question No. 82.

(c) The Government understand that Mr. Satyamurti motored from Nidamangalam station to Mannargudi and made a hurried speech before the order was served on him. It does not appear that any official was to blame for any failure to serve the notice.

MR. G. RAMESWARA RAO:—"With regard to clause (c) may I know the source of the information received by the Government?"

The hon. MR. C. P. RAMASWAMI AYYAR:—"The report of local officers."

MR. G. RAMESWARA RAO:—"May I know, Sir, from my hon. Friend, Mr. Satyamurti, whether he did motor from Nidamangalam station to Mannargudi and make a hurried speech?"

MR. S. SATYAMURTI:—"May I be allowed to make a personal statement in this matter? I am surprised at the inaccuracy of the information and at the wholly unsatisfactory ways of those who supply information to the Government. I am here in a position to categorically state that I travelled by a very slow train from Nidamangalam to Mannargudi which reached the latter place two or three hours later than the scheduled time. I did not travel by motor at all. As for my making a hurried speech, I made a short speech, but I did not make a hurried speech, because I am not in the habit of making hurried speeches (Laughter and cheers). I, therefore, trust that the Government will, in future, whenever they get information of this kind, look upon it with careful eyes."

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I accept the personal explanation as I shall any explanation emanating from Members of this House. But the question of scrutinizing this information with careful eyes does not arise, because this information is the only one that has been supplied. I shall very carefully go into the matter and find out under what circumstances the incorrect information has been supplied."

Mr. S. SATYAMURTI :—"I am surprised at the hon. the Law Member saying that he accepts my explanation. I am not bound to explain anything."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I was referring to the expression 'personal explanation' which emanated from the hon. Member's own lips."

Mr. S. SATYAMURTI :—"If at all I said so, it was to get permission of the President."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Then I amend the word 'explanation' into the word 'statement'."

Conviction of the Editor of the 'Congress'.

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

(a) whether Government have called for the records of the case of Mr. K. Ramachandra Rao, Editor of "Congress", Rajahmundry, who, it was reported, was arrested, charged, tried and convicted for sedition, all within the space of a few hours; and

(b) what were the reasons for this hurry on the part of the District Magistrate?

A.—The Government have received a report from the District Magistrate and do not find there was any undue haste in the trial of the case in question. It was open to the accused if he thought he was prejudiced by the proceedings of the Magistrate to move the High Court.

Mr. T. ADINARAYANA CHETTIYAR :—"May I know, Sir, if the report mentions anything about the duration of time of the trial?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I think not."

Mr. S. SATYAMURTI :—"Government say that they do not find there was any undue haste in the trial of the case. As a matter of fact, the prosecution, the charge, the trial, the conviction and the sentence took six glorious hours. I am asking the hon. Member to say what in the judgment of this Government will be undue haste."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"If there was haste it was open to the accused to ask for an adjournment. In this case apparently no application for an adjournment was made and there was no necessity to correct an error, if error there was."

[19th August 1924]

Elections.

Regulations for the representation in the Council of backward communities by nomination.

125 Q.—Mr. C. RAMALINGA REDDI : Will the hon. the Law Member be pleased to state whether any regulations are under preparation providing for the selection of representatives of the depressed classes by the communities concerned as contemplated in rule 8 of Part I of the Madras Electoral Rules?

A.—The answer is in the negative.

Mr. S. SATYAMURTI :—"May I ask the hon. Member the reason why Government are not preparing any regulations? I invite the hon. Member's attention to page 134 of the Manual, volume I, which says :

'The Governor may at his discretion make regulations providing for their selection by the communities concerned'.

"Does not the hon. the Law Member think that the time has arrived when we ought to allow these communities to elect their representatives?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It is the difficulty of making arrangements for the election of the members belonging to the various communities that has deterred Government from embarking on this matter. If suggestions are forthcoming or any attempt is made by the communities concerned, then, of course, Government will be able to move in the matter."

Mr. S. SATYAMURTI :—"Will the Government themselves make any investigation in this matter and find out what communities are prepared or will be prepared to have the selection?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I shall take note of that question."

Electricity.

The Electric Inspector.

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

(a) whether it is a fact that the present Electric Inspector earns money by doing private work;

(b) whether he uses his office staff, stationery and instruments for this work; and

(c) whether the Government are aware of and permit this?

A.—(a), (b) & (c) The Electrical Inspector has been permitted by Government under Fundamental Rule 46 in certain cases to accept fees in connexion with work done to private bodies. It is reported that in connexion with such sanctions, the Electrical Inspector obtained the assistance of some members of his office staff and paid them a portion of the fees sanctioned by Government, and that he did not use Government stationery for such private work. The work was done outside office hours and with out detriment to official duties.

[19th August 1924]

Mr. S. SATYAMURTI :—" May I ask the hon. the Law Member whether the permission of the Government was taken to obtain the assistance of some members of his staff by the Electric Inspector for doing the private work ? "

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

Mr. S. SATYAMURTI :—" Was the sanction obtained in each case or has a general sanction been given to him to accept private work ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" No general sanction."

Mr. S. SATYAMURTI :—" May I take it that on each occasion he applied for sanction ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Yes, through his department."

Hydro-electric survey.

127 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Law Member be pleased—

(1) to furnish a list of centres at which the Government are investigating the possibility of developing electric power;

(2) to state when the hydro-electric survey by the Government expert is likely to be completed; and

(3) to lay on the table of the House an account of the results of the experiments conducted and researches inaugurated by him?

A.—(1) Preliminary investigation has been completed of two sources in the Vizagapatam district, two in the Kodaikanal hills, three in the Shevaroy hills, one in the Salem district and one in the Nilgiri district.

Two schemes in the Wynaad, one in the Nilgiri district and one near Papanasam in Tinnevely district are under investigation.

Reconnaissance surveys of certain other schemes have been effected, and gaugings of available water-supplies are being taken.

(2) With the permission of the Mysore Darbar Mr. Forbes, the Chief Electrical Engineer to the Mysore Darbar, visited Madras in March last in the capacity of a Consulting Electrical Engineer and examined the data and proposals prepared by the Madras Public Works Department. Mr. Forbes entirely confirmed these, emphasized the value of the sources of power available and strongly recommended a vigorous policy of hydro-electric development.

(3) The result of the work done so far is to demonstrate the existence in the Presidency of extensive sources of cheap power which can be developed at comparatively small cost, and the collection of preliminary data. This development should have a far-reaching effect on the industrial development and prosperity of the Presidency. Many of the schemes are also associated with irrigation interests. The Government will shortly issue orders on such projects as may be embarked upon.

19th August 1924]

Irrigation.

Irrigation sources in Visagapatam district.

128 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Law Member be pleased to state—

(a) the source of irrigation to Bhasuru and Venkatarajupeta villages in the Palkonda taluk, Vizagapatam district;

(b) whether the source has been changed some five or six years after the beginning of the Nagavali project;

(c) if so, what are the reasons for such change;

(d) whether any attempt has been made by the Public Works Department to improve the supply of water for the Nagavali project and what is the result; and

(e) whether there are still complaints regarding insufficient and belated supply of water and steps have been taken or are proposed to be taken to remedy the defects?

A.—(a) The original sources were tanks fed by Jamparakota Gedda.

(b) In the year 1912 these lands were brought under the Nagavali Project system and the villages are now irrigated by the Nagavali main channel, the Lakshmipuram and the Bhasuru distributaries and tanks fed by them.

(c) To give a more regular and assured supply to the villages.

(d) A scheme to construct a storage reservoir at Katragedda to supplement the supply to the Nagavali system has been under consideration. The hon. Member's attention is invited to the report on the scheme on page 9 of the 'Report on Irrigation Projects' by Mr. F. E. Morgan already placed on the table.

(e) The answer is in the negative. The improvement of the supply effected by the Nagavali Project is indicated by the increase of irrigated area.

The Cauvery Settlement.

129 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether the statement in the press that an agreement has been arrived at between the Governments of Madras and Mysore in regard to the Krishnasagar Reservoir project in the Mysore State and the Mettur Reservoir project in the Madras Presidency is correct;

(b) if so, what are the terms of the agreement in so far as they bear on the facilities, rights and liabilities of the landholders of Tanjore and Trichinopoly districts enjoyed in respect of lands now under cultivation and hereafter to be brought under cultivation; and

(c) whether the landholders were afforded an opportunity of stating their case before the new agreement was arrived at?

A.—(a) Yes.

(b) & (c) The hon. Member is referred to the communiqué and agreement which were published in the *Fort St. George Gazette* of the 8th July 1924. Copies of these documents have been placed on the Editors' Table.

[19th August 1924]

Alleged opening by His Excellency of the meeting of the Select Committee on the Irrigation Bill.

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

- (a) whether he invited His Excellency Lord Goschen to open the first meeting of the Select Committee at Ootacamund on the Madras Irrigation Bill;
- (b) the grounds of the invitation; and
- (c) whether it is a fact that His Excellency opened the meeting with a speech?

A.—(a) No.

(b) Does not arise.

(c) His Excellency, at the invitation of the Law Member, met the members of the Select Committee on the occasion of its first meeting which was opened by the Chairman. He made some informal remarks by way of welcoming the members and wishing success to their labours in connexion with the Irrigation Bill which is a Government measure.

The Cauvery Settlement.

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

- (a) whether his attention has been drawn to the terms of the final agreement regarding the Cauvery Reservoir between Mysore and Madras embodied in a Government Order of the Mysore State and published in the *Hindu* of the 27th of May at page 8;
- (b) whether the statements therein are correct;
- (c) the reasons why the Government of Madras have not published the agreement;
- (d) whether the terms of the agreement are beneficial to the Tanjore and Trichinopoly districts and, if so, how;
- (e) whether his attention has been drawn to the telegram from the Secretary, the Trichinopoly District Land owners' Association, to His Excellency the Governor-General and His Excellency the Governor, praying the withholding of sanction to the agreement; and
- (f) whether the Legislative Council will be given an opportunity of expressing its opinion on the agreement before it is finally ratified?

A.—(a) Yes.

(c) The agreement was published after the Secretary of State had approved of it.

(e) Yes.

(b), (d) & (f) The hon. Member is referred to the communiqué and agreement which were published in the *Fort St. George Gazette* of the 8th July 1924; also to the communiqué published on the 11th July 1924. Copies of these documents have been placed on the Editors' Table.

[19th August 1924]

The publication of the Kannambadi agreement.

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

- (a) why the Madras-Mysore agreement regarding the Cauvery has not yet been published;
- (b) whether the Government of India had any part or lot in the negotiation; and
- (c) the reasons why contrary to promise the mirasidars of the Tanjore and Trichinopoly districts were not consulted before the agreement was finally signed?

A.—(a) The hon. Member is referred to the communiqué and agreement published in the *Fort St. George Gazette* on 8th July 1924.

(b) The Government of India took no part in the negotiations but they were pleased to allow their Consulting Engineer to be present at some of the conferences of the technical officers of the two Governments as an informal adviser.

(c) The hon. Member is referred to the communiqué published on 11th July 1924. The hon. Member is inaccurate in referring to 'a promise'.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (c), may I ask the hon. the Law Member to say whether, apart from the promise in the legal sense of that phrase, there was no inchoate promise or informal undertaking given by him to this Council that before the agreement was finally ratified, the mirasidars would be consulted?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not think so. As the question has been often raised in the press, may I be allowed, Sir, to make a personal statement? Sir Muhammad Habib-ul-lah in 1922 undertook to have a consultation with the mirasidars of Tanjore and Trichinopoly. Such a consultation did actually take place and the Government is in possession of the views advanced by the mirasidars. After the matter came into my hands for disposal, in the course of one of my speeches on this matter, I stated that if at any time it became necessary to take the opinion of the mirasidars in regard to matters in which their interests would be adversely affected, I would consider the question of so consulting the mirasidars. I think I am quoting myself correctly. It was found that in the course of the deliberations and the agreement between the two Governments practically every one of the points demanded by the mirasidars was believed to be secured by this Government and therefore, after careful consideration, I arrived at the conclusion that a formal consultation was not necessary. But I think it must be stated before this House that I had the advantage of consultation with certain mirasidars in regard to this matter."

Mr. S. SATYAMURTI:—"May I ask whether this consultation was after the agreement had been signed or before?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Before, I think."

Mr. S. SATYAMURTI:—"May I know the names of those gentlemen?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have got a record somewhere and if possible I shall place the names of these men before the House."

[19th August 1924]

Legislative.*Free supply of papers to Members of Council.*

133 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Law Member be pleased to state the action taken by the Government on Budget motion No. 45 carried by the Legislative Council on 22nd March 1924 with the object of securing to the Members of this Council the free supply of the *Fort St. George Gazette* as well as a free supply of papers laid on the Editors' Table without their having to reply to advice cards issued from the Government Press?

A.—Orders have issued in G.O. No. 270, Law (Legislative), dated 9th July 1924, a copy of which has been communicated to each non-official Member of the Council.

Magistracy.*Conduct of elections to the village panchayat court of Changam, North Arcot district.*

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

(a) whether the elections for the village panchayat court of Changam, Tiruvannamalai taluk, North Arcot district, were arranged to be held on 24th March 1924 in the house of R. Venkatachala Mudaliyar;

(b) whether the sub-magistrate without any notice whatever conducted the elections in his own office; and

(c) whether the District Collector refused to interfere in the matter?

A.—(a) The elections were arranged to be held on the 24th March 1924, but not in the house of Venkatachala Mudaliyar.

(b) The sub-magistrate conducted the election in his office after giving due notice.

(c) Yes.

Police.*Alleged police espionage.*

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

(a) whether it is a fact that one Mr. Zavitski, a visitor to the Cocanada Congress, has been shadowed by the Police;

(b) the reasons why and the cost involved; and

(c) the principles, if any, on which persons are selected for being shadowed by the Police?

A.—(a) The Government having called for a report learn that Mr. Zavitski was kept under police observation.

(b) The reasons were that Mr. Zavitski was a foreigner with no ostensible business in this country and was interesting himself in local politics. No extra expenditure was involved.

(c) The Government do not propose to define the principles that should regulate police action in these cases. They consider that the Police were justified in Mr. Zavitski's case in the circumstances, though the observation may have been too crudely carried out.

[19th August 1924]

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member whether being a foreigner, having no ostensible business in the country and interesting himself in local politics are sufficient reasons for police surveillance of an otherwise harmless, innocent gentleman who visits this country?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"In this connexion again I have seen "scare" head lines appearing in the newspapers. I may at once say the Government were not aware of the fact that Mr. Zavitski was under Police surveillance at all. But it so happens that the Police have a certain amount of latitude and discretion in these matters and when they found a person who was supposed to be a Russian or a German with no ostensible business in this country, he was kept under observation, though as has been stated in the answer, it may have been carried out somewhat crudely."

Mr. C. RAMALINGA REDDI:—"May I ask whether the Police are not expected to report to the Government whenever they keep any one under surveillance?"

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

Mr. C. RAMALINGA REDDI:—"Was not this report sent to the Government before the scaring head lines appeared in the press?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I cannot answer that question because it is a matter of an entirely confidential nature."

Mr. C. RAMALINGA REDDI:—"I take it that there must be some mistake somewhere and that Government will take proper notice of it. With reference to clause (d) that the observation may have been too crudely carried out, is any action being taken against Police officials who evidently discharged this delicate task in a very indelicate manner?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The hon. Member may infer that if it has been crudely carried out, the Government is not likely to keep silent over such a matter."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I want to have some information from the questioners as to who this gentleman is, what his mission to India is and why he visited Cocanada in my district."

The hon. the PRESIDENT:—"It is a supplemental question arising out of this question, and it can only be put to the Government."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Since so much has been talked about this gentleman I was anxious to have this information."

Mr. S. SATYAMURTI:—"Arising out of the statement made by the hon. the Law Member, may I ask whether Germans are still the enemies of His Majesty's Government?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is impossible for me to answer that question especially after the reparation arrangements."

Mr. T. ADINARAYANA CHETTIYAR:—"With reference to the answer given to clause (c) of this question, may I just mention that people like Sir Valentine Chirol and others come here and go unshadowed by the Police?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The premises are not granted."

[19th August 1924]

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Is there any other rule that Germans are not to be allowed to come to this country for five years after the peace treaty was signed?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I believe yes."

Indianization of the Imperial Police Service.

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

- (1) the number of Indians now in the Imperial Police Service;
- (2) how many of them are
 - (a) confirmed and
 - (b) acting;
 - (c) the number of years each has been acting in case or cases of (b);
- (3) the proportion of Indians to Europeans yearwar from 1921 to 1924 (both years inclusive) in the cadre of—
 - (a) Deputy Inspectors-General,
 - (b) District Superintendents, and
 - (c) Assistant Superintendents; and
- (4) the reduction in the number of staff due to retrenchment in the following cadres:—
 - (a) District Superintendents,
 - (b) Assistant Superintendents,
 - (c) Deputy Superintendents,
 - (d) Circle Inspectors of Police including Prosecuting Inspectors,
 - (e) Reserve Inspectors,
 - (f) Sub-Inspectors including Prosecuting Sub-Inspectors,
 - (g) Head constables, and
 - (h) Constables?

- A.—(1) & (2) (a) & (b) The hon. Member is referred to the list of Police officers in the Madras Civil List.
- (2) (c) The Government have no information.
- (3) The hon. Member is referred to the Annual Civil Lists which contain the information which he requires.
- (4) No reduction has been made in the numbers of the officers mentioned in clauses (a) to (g).
- (h) Government have decided on a reduction of 2,000 constables in the total strength of the constabulary. Detailed proposals to give effect to this order are now being worked out.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Has any reduction been made? Do the Government have any idea at all of abolishing any of these higher appointments?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The idea of the Government has been to Indianize the services as far as practicable. So far as reduction is concerned, when such reduction takes place it will be placed before this House."

Sriman BISWANATH DAS Mahasayo:—"With reference to the answers given to clause (3) of this question, may I know the reasons for the slow promotion of Indians in this department?"

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The trouble is this. An Indian is in charge of the department. But he cannot dismiss a man who is already there. When vacancies occur considerations for putting in Indians will be borne in mind."

Sriman BISWANATH DAS Mahasayo:—"I do not at all like to take advantage of the fact that an Indian is in charge of the department. I should like to know how many were recruited and how many of them were Indians."

Police station at Pandruti, Penukonda taluk.

137 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether the revival of an old police station at Pandruti, Penukonda taluk, has been under contemplation?

A.—Yes; the station was reopened with effect from the 15th January 1924.

Muharram disturbances in Proddatur.

138 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state—

- (a) whether it is a fact that several persons were bound over under the security sections of the Criminal Procedure Code during the last Muharram disturbances in Proddatur; if so, how many Muhammadans and how many Hindus;
- (b) whether it is a fact that several Muhammadans so bound over were not able to offer security on account of poverty and were imprisoned;
- (c) whether it is a fact that several Muhammadans were forced to leave their homes during the Muharram owing to Police arrangements, while the Hindus were left undisturbed;
- (d) whether it is a fact that mahazars have been received by the District Superintendent of Cuddapah against Sub-Inspector, Mr. Rajagopala Reddi, and if so, what action has been taken by the District Superintendent of Police; and
- (e) how long one Mr. Gopalayya, Sub-Inspector of Police, has been on special duty in bomb-throwing cases and what has been the outcome of his special appointment and how long Mr. Rajagopala Reddi has been in charge of Proddatur station?

A.—(a) to (e) The Government have no information. A report has been called for.

Public Works.

The conduct of the Executive Engineer and Sub-overseer of Nellore.

139 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

- (1) whether it is a fact that the ryots of Nellore taluk, Nellore district, have petitioned the Government about the vagaries alleged to be indulged in by the Executive Engineer and the sub-overseer of that section;
- (2) whether it is also a fact that an enquiry was held regarding the same in the village of Lebur, some time in the month of March 1924; and
- (3) if the answers are in the affirmative, what is the result of the enquiry and what is the action, if any, that the Government have taken or are going to take?

[19th August 1924]

- A.—(1) Certain complaints about the matter referred to have been received.
 (2) Yes.
 (3) As the case is under investigation, it is not in public interest to give any further details at present.

Mr. B. RAMACHANDRA REDDI :—"With reference to the answer given to clause (3), may I know how long it will take to finish the investigation?"

The hon. Rao Bahadur Sir A. P. PATRO :—"It will take some time."

Appointments.

Selection boards, etc., for recruitment in the various services.

140 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Finance be pleased to state—

(1) what are the selection or public service commissions (with their powers) appointed or in contemplation as to appointments hitherto or till recently made by the Governor in Council and Governor with Ministers and by the several heads of departments, the Secretaries in the Secretariat, the Surgeon-General and the Director of Public Instruction; and

(2) what are the powers of Government or heads of departments as to setting aside the selection by such boards or commissions, including the Staff Selection Board?

- A.—(1) The hon. Member appears to refer to the Staff Selection Board constituted in G.O. No. 76, Public, dated 6th February 1924. This order has been laid on the Editors' Table. This Board will deal only with subordinate appointments. The constitution of a Public Services Commission as advised in the report of the Lee Commission is under the consideration of the Government of India and the Local Governments.
 (2) The hon. Member is referred to the text of the Government Order mentioned above.

Editors' Table.

Editors' Table privileges.

141 Q.—Mr. C. RAMALINGA REDDI : Will the hon. the Member for Finance be pleased to state—

- (a) what is the financial cost to Government per year of the privileges of the Editors' Table extended to a newspaper;
 (b) what is the object of granting these privileges to newspapers;
 (c) under what Government Order was this scheme or policy sanctioned; and
 (d) whether Government will be pleased to lay a copy on the table?

- A.—(a) It would be a matter of considerable difficulty to work out the cost of supplying copies of the proceedings of Government to the newspapers.
 (b) The hon. Member is referred to the answer of clause (c) of question No. 98.

19th August 1924]

- (c) Prior to 1896 the practice was to allow editors to see at the Secretariat papers to which the Government desired to give publicity.
 (d) A copy of G.O. No. 566, Financial, dated 14th September 1896, is laid on the table*.

Finance.

Recommendations of the Retrenchment Committee.

142 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Member for Finance be pleased to furnish a statement showing—

- (1) the various recommendations of the Retrenchment Committee that were accepted by the Government;
 (2) the financial effect of the changes made and retrenchments effected (a) in pursuance thereof, (b) *suo motu* by the Government since the inauguration of the Reforms; and
 (3) the recommendations of the Committee that were rejected with the reasons for the rejection?

A.—(1), (2) (a) & (3) A statement is being prepared.

(2) (b) The attention of the hon. Member is invited to paragraph 370 on page 158 of Volume I of the Madras Retrenchment Committee's Report.

Government Press.

The Assistant Superintendent of the Government Press.

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

- (a) whether it is a fact that the newly-appointed Assistant Superintendent in the Government Press is an unpassed candidate;
 (b) how many candidates are above him in the composing section;
 (c) whether it is a fact that the Head Examiner is the proper candidate for the place as per Office Manual; and
 (d) whether it is also a fact that the said Head Examiner is a Graduate of the Madras University and has put in a long service in the Press?

A.—(a) The officer appointed to officiate as Assistant Superintendent as a temporary measure was an unpassed candidate.

(b) The reference to 'candidates' is not understood. There were in the composing section three persons with longer service than the officer selected.

(c) No.

(d) If the hon. Member refers to the Head Reader, the answer is in the affirmative.

* Vide Appendix III on page 315 infra.

[19th August 1924]

Lee Commission.

Additional appointments in the Province due to the recommendations of the Lee Commission.

144 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Member for Finance be pleased to state—

(a) what additional appointments, if any, have been or are proposed to be created in this province in consequence of the recommendations of the Lee Commission and on what pay and allowances; and

(b) the total cost per annum of those appointments?

A.—No decision has yet been taken with regard to any of the recommendations of the Lee Commission. The creation of additional appointments is not under contemplation at present.

Pensions.

Rules relating to pensions.

145 Q.—Mr. R. VEERIAN: Will the hon. the Member for Finance be pleased to state—

(a) whether it is necessary that one should put in a service of 30 years in order to get pensions in the Government service;

(b) when the Pension rules were framed; and

(c) whether the Government have decided to amend the rules so as to reduce the number of years from 30 to 25?

A.—(a) Under article 465, Civil Service Regulations, a retiring pension is granted ordinarily only after 30 years' service. Under article 465-A, Civil Service Regulations, a retiring pension is granted in certain cases after 20 or 25 years' service. In the case of the Women's Branch of the Indian Educational Service a retiring pension is granted after 20 years' service.

(b) Pension rules have been in existence for more than 50 years but the rules have been amended from time to time.

(c) The amendment of the Pension rules requires the sanction of the Secretary of State. So far as this Government are aware, no such proposal is under consideration.

Reforms.

Consultation with Local Government on the Reforms inquiry.

146 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Member for Finance be pleased to state—

(a) whether the Local Government have been consulted in regard to the working of the Reforms in connexion with the present inquiry by the Government of India; and, if so,

(b) whether the Government have consulted or examined any leading representatives of this province, official or non-official, and, if so, whom?

A.—(a) Yes.

(b) Yes. The Government do not propose to publish any names.

19th August 1924]

Mr. S. SATYAMURTI:—"May I ask the hon. the Finance Member whether any non-officials were consulted?"

The hon. Mr. R. A. GRAHAM:—"I am afraid I cannot answer that question."

Salt.

The production of refined salt.

147 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Finance be pleased to state with reference to answer to question No. 199 delivered at the meeting of the Council on 7th February 1924—

(1) the nature of the experiments made to produce refined salt and their results;

(2) why the refined salt could not find a market in Madras and other parts of India, especially Bengal, into which large quantities of foreign refined salt were imported in 1921 and 1922; and

(3) what was the quantity of foreign salt imported into India in 1923-24 or 1923?

A.—(1) The hon. Member is referred to paragraphs 10 to 14 of the Salt Administration Report for 1919-20.

(2) The reasons for the failure of the Madras refined salt to capture the Madras and Calcutta markets are explained in detail in paragraphs 12 and 13 of the Salt Administration Report for 1918-19 and paragraph 11 of the report for 1920-21.

(3) The Local Government have no information.

Local Boards and Municipal Councils.

Nadar representation in Tinnevely District Board.

148 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Minister for Local Self-Government be pleased to state whether Nadars are represented in the District Board of Tinnevely?

A.—There are at present two members of the Nadar community on the Tinnevely district board, one a Hindu and the other a Christian.

Mr. G. RAMESWARA RAO:—"Are there Christians in the Nadar community?"

The hon. the RAJA OF PANAGAL:—"Yes, there are Christian Nadars."

Government review of municipal administration.

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

(a) the reasons why in the report of the Government reviewing the administration of municipalities, a comparison is instituted between the number of meetings of a municipality and the percentage of taxes collected; and

(b) whether it is the policy of the Government to discourage frequent meetings of municipalities?

[19th August 1924]

A.—(a) The attention of the hon. Member is invited to paragraph 64 of G.O. No. 634, L. & M., dated 10th March 1924.

(b) No.

Mr. YAHYA ALI SAHIB :—" In the Government Order it is stated that owing to the holding of meetings of municipal councils frequently the collection of taxes suffered. I want to know what connexion there is between the holding of meetings and the collection of taxes."

The hon. the RAJA OF PANAGAL :—" The council is responsible for the collection of taxes."

Mr. YAHYA ALI SAHIB :—" What I wish to know is how the frequent holding of meetings interferes with the collection of taxes, because it is the duty of the executive and not of the council to collect taxes. Are the Government aware that on account of the holding of meetings frequently the other work of the municipalities has actually suffered ?"

The hon. the RAJA OF PANAGAL :—" I do not myself know what connexion there really is between the collection of taxes and the holding of meetings. But there are municipal councils which hold meetings frequently but which have been lacking in the matter of collection of taxes."

Village Panchayats.

150 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Minister for Local Self-Government be pleased to state the number of village panchayats formed in the year 1923-24 and the total number of the same in existence on 31st March 1924 ?

A.—The total number of village panchayats constituted during the year 1923-24 was 170. The number in existence on 31st March 1924 was 320.

Nomination of Muhammadans to the local bodies.

151 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of Muhammadans appointed by nomination and the total number of nominated seats in the local bodies in the Presidency with particulars for each district ;

(b) the number of non-Muhammadans appointed by nomination to those seats ; and

(c) the number of Muhammadans appointed by election on the local bodies in each district in the Presidency ?

A.—As regards the district and taluk boards and the municipal councils, the attention of the hon. Member is invited to the Madras Year Book for 1924. Information is not available in regard to union boards.

19th August 1924]

Medical.

Abolition of a dispensary by the Tinnevely municipality.

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

(a) whether it is a fact that the Tinnevely municipality passed a resolution recently to abolish the dispensary started about two years ago specially intended for ladies ;

(b) whether it is a fact that several ladies of the town have signed and submitted a mahazar to the council strongly protesting against the abolition of the dispensary and requesting to reconsider the resolution, so as to run the dispensary again ;

(c) on what grounds the abolition of the dispensary was accepted by the municipal council ;

(d) the average attendance of patients daily when the dispensary was working ;

(e) how much amount the municipal council was spending for maintaining the dispensary ;

(f) how many other dispensaries are being maintained by the municipality ;

(g) whether there is any Government hospital in the town within the municipal area ;

(h) whether there are any mission dispensaries maintained solely by the missionaries ; if so, the names of such missions ; and

(i) if the Government have no information with reference to questions (a) to (h), whether the Government will be pleased to call for the information ?

A.—(a) & (c) The Government understand that the Tinnevely Municipal Council resolved, on financial grounds, that women and children who had for some time been attended to in a separate rented building should thereafter be treated at the main hospital. The services of the lady sub-assistant surgeon and other staff specially entertained for the purpose have been retained.

(b) The Government understand that several ladies of the town have submitted a memorial on the subject to the council.

(d) The average daily attendance during 1922-23 was 75.3.

(e) The cost of the dispensary in 1922-23 was Rs. 3,876.

(f) The council maintains a hospital and two other branch dispensaries.

(g) No ; but there is a Government headquarter hospital at Palamcottah.

(h) The answer is in the negative.

(i) The question does not arise.

Promotion to the Muhammadan compounder of the Headquarter hospital, Guntūr.

153 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Minister for Local Self-Government be pleased to state, with reference to the question No. 326 put at the Legislative Council meeting held on 8th February 1924, the reasons why no promotion was made to the selection grade of the only Muhammadan compounder in the Government Headquarter hospital, Guntūr, despite the recommendation of the local District Medical Officer ?

[19th August 1924]

A.—The Surgeon-General did not consider the compounder to be deserving of promotion to the selection grade.

Closing of Headquarter Hospitals on Sundays.

154 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state whether he has consulted or proposes to consult the local bodies with reference to the results of the closing of the headquarter hospitals on Sundays and in the afternoons on the week-days?

A.—The Government will consult local bodies on the subject.

Management of taluk headquarter hospitals.

155 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government have proposed or propose to take over all the taluk headquarter hospitals in the Presidency?

A.—The answer is in the negative.

Education.

Standardization of salaries in non-Government secondary schools.

156 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether he has received any memorial or representation praying that effective steps may be taken for the standardization of salaries in all non-Government secondary schools in conformity with the revised scale in force in Government institutions; and

(b) whether any steps have been taken thereon?

A.—(a) Yes.

(b) No.

MR. S. SATYAMURTI:—“With reference to the answer given in clause (b), may I ask whether any steps have been taken, and, if none has been taken, why not?”

THE HON. RAO BAHADUR SIR A. P. PATRO:—“Government do not interfere with the internal management of private aided schools.”

Nomination of officials to the Central Legislatures.

157 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether his permission was taken by Mr. Littlehailes, the Director of Public Instruction, and Mr. Macphail, the Vice-Chancellor, before they accepted seats in the Legislative Assembly and the Council of State;

(b) the consequent period of their absence from Madras; and

(c) whether, during that period, they are treated as on duty, and draw their salaries and also their allowances as Members of the Legislative Assembly and of the Council of State?

[19th August 1924]

A.—(a) Yes. The deputation was sanctioned by Government.

(b) Dr. Macphail and Mr. Littlehailes left for Simla on the 4th and 13th May 1924 respectively. After attending the Universities Conference and the May Sessions of the Indian Legislature, Dr. Macphail returned to Madras on the 23rd June 1924 and Mr. Littlehailes on the 18th June 1924.

(c) Yes.

Vocational training in schools.

158 Q.—MR. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education be pleased to state—

(a) in how many schools in the Presidency the system of vocational training has been introduced;

(b) what is the number of students who have attained such amount of proficiency in the arts in which they were given training as would enable them to eke out their livelihood independently;

(c) how many years of training are ordinarily necessary to enable a person to attain such proficiency; and

(d) how many students who have had this training have actually entered the profession for which they got such training?

A.—(a) The Government have till now sanctioned the introduction of practical (vocational) training in 75 institutions.

(b), (c) & (d) The object of introducing practical training in schools primarily intended for general education is not to turn out trained artisans but to teach the pupils to think clearly and work accurately through the discipline of the hand and the eye and also to awaken an interest for manual work, so that such of them as have the necessary aptitude may be deflected in proper time to a technical or industrial line.

MR. T. ADINARAYANA CHETTIYAR:—“Is the hon. the Minister aware that this system of vocational training does not at all find favour with the general public?”

THE HON. RAO BAHADUR SIR A. P. PATRO:—“I am not aware of that, but I may say that this Council has approved that policy.”

Opening of new schools.

159 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state—

(1) what progress, if any, has been reached in the execution of his scheme of providing a school in areas covered by a population of 1,000 which are now without a school;

(2) the number of such additional schools that will be opened in each district in the course of the year and the probable expenditure that will be incurred therefor;

(3) whether the management of these schools will be entrusted to the local bodies or retained in the charge of the department; and

(4) whether any supplementary grant will be moved for putting the scheme into operation, and if so, the amount involved therein?

[19th August 1924]

A.—(1) The Government have directed an educational survey of all the taluks in the Presidency (excepting the Agency tracts and other hill tracts, such as the Nallamalais, Javadis, Palnis and Anamalais) as an essential preliminary for working out a comprehensive programme for the expansion of elementary education and this is now in progress.

(2) to (4) The questions are under consideration.

Amendments to the Elementary Education Act and the Grant-in-Aid Code.

160 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state—

(1) whether it is proposed to amend the Madras Elementary Education Act, and if so, when the Amendment Bill is likely to be introduced into this House;

(2) whether all the District Secondary Education Boards were consulted by Government in regard to

(a) the insertion of a conscience clause in the Grant-in-Aid Code,

(b) the revision and modification of the Grant-in-Aid Code, and

(c) the instruction of non-language subjects through the medium of the district vernaculars in all secondary schools;

(3) if so, whether the Government will be pleased to lay on the table of the House, copies of the resolutions of the said boards in regard to the aforementioned problems; and

(4) whether the special officer in charge of the amendment of the Grant-in-Aid Code has completed his labours and when the revised code may be expected to be published?

A.—(1) The question is under consideration.

(2) Yes.

(3) All the replies have not yet been received.

(4) The question of the necessity for a special officer will be considered after all the reports are received.

Allegations against the Headmaster, Ambur Mission School.

161 Q.—MR. C. RAMALINGA REDDI: Will the hon. the Minister for Education be pleased—

(a) to state whether any enquiry was held by departmental officials regarding the allegations against the Head of the Mission School at Ambur concerning the forcing of certain religious practices on the pupils; and

(b) to lay on the table a copy of the report, if any, as well as the opinions received from the public bodies they consulted on the subject of introducing a conscience clause?

A.—(a) Yes.

(b) Copies of the reports received regarding religious instruction in the M.E.L.M. School at Ambur have been placed on the table. The opinions of district secondary education boards on the subject of the introduction of a conscience clause in the Grant-in-Aid Code have not yet been received by Government.

MR. S. SATYAMURTI:—“In the Report, we find the following statement: The District Educational Officer has just informed us that the practice of saying the Apostle's Creed has been stopped on account of the manager's

19th August 1924]

illness but will possibly be continued when he gets better. In view of this statement, does the hon. the Minister propose to take any action and, if so, what?”

The hon. Rao Bahadur Sir A. P. PATRO:—“If there are further representations from the guardians that the system which had been in vogue previously should not be reintroduced, then the matter will be inquired into. As matters stand at present, there is no difficulty about it. Option has been given to students to keep away from the classes or from the school altogether. There is no enforcement. If students choose, they may not attend that school at all.”

MR. S. SATYAMURTI:—“The hon. the Minister says that option has been given to students. I am putting to him as one who values religious tolerance whether the Government will take any steps to save the boys belonging to other religions from compulsory religious instruction and the recital of the Apostle's Creed which is going to be renewed according to the report.”

The hon. Rao Bahadur Sir A. P. PATRO:—“There is another rival school and if the students do not wish to go to the mission school and abide by the rules and procedure followed in that school, it is open to them to join the other school.”

MR. S. SATYAMURTI:—“Has the other school been recognized?”

MR. SAMI VENKATACHALAM CHETTIYAR:—“May I know whether any time limit is fixed for the submission of opinions of the Secondary Education Boards?”

The hon. Rao Bahadur Sir A. P. PATRO:—“As early as possible.”

MR. SAMI VENKATACHALAM CHETTIYAR:—“That is indefinite.”

MR. C. RAMALINGA REDDI:—“I do not know whether advantage is given to the boys to absent themselves from this particular class or quit the school, and give up their education if they do not like this religious instruction.”

The hon. Rao Bahadur Sir A. P. PATRO:—“There is another school; and option is given to them to go to that school if they do not like the religious instruction given in the mission school.”

MR. C. RAMALINGA REDDI:—“The hon. the Minister referred to some school and said that students might go to that school. I want him to carefully consider whether one school would be sufficient to accommodate all the boys in that locality. You have refused recognition to the other school, and what is the good of these boys going to that school?”

The hon. Rao Bahadur Sir A. P. PATRO:—“I am much obliged to the hon. Member for his speech, but it is not relevant to the question at issue.”

MR. C. RAMALINGA REDDI:—“I do not know what my hon. Friend's idea of relevancy is. I maintain that more than one school is necessary and one school cannot accommodate all the boys of that locality. Therefore the kind of remedy suggested is not a remedy at all.”

MR. S. SATYAMURTI:—“May I ask the hon. the Minister especially in view of the statement in paragraph 3 of the Government Order laid on the table, viz., ‘another secondary school has just been opened in Ambur

[19th August 1924]

and I have received an application for its recognition. I have referred the matter to the District Secondary Education Board for its remarks 'whether that school has been recognized up to date?'

The hon. Rao Bahadur Sir A. P. PATRO :—"The matter has not come before the Government for recognition. The question of recognition will be disposed of by the Director of Public Instruction. If it is temporary or tentative sanction it will not come before the Government."

Mr. S. SATYAMURTI :—"May I take it therefore according to the information of the hon. the Minister that there is at present only one recognized school in Ambur?"

Muhammadan representation in district secondary education boards.

162 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur : Will the hon. the Minister for Education be pleased to state—

(a) the number of Muhammadans nominated to the district secondary education boards and elementary educational councils in the Presidency with particulars of each district;

(b) whether it is a fact that Muhammadans are not represented in the district secondary educational councils in the districts of (1) Ganjam, (2) Salem, (3) Vizagapatam, (4) Godavari, (5) Madura, (6) Tinnevely, (7) Chittoor, (8) Tanjore, (9) Chingleput, (10) Ramnad, (11) Bellary; and

(c) if this be a fact, whether it is for want of suitable and qualified Muhammadans available in these eleven districts?

A.—(a) The following statement furnishes particulars required :—

District secondary education boards.

District.	Number of Muhammadans nominated.
Kistna	1
Guntūr	1
Kurnool	1
Anantapur	1
Cuddapah	1
Madras	1
North Arcot	1
Trichinopoly	1
Malabar	1
Total	9

District educational councils.

Two to each of the district educational councils for the districts of Guntūr, Kurnool, Malabar and Coimbatore, and one to each of the other district educational councils—total 29.

(b) Yes.

(c) The constitution of the district secondary education boards does not provide separately for the representation of different communities. It has in view primarily the representation of

[19th August 1924]

interests such as those of the managements and staffs. In making nominations, however, the Government bear in mind the claims of the several communities.

Muhammadan representation among district educational officers.

163 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur : Will the hon. the Minister for Education be pleased to state how many Muhammadans have been appointed up till now as district educational officers in the Presidency?

A.—One Muhammadan officer is permanent in the Indian Educational Service and one in the Madras Educational Service. A third officer is acting in the Madras Educational Service. One of these is a District Educational Officer.

The Muhammadan High School, Kurnool.

164 Q.—Mr. ABDUL HYE SAHIB : With reference to question No. 519 and the answer to it by the hon. the Minister for Education regarding the confirmation of the Muhammadan High School, Kurnool, and the introduction of the Mathematics and Science groups in the said school, will the hon. the Minister for Education be pleased to state—

(1) whether the progress of the school is still being watched;

(2) whether the District Educational Officer, Kurnool, has been called on to give his opinion regarding its confirmation; if so, what was his opinion; and

(3) whether the building now intended for the location of the school is in a fit condition for immediate occupation; if not, what steps have been taken to effect necessary repairs to the building?

A.—(1) & (2) The Government have sanctioned the permanent retention of the Government Muhammadan Secondary School, Kurnool, with effect from the 1st March 1925, the school being continued on a temporary basis up to that date. The Director of Public Instruction has been requested to submit proposals for the opening of classes in Mathematics and Science in the C group of the S.S.L.C. scheme for consideration in connexion with the civil budget estimate for 1925-26.

(3) An estimate for repairs to the building has been sanctioned.

The distinction between the Madras Educational Service and the Provincial Educational Service.

165 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education be pleased to state with reference to his answer to question No. 763 delivered at the meeting of the Council on 25th March 1924—

(1) the distinction between the Madras Educational Service and the Provincial Educational Service; and

(2) what is the percentage of Indian Christians in each of these services?

A.—(1) There is no distinction. What was formerly known as the Provincial Educational Service was, on the recommendation of the Public Services Commission, designated as 'the Madras Educational Service'.

[19th August 1924]

(2) Vide reply to question No. 763 put at the meeting of the Legislative Council held on the 25th March 1924.

Material and educational progress of the Ezhuthachan community of Malabar.

166 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Education be pleased to give the following particulars about the Ezhuthachan (Kadupottan) community of Malabar—

- (1) (a) its population and percentage of literates,
- (b) material and educational progress made by the community during the last generation,
- (c) the number of Graduates in Arts, Law, Engineering and Medicine,
- (d) the number of persons of the community holding gazetted appointments as well as in public service;

(2) whether it is a fact that in 1920 a memorial signed by more than a thousand people was submitted to His Excellency the Governor; if so, what action was taken in the matter by the Government; and

(3) whether the hon. the Minister for Education recently received a fresh memorial from Mr. M. Govindan Ezhuthachan, B.A., B.L., Vakil, Ottapalem; if so, what has been done in the matter?

A.—(1) (a) The caste name appears in the census report as 'Kaduppattan.' 'Ezhutacchan' does not appear as an officially recognized caste name. According to the last census there were 10,725 males and 10,482 females of the Kaduppattan community. About 25 per cent of the males and 7 per cent of the females were returned as literate.

(b), (c) & (d) Information is not available.

(2) Yes. It was not considered necessary to take any specific action.

(3) Yes. Orders are under issue directing the inclusion of the community in the list of backward classes. The other requests in the memorial are under consideration.

Excise.

Report of the Bombay Excise Committee.

167 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether his attention has been drawn to the report of the Bombay Excise Committee;
- (b) whether he intends to adopt all or any of the proposals of the Bombay Excise Committee, especially, total prohibition; and
- (c) if not, why not?

A.—(a) Yes.

(b) & (c) The report will be placed before the Excise Advisory Committee for consideration.

[19th August 1924]

Power of the Madras Corporation to settle sites for toddy and arrack shops.

168 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Government have refused the request of the Corporation of Madras—vide section 5 (2) of the City Municipal Act—that it should be vested with the power of settling sites for toddy and arrack shops in the City of Madras;

(b) if so, the reasons for that refusal;

(c) the constitution and powers of the Madras Licensing Board;

(d) whether it is a fact that the Madras Licensing Board recently granted a licence to a hotel in Vepery for the selling of liquor in spite of the protests of several people; and

(e) the reasons for their action?

A.—(a) Yes.

(b) (i) The Excise and Police departments, as well as the Corporation of Madras, are interested in the location of shops in the City of Madras and all of them are now represented in the Madras Excise Licensing Board.

(ii) If the Corporation is given sole authority, the Police and Excise departments would have no voice in the matter.

(iii) The Madras Corporation is at present well represented on the Excise Licensing Board.

(iv) If there is any objection to the location of shops, the matter can be rectified by addressing either the Licensing Board or the Government.

(c) The hon. Member is referred to Government Notification No. 7, dated 4th July 1918, published in Nos. 810-811 of Part I of the *Fort St. George Gazette*, dated 30th July 1918, as amended by Notification No. 100, dated 15th March 1924, published on page 282 of Part I of the *Fort St. George Gazette*, dated the 18th March 1924.

(d) & (e) The hon. Member is referred to the answer given to question No. 67.

Mr. SAMI VENKATACHALAM CHETTIYAR:—“With reference to clause (b) of the question, may I know what the interest of the Excise department is in the constitution of the Excise Licensing Board?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The Excise department has got every interest in seeing that a proper Licensing Board is constituted for the City.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“I understand from the answer of the hon. the Minister that the Excise department has got every interest in the constitution of a proper Licensing Board. I am asking what the interest of the Excise department is to enable it to claim to be well represented on the Excise Licensing Board which is invested with the power of determining the location of shops.”

The hon. Rao Bahadur Sir A. P. PATRO:—“It has got to give the experience of the department to the Licensing Board.”

[19th August 1924]

MR. SAMI VENKATACHALAM CHETTIYAR :—"What kind of experience is that, may I know?"

169. (Cancelled.)

Toddy shops and trees tapped for toddy.

170 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) the number of toddy shops in Madras in 1920;
- (b) the number of toddy shops in 1924;
- (c) the number of coconut and palmyra trees tapped for toddy in 1920; and
- (d) the number of coconut and palmyra trees tapped for toddy in 1924?

- A.—(a) 10,729 in the whole Province of Madras.
 (b) 10,523.
 (c) 1,247,841 coconuts and 809,971 palmyras.
 (d) 1,184,985 coconuts and 760,423 palmyras were licensed in 1922–23. Figures for 1923–24 are not yet ready.

Horses for the Assistant Commissioners of the Excise department.

171 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state—

- (a) whether it is a fact that the Assistant Commissioners of Excise department are required to maintain horses for their use; and
- (b) how many of them have been so doing?

- A.—(a) Assistant Commissioners are given the option of keeping either a motor-car or motor-cycle or a horse.
 (b) The Government have no information.

Communal representation among sub-inspectors of the Excise department.

172 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state—

- (a) the total number of sub-inspectors in the Excise department in the Presidency; and
- (b) how many of them are Muhammadans and how many Christians?

- A.—(a) 668.
 (b) The information will be available in the half-yearly list which will be placed in the Library Room as soon as ready for issue.

Mahazars for removal of toddy shops in Kumbakonam.

173 Q.—MR. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

- (a) whether it is a fact that several of the Kumbakonam people have already signed and submitted mahazars to the District Collector, Tanjore, and arrack shops to other unobjectionable places;
- (b) if so, what steps have been taken on their mahazars;

[19th August 1924]

(c) if no effect has been given by the district authorities with reference to their mahazars, the reasons for not giving effect to their representations; and

(d) if the Government have no information, whether they will call for the information and furnish same?

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

Registration.

Representation of the depressed classes in the Registration department.

174 Q.—MR. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) the number of candidates belonging to the depressed classes, with their educational qualifications, working as clerks in the Registration department, whether Hindus or Christians; and

(b) if the Government have no information, whether the Government will be pleased to call for the information?

A.—There are in all 14 clerks belonging to the depressed classes holding permanent or acting appointments in the Registration department as shown below. Their religion and educational qualifications are as below :—

Hindus.	Christians.
Five S.S.L.C. holders.	Seven S.S.L.C. holders.
One S.S.L.C.; Intermediate in Arts, Part II; Registration Test, Part I; Book-keeping (Elementary) and Commercial Correspondence (Elementary).	One unpassed war-retained man.

There are also four S.S.L.C. clerks belonging to the Barber community.

Co-operation.

Muhammadan representation in the cadre of Assistant Registrars of Co-operative Societies.

175 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Minister for Development be pleased to state—

- (a) the total number of Assistant Registrars of Co-operative Societies;
- (b) how many of them are Muhammadans; and
- (c) whether it is a fact that a Muhammadan Deputy Tahsildar was recently appointed from the Ganjam district as Assistant Registrar of Co-operative Societies?

- A.—(a) There are twenty-three Assistant Registrars of Co-operative Societies.
 (b) One.
 (c) Yes.

Fisheries.

[19th August 1924]

Alleged theft of fish-curing salt in the West Coast.

176 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

- (1) whether it is a fact that 202 bags of fish-curing salt are missing at the Malpe No. 1 fish-curing yard;
- (2) when this took place;
- (3) when the Fisheries department got official information about the deficit;
- (4) who was responsible for the loss;
- (5) whether the loss has been brought to the notice of the Government, and if so, what action has been taken in the matter;
- (6) when the Director of Fisheries got the official information about the deficit; and
- (7) whether this deficit was found out by the Fisheries department or by the Salt department?

A.—The Government have received a report from the Director of Fisheries to the effect that on the 2nd November 1923 there was a shortage of 202 bags in the stock of salt at the Malpe No. 1 Fish-curing yard. As the matter is still under investigation, the Government do not consider it desirable to make any further statement on the subject at present.

Rao Sahib P. V. GOPALAN:—“When the investigation has been completed, may I request the hon. the Minister for Development to place on the table of this House a statement giving detailed answers to my various above questions?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“The request will be noted.”

Government Fisheries Experimental station, Tanur.

177 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

- (1) whether it is a fact that a sum of Rs. 5,000 was shown as profit for the Government Fisheries Experimental station at Tanur for the year 1923-24;
- (2) whether it is a fact that a bonus on this profit was asked for by the Assistant Director of Fisheries (Coast) for distribution among the staff at Tanur;
- (3) whether it is a fact that the Tanur Fisheries Experimental station accounts have now been audited by the Government Commercial Auditors; and
- (4) if the answer to question No. 3 is in the affirmative, whether there is any other marked difference in the amount of the profit shown, and if so, what the difference is?

A.—(1) The figures for the year 1923-24 are not yet available. The hon. Member presumably refers to the working of the station in the year 1922-23. The profit and loss account of the station attached as statement XII to the administration report for that year shows that this resulted in a profit of Rs. 5,782-0-5.

19th August 1924]

- (2) The Director of Fisheries has submitted certain proposals for the grant of bonus to the staff employed at the station out of the above profit.
- (3) The Commercial Accountants and Auditors to Government have been asked to audit the accounts; they have not yet submitted their report.
- (4) The question does not therefore yet arise.

Rao Sahib P. V. GOPALAN:—“With reference to the answer to clause (2) of this question, may I know from the hon. the Minister for Development, if the bonus has been granted?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“Not yet.”

Rao Sahib P. V. GOPALAN:—“In reply to my supplementary question to question No. 661 the hon. the Minister gave me the answer that the Tanur Government Fisheries station was an experimental station. May I take it that it has now become a commercial station, hence its accounts are being audited?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“Messrs. Fraser and Ross's audit is not confined to concerns which are technically classed as commercial undertakings.”

Industries.*Inks manufactured in the Government factory.*

178 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

- (a) the attempts made by the Madras Government to introduce into the open market the inks manufactured in the Government factory;
- (b) whether the sole agency for the sale of these inks has been conferred on a European firm in Madras;
- (c) the reasons why this was done, the name of the firm, and the terms of the agency;
- (d) whether applications were called for, for the agency, and whether any applications were received;
- (e) the names of the applicants; and
- (f) the financial results of the working of the factory since it was started up-to-date?

A.—(a) The inks were advertised in the press while the capacity of the institute to manufacture and supply superior inks at reasonable prices was brought to the notice of large consumers such as municipalities, district boards, railway administrations, banks and others.

(b) The answer is in the affirmative.

(c) The firm in question is Messrs. Taylor & Co. They were appointed agents as it was considered that this would be advantageous from the business point of view. The agency covers the whole of India and the agents are remunerated by commission. The agency runs for a period of one year in the first instance subject to three months' notice of withdrawal on either

[19th August 1924]

side. The Government do not consider that it would be in the interest of the institute that the terms agreed on should be published.

- (d) Advertisements were inserted in the local press for one month inviting applications for the appointment of agents but no applications were received from any reputable Indian firms with an established connexion in inks and allied products.
- (e) The Government do not consider it desirable that the names of the applicants should be published.
- (f) The financial results of the working of the factory have been as follows:—

	RS.
1920-21 Loss	1,201 in round figures.
1921-22 Do.	3,875
1922-23 Do.	825
1923-24 Profit	3,803

Mr. S. SATYAMURTI:—"With reference to clause (b) is there any time-limit to the sole agency of Messrs. Taylor & Co.?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Renewal after one year, and termination after three months' notice."

Mr. S. SATYAMURTI:—"When does the one year period expire?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"On 5th November 1924."

Mr. S. SATYAMURTI:—"May I ask whether when the time for renewal comes, the hon. the Minister will reconsider the question of giving the sole agency to them?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to the answer to clause (c) may I know whether Messrs. Taylor & Co. are being paid commission even on the ink bought by Government departments?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"I have no information. But will call for it."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to clause (c) I wish to know if Messrs. Taylor & Co. are paid any commission upon the quantity bought by the Government also?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"I want notice."

Mr. S. SATYAMURTI:—"May I know what are the criteria of reputability by which the Government judge the Indian firms?"

The hon. the PRESIDENT:—"The hon. Member may make that a separate question if he likes."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know if Messrs. Taylor & Co. are stationers?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"No."

Mr. S. SATYAMURTI:—"May I know if they have any established connexion in ink and other allied products?"

[19th August 1924]

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to clause (f) may I know the amount of commission paid to Messrs. Taylor & Co. in 1923-24?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The commission has to be paid later on with effect from the 6th November 1923."

Manufacture of ink in the Government ink factory.

179 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Development be pleased to state—

- (a) the total outturn of ink manufactured at the Government ink factory during last year;
- (b) the quantity disposed of and how;
- (c) the amount of profit or loss in the working of the factory;
- (d) whether it is a fact that the sole agency for the sale of inks was given to a European firm in Madras; if so, the name of the firm and the terms and conditions under which the agency was assigned to that firm;
- (e) whether any Indian firms were consulted before the sole agency was given away to the European firm in question and if so, with what result; and
- (f) the progress achieved so far by the sole agent up to date?

A.—(a) 2,571 gallons of fluid ink and 16,356 tins of ink powder were manufactured in the year ending 31st March 1924.

(b) 1,925 gallons of fluid ink and 14,468 tins of ink powder were disposed of during this period by sale to the Superintendent of Stationery and to municipalities, district boards, railway administrations and the general public.

(c) The working of the factory in 1923-24 resulted in a profit of Rs. 3,803 in round figures.

(d) The hon. Member is referred to the answer to question No. 178.

(e) Yes; an Indian firm of stationers was invited to take up the agency but declined.

(f) The firm was appointed sole agents in November last and the Government consider that it would be premature to publish any information on this point.

Mr. S. SATYAMURTI:—"With reference to clause (e) may I know why a single Indian firm only was invited to take up the agency?"

The hon. the PRESIDENT:—"If the hon. Member insists upon an answer and he does not get one now, the proper course evidently is to ask a separate question."

Mr. S. SATYAMURTI:—"May I know which Indian firm was invited?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The Government decline to answer."

Loans under the State Aid to Industries Act.

180 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Development be pleased to state if any loans have been so far sanctioned and granted, under the Madras State Aid to Industries Act, and if so, to furnish the respective amounts paid to each borrower and the nature of the enterprise aided?

A.—No loan has so far been sanctioned.

[19th August 1924]

side. The Government do not consider that it would be in the interest of the institute that the terms agreed on should be published.

- (d) Advertisements were inserted in the local press for one month inviting applications for the appointment of agents but no applications were received from any reputable Indian firms with an established connexion in inks and allied products.
- (e) The Government do not consider it desirable that the names of the applicants should be published.
- (f) The financial results of the working of the factory have been as follows:—

	RS.
1920-21 Loss	...
1921-22 Do.	1,201 in round figures.
1922-23 Do.	3,875
1923-24 Profit	825
	3,803

Mr. S. SATYAMURTI:—"With reference to clause (b) is there any time-limit to the sole agency of Messrs. Taylor & Co.?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Renewal after one year, and termination after three months' notice."

Mr. S. SATYAMURTI:—"When does the one year period expire?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"On 5th November 1924."

Mr. S. SATYAMURTI:—"May I ask whether when the time for renewal comes, the hon. the Minister will reconsider the question of giving the sole agency to them?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to the answer to clause (c) may I know whether Messrs. Taylor & Co. are being paid commission even on the ink bought by Government departments?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"I have no information. But will call for it."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to clause (c) I wish to know if Messrs. Taylor & Co. are paid any commission upon the quantity bought by the Government also?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"I want notice."

Mr. S. SATYAMURTI:—"May I know what are the criteria of reputability by which the Government judge the Indian firms?"

The hon. the PRESIDENT:—"The hon. Member may make that a separate question if he likes."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know if Messrs. Taylor & Co. are stationers?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"No."

Mr. S. SATYAMURTI:—"May I know if they have any established connexion in ink and other allied products?"

[19th August 1924]

Mr. SAMI VENKATACHALAM CHETTIYAR:—"With reference to clause (f) may I know the amount of commission paid to Messrs. Taylor & Co. in 1923-24?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The commission has to be paid later on with effect from the 6th November 1923."

Manufacture of ink in the Government ink factory.

179 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Development be pleased to state—

- (a) the total outturn of ink manufactured at the Government ink factory during last year;
- (b) the quantity disposed of and how;
- (c) the amount of profit or loss in the working of the factory;
- (d) whether it is a fact that the sole agency for the sale of inks was given to a European firm in Madras; if so, the name of the firm and the terms and conditions under which the agency was assigned to that firm;
- (e) whether any Indian firms were consulted before the sole agency was given away to the European firm in question and if so, with what result; and

(f) the progress achieved so far by the sole agent up to date?

A.—(a) 2,571 gallons of fluid ink and 15,356 tins of ink powder were manufactured in the year ending 31st March 1924.

(b) 1,925 gallons of fluid ink and 14,468 tins of ink powder were disposed of during this period by sale to the Superintendent of Stationery and to municipalities, district boards, railway administrations and the general public.

(c) The working of the factory in 1923-24 resulted in a profit of Rs. 3,803 in round figures

(d) The hon. Member is referred to the answer to question No. 178.

(e) Yes; an Indian firm of stationers was invited to take up the agency but declined.

(f) The firm was appointed sole agents in November last and the Government consider that it would be premature to publish any information on this point.

Mr. S. SATYAMURTI:—"With reference to clause (e) may I know why a single Indian firm only was invited to take up the agency?"

The hon. the PRESIDENT:—"If the hon. Member insists upon an answer and he does not get one now, the proper course evidently is to ask a separate question."

Mr. S. SATYAMURTI:—"May I know which Indian firm was invited?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The Government decline to answer."

Loans under the State Aid to Industries Act.

180 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Development be pleased to state if any loans have been so far sanctioned and granted, under the Madras State Aid to Industries Act, and if so, to furnish the respective amounts paid to each borrower and the nature of the enterprise aided?

A.—No loan has so far been sanctioned.

[19th August 1924]

APPENDIX I.

[Vide answer to question No. 98 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 19th August 1924, page 263 supra.]

G.O. No. 456, Public, dated 30th June 1924.

The list of Newspapers and Institutions and Others admitted to the privileges of the Editors' Table as revised up to 31st May 1924 is annexed to these proceedings.

(By order of the Governor in Council)

N. E. MARJORIBANKS,
Acting Chief Secretary.

Annexure.

List of Newspapers, Institutions and Others admitted to the privileges of the Editors' Table corrected up to 31st May 1924.

NEWSPAPERS.

MADRAS PRESIDENCY.

Madras City.

Serial number.	Names of Newspapers, Institutions and Others.	Remarks as to papers sent.
<i>English.</i>		
1. Madras Mail	}	Papers placed on the Editors' Table; list of business and press communiqués; also bound copies of departmental reports.
2. New India		
3. Hindu		
4. Justice		
5. Daily Express	}	Papers placed on the Editors' Table; list of business and press communiqués.
6. Swadesamitran, English, weekly.		
7. To-day		
8. Indian Review		
9. Madras Weekly Notes	}	List of business and press communiqués; papers issued in the Local Self-Government (Public Health) and Law (Education) Departments placed on the Editors' Table.
10. Local Self-Government Gazette.		
11. Wealth of India	}	Papers placed on the Editors' Table and press communiqués.
12. Catholic Leader		
13. Commerce and Industries		
14. Indian Medical Journal		
15. Jaina Gazette	}	Reports relating to the Medical and Public Health departments placed on the Editors' Table.
16. Saiful Islam		
		Papers placed on the Editors' Table; list of business and press communiqués.

[19th August 1924]

Serial number.	Names of Newspapers, Institutions and Others.	Remarks as to papers sent.
<i>Tamil.</i>		
17. Swadesamitran	}	Papers placed on the Editors' Table; list of business and press communiqués; also bound copies of departmental reports.
18. Hindu Nesan		
19. Dravidan	}	Papers placed on the Editors' Table; list of business and press communiqués.
20. Janavartamani, Triplicane		
21. Navasakti, Royapetta		Papers placed on the Editors' Table and press communiqués.
<i>Telugu.</i>		
22. Andhraprakasika	}	Papers placed on the Editors' Table; list of business and press communiqués.
23. Trilinga		
24. Andhrapatrika		Papers placed on the Editors' Table; list of business and press communiqués; also bound copies of departmental reports.
<i>Hindustani.</i>		
25. Jarida-i-Rozgar and Hydari Press		Papers placed on the Editors' Table; list of business and press communiqués.
26. Mukbhir-i-Deccan		Papers placed on the Editors' Table and press communiqués.
<i>Mufassal.</i>		
<i>English.</i>		
27. Western Star, Trivandrum	}	Papers placed on the Editors' Table and press communiqués.
28. West Coast Reformer, Calicut		
29. West Coast Spectator, Calicut		
30. Trivandrum Daily News, Trivandrum.		
31. South of India Observer, Ootacamund.	}	
32. Cochin Argus, Cochin		
33. Andhra Advocate, Vizagapatam.		
34. Mysore Economic Journal, Bangalore.		
35. Daily Post, Bangalore	}	
36. Janmabhumi, Masulipatam		
37. Malabar Journal, Calicut		
38. Sudarsanam, Trivandrum		
39. Planters' Chronicle, Coimbatore.		
40. Mysore Chronicle, Tumkur		
41. Samadarsi, Trivandrum		
42. Swarajya Patrika, Bezwada		

[19th August 1924]

Serial number. Names of Newspapers, Institutions and Others. Remarks as to papers sent.

43. The Wednesday Review *, Trichinopoly. Press communiqués and some selected papers.

Tamil.

44. Jananukulam, Tanjore ..
 45. Desabhimani, Cuddalore ..
 46. Pandyanesan, Madura ..
 47. Saurashtra, Madura ..
 48. Samarasa Bodhini, Tanjore ..
 49. Panam, Trichinopoly ..
 50. Kumaran, Karaikudi ..

} Papers placed on the Editors' Table and press communiqués.

Telugu

51. Ravi, Cocanada ..
 52. Dinabandhu, Masulipatam ..
 53. Andhravani, Berhampur ..
 54. Darbar, Guntur ..

} Papers placed on the Editors' Table and press communiqués.

Oriya

55. 'Asha', Berhampur ..

.. Papers placed on the Editors' Table and press communiqués.

Hindustani.

56. Muslim Sahakari, Calicut ..

.. Papers placed on the Editors' Table and press communiqués.

Malayalam.

57. Kerala Sanchari, Calicut ..
 58. Kerala Patrika, Calicut ..
 59. Malayala Manorama, Travancore ..
 60. Manorama, Calicut ..
 61. Desabhimani, Quilon ..
 62. Yogakshemam, Trichur ..
 63. Margadarsi, Calicut ..
 64. Kudiyani, Pattambi ..
 65. Navina Keralam, Calicut ..
 66. Mitavadi, Calicut ..

} Papers placed on the Editors' Table and press communiqués.

.. Press communiqués and papers of Revenue and Law (Education) Departments placed on the Editors' Table.

English and Malayalam.

67. Lokaprakasam, Trichur ..

.. Papers placed on the Editors' Table and press communiqués.

* Does not receive (1) papers of Local Self-Government Department relating to the district board and municipal administration reports except those of Srirangam and Trichinopoly, (2) papers of the Law (Education) Department regarding the working of the Government Colleges and (3) papers relating to administration reports except those of the Revenue Department relating to agriculture and Court of Wards and those of Development relating to Industries.

19th August 1924]

Serial number. Names of Newspapers, Institutions and Others. Remarks as to papers sent.

OTHER PROVINCES.

68. Central Provinces Weekly Notes, Chindwara.
 69. Muslim Outlook, Lahore * ..
 70. Servant of India, Poona ..
 71. Sind Observer, Karachi ..
 72. East and West Trade Developer, Rajkot.
 73. United Provinces Journal, Allahabad.
 74. Indian Engineering, Calcutta ..
 75. Indian and Eastern Engineer, Calcutta.
 76. Indian Agriculturist, Calcutta ..
 77. Indian Forester, Dehra Dun ..
 78. Agricultural Journal of India, Pusa.
 79. Tropical Agriculturist, Colombo.
 80. Youngmen of India, Calcutta.

} Unbound departmental reports only.

} Only papers of the Public Works Department classed 'A'.

} Papers relating to agriculture, trade, industries, forestry, etc., as per weekly lists from the Revenue Department placed on the Editors' Table.

Copies of publications, including the annual reports, of the Law (Education) Department placed on the Editors' Table.

81. Voice of India, Bombay ..
 82. The Indian Daily Mail, Bombay.

} Papers placed on the Editors' Table and press communiqués.

LONDON.

83. The Editor "British and Colonial Druggist". 194-200, Bishopsgate, London, E.C. 4. Only Development Department papers relating to cinchona.

INSTITUTIONS.

MADRAS PRESIDENCY.

Madras City.

84. The Madras Chamber of Commerce.
 85. The South Indian Chamber of Commerce.
 86. The Connemara Public Library.
 87. The Madras Branch of the Associated Press of India.
 88. The South Indian Association, Mylapore.
 89. The Madras Mahajana Sabha ..
 90. The Madras Landholders' Association.
 91. The Madras Ryotwari and Landholders' Association.
 92. The Southern India Skin and Hides Merchants' Association.

} Papers placed on the Editors' Table; bound copies of departmental reports and press communiqués.

} Papers placed on the Editors' Table; list of business and press communiqués.

} Papers placed on Editors' Table and press communiqués.

* All press communiqués.

[19th August 1924]

[15th August 1924]

Serial number.	Names of Newspapers, Institutions and Others.	Remarks as to papers sent.
93.	The Madras Provincial Co-operative Union	All papers placed on the Editors' Table relating to Agriculture, Industries, Co-operative Societies, Veterinary, Fisheries and Weights and Measures.
94.	The Rice, Grain and Sugar Merchants' Association.	Press communiqués and Editors' Table papers of the Development Department and the annual report of the Commissioner of Labour.
95.	The Madras Medical Association.	Press communiqués and all reports relating to Medical and Health departments placed on the Editors' Table.
96.	The South Indian Teachers' Union.	Papers of Law (Education) Department placed on the Editors' Table and press communiqués. Reports of local bodies placed on the Editors' Table and press communiqués.
97.	The Headmasters' Association..	
98.	The Madras Presidency Maternity and Child Welfare Association.	
<i>Mufassal.</i>		
99.	The Secretary, Gautami Library, Rajahmundry.	Papers placed on the Editors' Table and press communiqués.
100.	The Secretary, Gokhale Library, Mayavaram.	
101.	Kerala Jenmi Sabha, Kottakal.	Press communiqués and papers of Law (Education) Department placed on the Editors' Table.
102.	Missionary Educational Council of South India, Arkonam.	Only papers of Law (Education) Department placed on the Editors' Table.
103.	The Union Club, Tanjore	Unbound annual departmental reports and press communiqués.
104.	The Secretary, Gopal Rao Public Library, Kumbakonam.	
105.	The Secretary, Victoria Edward Hall, Madura	
106.	The Secretary, Victoria Club, Cuddalore.	
107.	The President, Rammohan Free Public Library, Bezwada.	
108.	The Tanjore Maharaja Sarfoji Saraswati Mahal Free Library, Tanjore.	
109.	Tinnevely District Association, Tinnevely.	
110.	Muhammadian Literary Society, Nellore.	
111.	The Theosophical Society, Madura.	Only papers relating to literary, scientific and historical matters and press communiqués.

19th August 1924]

Serial number.	Names of Newspapers, Institutions and Others.	Remarks as to papers sent.
112.	United Planters' Association of South India, Coimbatore.	Papers placed on the Editors' Table relating to trade, agriculture, and industries, forestry, etc., as per weekly Revenue Department list and press communiqués.
113.	Honorary Secretary, the Peace Memorial Association, Anantapur.	Annual departmental administration reports placed on Editors' Table and press communiqués.
OTHER PROVINCES.		
114.	The Director of Eastern Press Cuttings Bureau, Calcutta.	Annual departmental administration report placed on Editors' Table and press communiqués.
115.	The Secretary, Carmichael Library, Benares.	
116.	The Librarian, Lytton Library, M.A.O. College, Aligarh.	
117.	The Public Library, Bangalore.	
118.	Honorary Secretary, Deccan Sabha, Poona City.	
119.	Albert Institute, Calcutta	Important papers relating to education agriculture, industries, commerce and co-operation as instructed in the red slip attached to Editors' Table proof.
120.	Mysore Darbar	
121.	The Petit Indian Commercial Intelligence Bureau, Bombay.	Papers relating to agriculture, trade, industries, forestry, etc., as per Revenue Department weekly list.
122.	The Registrar, Allahabad University, Allahabad.	Revenue Department papers classed 'A'
123.	Bombay School of Economics and Sociology.	Annual departmental administration report placed on Editors' Table and press communiqués.
OTHERS		
124.	The Hon'ble Members and Ministers.	Press communiqués.
125.	Madras non-official members of the Legislative Assembly and Council of State and the non-official members of the Madras Legislative Council.	Press communiques and supply of such papers only as are called for by them in reply to the weekly cards sent to them.
126.	Collectors of all districts including Collector of Madras.	Press communiqués.
127.	Col. W. G. King, C.I.E., Brentmead, Sewington Road, Hendon, London, N.W. 1 (Retired Sanitary Commissioner of Madras).	Sanitation reports and Government Orders relating to sanitation and sanitary engineering only, as per Local Self-Government (P.H.) Department's list.
128.	American Consulate, Madras	Certain departmental administration reports.

[19th August 1924]

APPENDIX II

[Vide answer to question No. 113 asked by Mr. C. Ramalinga Reddi at the meeting of the Legislative Council held on the 19th August 1924, page 272 supra.]

G.O. No. 1917, Law (General), dated 27th June 1924.

The Government have been for some time engaged in the work of scrutinizing the various provisions of the Estates Land Act, 1908, and examining suggestions which have been received for the purpose of amending some of its provisions and setting at rest the doubts and conflicts of decisions that have arisen in regard to the interpretation of certain others. With the help of some Members of the Legislative Council and others specially qualified to advise in this behalf, the Government have collected a good deal of material bearing on the subject and they desire to have the opinion of all the interests affected on the issues involved.

2. With this object and with a view to suggesting further alterations and amendments in the existing Act the Government propose to appoint a committee with the hon. the Law Member as chairman. The committee will commence their work on the 28th of July.

The committee will consist of the following members:—

Mr. M. E. Couchman, I.C.S., Member, Board of Revenue.

M.R.Ry. T. R. Venkatarama Sastriyar Avargal, Advocate-General, Madras.

„ Rao Bahadur C. V. S. Narasimha Raju Garu, M.L.C.

„ B. Muniswami Nayudu Garu, M.L.C.

Sriman Biswanath Das Mahasayo, M.L.C.

M.R.Ry. Alladi Krishnaswami Ayyar Avargal, High Court Vakil.

„ K. Jagannatha Ayyar Avargal, High Court Vakil.

„ K. Ragunatha Rao Avargal, Zamindar of Pudur.

„ P. Venkataramana Rao Avargal, High Court Vakil.

„ T. C. Srinivasa Ayyangar Avargal, High Court Vakil.

Raja Srikrishna Chandra Gajapati Narayana Deo Garu, Raja of Parlakimedi.

M.R.Ry. Kopalli Krishna Rao Pantulu Garu, Masulipatam.

„ Rao Bahadur V. T. Krishnama Achariyar Avargal, Secretary.

3. Such of the non-official members of the committee as attend from the mufassal will be allowed to draw travelling allowance at the following rates:—

(a) One first-class fare and one third-class fare for journey by rail to and fro;

(b) mileage at twelve annas per mile; and

(c) daily allowance at Rs. 7½ per diem.

(By order of the Governor in Council)

V. T. KRISHNAMA ACHARIYAR,
Acting Secretary to Government.

19th August 1924]

APPENDIX III.

[Vide answer to question No. 141 asked by Mr. C. Ramalinga Reddi at the meeting of the Legislative Council held on the 19th August 1924, page 289 supra.]

G.O. No. 566, Financial, dated 14th September 1896.

READ—the following paper:—

From the Superintendent, Government Press, Madras, dated 24th August 1896, O.N. No. 2026.

Order—No. 566, Financial, dated 14th September 1896.

Copies of the proceedings of Government in all departments which are placed on the Editors' Table will in future be supplied to the newspapers mentioned in the annexed list direct from the Government Press. Editors and Managers of newspapers who now procure papers by means of messengers will be requested to note the change.

(True extract)

J. F. PRICE,
Chief Secretary.

Annexure.

Newspapers and Institutions, the Editors or Secretaries of which have been placed on the Editors' Table.

Madras.	
1. The "Madras Mail," Beach.	9. The "Hindu Reformer".
2. „ "Madras Times," Pophams Broadway.	10. „ "Veveka Chintamani".
3. „ "Madras Standard," Philipps Street.	11. „ "Seseleka," 36, Narayana Mudali Street.
4. „ "Hindu," Mount Road, Madras.	12. „ "Madras Law Journal".
5. „ "Catholic Watchman".	13. „ "Fellow Worker".
6. „ "People's Friend".	14. „ "Madras Review," Egmore.
7. „ "Eastern Guardian".	15. „ "Indian Social Reformer".
8. „ "Andhraprakasika".	16. „ "Daily Argus".
Mufassal and other Presidencies.	
[Note.—Sent service bearing.]	
17. The "South India Post," Negapatam.	26. The "Sri Rajayogi," Coenada.
18. „ "Western Star," Cochin.	27. „ "Law Varidhamani" and "Desopahari," Ellore.
19. „ "Malabar Spectator," Calicut.	28. „ "Indian Daily News," Calcutta.
20. „ "Madura Mail," Madura.	29. „ "Civil and Military Gazette," Lahore.
21. „ "South Indian Times," Kumbakonam.	30. „ "Jananukulan," Tiruvadi, Tanjore.
22. „ Public Library, Tenkasi.	31. „ "Kerala Pathrika," Calicut.
23. „ Public Library and Reading Room, Rajahmundry.	32. „ "Manorama," Calicut.
24. „ "Nilgiri News," Ootacamund.	33. „ "Kerala Sanchari," Calicut.
25. „ "Indian Medico-Chirurgical Review," Gowalia Tank Road, Bombay.	

* Medical, Sanitary and Educational papers only.

[19th August 1924]

The RAJA OF RAMNAD:—"Mr. President, Sir, before you proceed further may I submit that it would be a matter of great convenience if the slips attached to these questions and answers as the alphabetical list of interpellators are circulated to hon. Members the previous evening, as it will enable us to speed up our engagements in the morning and be ready here when we find that our questions are going to be answered."

The hon. the PRESIDENT:—"The agenda for a day always includes the questions that will be answered on that day. Does not the hon. Member consider that information sufficient? He wishes also perhaps to have an index of the questions to be answered each day so that the interpellators may know what they have to be prepared for. I have no objection to circulating the index in the House, but I am afraid, it will not be ready for circulation outside the House, on the previous day."

The RAJA OF RAMNAD:—"My submission is that it may be circulated in the House the previous evening."

The hon. the PRESIDENT:—"It will be done."

III

POINT OF ORDER REGARDING THE PRACTICE OF THE SECRETARY LAYING PAPERS ON THE TABLE.

Mr. S. SATYAMURTI:—"Sir, may I rise to the point of order which you have courteously allowed me to do with regard to the practice of the Secretary to lay papers on the table. I have already submitted to you my views. As far as I can see there is no provision either in the Act or the Standing Orders which justifies such a practice. I want only to add one word with your leave."

"In 'May's Parliamentary Practice' at page 565 I find this:

'Judgment rolls, exhibits, and certified copies of documents relating to appeals, are delivered in at the bar of the House of Lords, upon oath. Other papers and returns were formally delivered at the bar, upon oath, in the same manner; but now they are either presented by a Minister of the Crown, or are forwarded by the department to the Clerk of the Parliaments, for presentation. In the Commons, when a Minister of the Crown has any papers of special importance to present, he goes to the bar and, on being called by the Speaker, he brings them up. When such papers are brought up, they are generally ordered as a matter of course to lie upon the table, but, upon the question that they do lie upon the table, the mover can found a statement to the House, and a debate can arise; though objection has been taken to a course which brought on debate under inconvenient conditions. In accordance with the resolution of the House of the 7th April 1851, accounts and other papers which are laid before the House by Act of Parliament, or the order of the House, are presented, by the deposit of the papers in the office of the Clerk of the House.'

"My submission to you, Sir, is this; that when Ministers or Members of Government have to present papers they must be called upon by you to place the papers on the table of the House. Otherwise, if you and this House consider that a more expeditious procedure should be adopted, it should be by a resolution of this House authorizing the Secretary to place the papers on the table. This procedure is irksome to us, because some information that we want is to be placed later on the table of the House. It is not available to us when we put questions and they are disallowed. My main point is that there is no authority either in the rules or the Standing Orders of the House or in the practice of the Mother of Parliaments or, may I add, even according to our sense of what is proper and due to this House, that papers of an important kind should be placed on the table of the House by

POINT OF ORDER REGARDING THE PRACTICE OF THE SECRETARY
LAYING PAPERS ON THE TABLE

19th August 1924]

[Mr. S. Satyamurti]

nobody responsible to this House but by a servant of this House, the Secretary. It seems to me that it is far more consonant with the dignity of the House, the importance of the subject and the responsibility of the Government that they should themselves place the papers on the table of the House."

The hon. the PRESIDENT:—"Dealing with the first point, the hon. Member has evidently had the advantage of studying a very important authority on Parliamentary procedure. He has made a long quotation on a question which the other hon. Members are not in a position to decide at present, nor can I do so on the spur of the moment. Only, I think that different portions of that quotation refer to different parts of the practice in laying papers on the table. That is all I need say at present."

"As regards our practice of laying papers on the table, the hon. Member is mistaken in thinking that they are merely laid on the authority of the Secretary. The Standing Orders state—and it is not merely a formula—that the business of the day is to be settled by the Secretary under the orders of the President and it is therefore under the orders of the President that the papers are included in the agenda. The hon. Member is right in saying that neither the Standing Orders nor the rules refer to the laying of papers on the table. Therefore the inference is that they are being laid on the table in accordance with the orders of the President who is guided in this matter by the general practice of Legislative assemblies. Beyond that I do not wish to say anything at present. The hon. Member has other methods open to him for calling this practice in question or for endeavouring to regulate it by Standing Orders. I do not think that his particular complaint about a certain question justifies our overhauling, at this short notice, the whole practice, which is of some standing not only here, but in other assemblies, of laying papers on the table. The hon. Member can now proceed to the second part of his point."

Mr. S. SATYAMURTI:—"I am obliged to you for the statement made. I now with your leave raise my second point and that is this."

12-15 p.m. Under the Standing Orders, no doubt, you have got the power of disallowing a question which has been fully answered in this House. But what I submit is that it is straining the language of the Standing Order beyond all its ordinary meaning to say that because some information is going to be supplied to the House on a future date, a question which seeks to obtain that information is out of order. I may mention one concrete instance. The hon. the Minister for Education some months ago answered a supplementary question of mine with regard to Christian instruction in the M.E.L.M. school at Ambur. He was good enough to promise a statement. I did not get the statement; the public did not get it. Then, Sir, I framed an original question and sent it to your office for being admitted asking for the report. In the meantime, I do not know whether before or after the receipt of my question, your office had received this communiqué from the hon. the Minister's department. Thereon they wrote to me saying that since the communiqué was going to be laid on the table on the 18th of August my question was disallowed. I submit, Sir, it was not properly disallowed. I do ask you to consider whether it is right that Members who ask for information which has not so far been supplied to

[Mr. S. Satyamurti]

[19th August 1924]

them can be disallowed the right of putting questions on the floor of this House and exercising the right of supplementary questions by the mere fact that a report is going to be placed on the table later. I would like to have your considered ruling, Sir."

The hon. the PRESIDENT :—"I understand that at the meeting of the Legislative Council on the 7th March 1924, in answer to a question put by the hon. Member about the boys in a mission school at Ambur, being required to repeat the Apostles' creed, the hon. the Minister for Education replied that the Government would call for a report. At the meeting of the Council held on the 19th March 1924, in answer to a question by the hon. Member, Mr. C. R. Reddi, on the same subject, the hon. the Minister for Education again stated that he had called for a report and that he would place it on the table after it was received and after consideration of the matter by the Government. These appear to be the facts; and more recently the hon. Member for the University sent a question by way of a reminder, I believe, asking whether the information had been received and whether the report would be laid on the table. The report having been received and the hon. the Minister for Education being prepared to place it on the table, the hon. Member for the University was informed that there was no need to enter the question separately in the agenda because this report was going to be laid on the table. If the hon. Member put that question by way of a reminder, I do not think that he was damnified by this procedure. It is certainly open to him to put any further questions he likes upon the report which he has now perused and some further questions have been put to-day. It is always understood that when questions put have been substantially answered, it is open to the Council Office to inform an hon. Member that the answer has been furnished already; in this case the answer was the laying of a paper on the table. The hon. Member apparently insists that in order to give him an opportunity to deal further with this matter, his question, though a reminder upon a subject which had been dealt with, ought to have been entered as a question in the agenda. I do not think that when a question has been substantially complied with or answered it is necessary to put it down formally in the agenda merely for the purpose of enabling hon. Members to raise supplementary questions upon it. For it is always open to hon. Members to raise such questions. I do not feel that in this matter the hon. Member has been damnified. If he still thinks that his last question should have been answered during question time, I am prepared to deal with his contention later. My ruling for the present is that the hon. Member has not been damnified."

Mr. S. SATYAMURTI :—"Sir, may I make one submission? As to whether I am damnified or not, that is a matter of opinion. The question I beg to submit is whether its disallowance is in order. If you rule it is in order I have nothing to say. I still maintain, with all deference to you, Sir, that I have been damnified and it is a matter entirely of opinion. If the question was properly ruled out, I have nothing to say."

The hon. the PRESIDENT :—"I understand the hon. Member is asking whether the President was right in disallowing the question. That is hardly far is final."

19th August 1924]

Mr. SAMI VENKATACHALAM CHETTIYAR :—"May I make a submission, Sir? Certain Government Orders are placed on the table by the Secretary. May I know whether there are any sets of rules or provisions dealing with the nature of the Government Orders to be placed on the table and those which will not be so placed but will be sent to members as the ones mentioned in the post cards that we receive from the Government Press?"

The hon. the PRESIDENT :—"The post card, I understand, refers to papers placed on the Editors' Table and hon. Members used to be asked to select the papers they wanted. At present by virtue of a certain resolution, they have dispensed with this course and they prefer to receive all papers placed on the Editors' Table. The papers which are laid on the table by the Secretary are papers which the Government wish for one reason or another to bring to the notice of hon. Members without laying them on the Editors' Table. Whenever it is desired to bring any official document to the notice of hon. Members, the only means that we have of doing it conveniently and with sufficient notice is to lay it on the table. There are thus two different classes of papers. Papers which it is desired to bring to the notice of hon. Members either at the instance of the Government or under the orders of the President or for any other reason, are laid on the table of the House. They are generally not Editors' Table papers, which are papers meant for the information of the Press as well as of hon. Members."

IV

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table copy of * G.O. No. 426, Finance, dated 31st May 1924, regarding the constitution of the Finance Committee for 1924-25.

(2)

The SECRETARY laid on the table copy of † G.O. No. 421, Finance, dated 28th May 1924, regarding the constitution of the Public Accounts Committee for 1924-25.

(3)

The SECRETARY laid on the table copy of the ‡ forecast of financial prospects connected with the Cauvery Mettur Reservoir project †.

V

SALARY OF COUNCIL SECRETARIES—cont.

The hon. the PRESIDENT :—"The House will now resume discussion of the motion of the hon. the Minister regarding the salary of the Council Secretaries."

The hon. Rao Bahadur Sir A. P. PATRO :—"Sir, I was submitting to the House yesterday the necessity for the appointment of the Council Secretaries. I submitted that the increase in the volume of work, in the number of questions, resolutions and motions, was the main ground for making the appointments. It must be remembered that it is not only here in this

* Vide Appendix IV on page 364 infra. † Vide Appendix V on page 365 infra.
‡ Vide Appendix VI on page 366 infra.

[Sir A. P. Patro]

[19th August 1924]

Council or in this province that this institution is sought to be inaugurated. It is so in every province. One of the ex-ministers of the United Provinces giving evidence before the Reforms Inquiry Committee emphasized the necessity for the appointment of Council Secretaries and thereby affording relief to the Ministers who are responsible to the Legislative Council. Therefore on the two grounds of volume of work and of past experience here and in other provinces, I urge that it is necessary to continue this institution of Council Secretaries."

MR. R. SRINIVASA AYYANGAR :—" Mr. President, I should like to give my support to the amendment moved by Mr. Sami Venkatachalam Chettiyar. So far as the Ministers are concerned, they referred in support of their original motion to two main circumstances, the first being the complexity of the administration and the second, the increased volume of work which has now devolved on the Ministers. And by way of reinforcing the position, which the hon. the Minister for Education took up, he also referred to the past experience of the Ministers. I have before me the answer given yesterday by the hon. the Law Member on the floor of this House to question No. 24. The answer to section (b) reads: 'The Government regret it is not possible to give any details of the work actually turned out by the Council Secretaries. The duties that are to be performed by them are given on page 101 of Volume II of the Madras Legislative Council Manual.' The cautious way in which this language is couched is obviously indicative of the fact that so far as the Council Secretaries are concerned they have done no work worth mentioning and it is only in that sense and in that light that I am tempted to construe this statement."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am afraid a construction which cannot be legitimately put on my words is being inserted into them. What I said was that I was not in a position to tell, as the question was put to me. As the spokesman of my department I said that I was not in a position to give details. In the course of the other answers I made it clear that my hon. Colleagues who had the advantage of working with the Council Secretaries would be able to give the information. All that I said was that I was not able to give it."

MR. R. SRINIVASA AYYANGAR :—" At any rate, it cannot be said by the hon. the Law Member that the answer is not susceptible of that interpretation."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The ingenuity of my hon. Friend is great enough to maintain that."

MR. R. SRINIVASA AYYANGAR :—" I do not think that the hon. the Law Member is prepared to say that my interpretation is violent. I inferred that the careful language employed was intended only to be an euphemistic way of saying that the Council Secretaries had done no work worth mentioning. Speaking for myself I have known the Secretaries, and I have seen them in person. I have not been able to see and much less to appreciate their work. Their work, if any, at any rate, has not been before the public and, if I am not very much mistaken, seems to lie hidden under a bushel. But there is no much scope for work. At any rate that there is no necessity for the appointment of these Council Secretaries is obvious from the unanimous recommendation made by the responsible committee of this House, namely, the

[19th August 1924] [Mr. R. Srinivasa Ayyangar]

Retrenchment Committee. I do not think it is possible for me to add anything to the reasons they have given for leaving cut these officers altogether. It is true that the power of appointment of these gentlemen inheres principally in His Excellency the Governor. While I have no desire to question the appointments or the competency thereof I would submit that the only way by which we can effectuate our object is by giving our support to the amendment before the House which if accepted would cut down their salary substantially by reducing it to Re. 1. As for the complexity of the administration and increased volume of work, I may at once state that so far as the reserved half is concerned they have so far not received any substantial help from them.

"As for the Ministers, I venture to submit with all humility that their establishment is so large that I am unable to understand as to why they should feel the necessity for these Council Secretaries or why they should regard the appointment of these Council Secretaries as a dire necessity. Each Minister has under him a Secretary, a Deputy Secretary, Under Secretary, Assistant Secretary, Superintendent and what not."

The hon. Rao Bahadur Sir A. P. PATRO :—" The Ministers have not got the permanent Secretaries under them."

MR. R. SRINIVASA AYYANGAR :—" Are there no Deputy Secretaries in charge of some of the departments administered by the Ministers? If the Ministers really think that without the Council Secretaries it would be impossible for them to get on, it does not speak very much of their capacity. But if, on the other hand, we are satisfied and we think that the Council Secretaries are absolutely indispensable, I for one would be the first and foremost to vote not only for Rs. 500 but for something even more substantial. But, as at present advised, I am not at all satisfied as to the necessity for the appointment of these Council Secretaries, which, I venture to think, are appointments in the nature of baits to certain classes of people, apparently to consolidate the strength of the party and to keep what is known as the reserve power. So far as our past experience has gone, the answer given last March by the hon. the Law Member does not seem to be anything edifying or illuminating as regards the amount of work done by them. So far as their work is concerned, we can judge of it by what has been indicated to us and by what we have been able to receive as answers but not by what the Ministers may feel for themselves. So far as we are concerned, as the matter has come before us, and as the Council is now called upon to give its vote, it is incumbent upon the Ministers to satisfy this House that these Council Secretaries are absolutely indispensable, and I am not prepared to go so far as to say that without them it is practically impossible for them to get on. Unless they are prepared to go that length—which I hope not and I wish not—I do not think any one of us will be justified in voting for these Council Secretaries. We oftentimes not only preach economy but also practice economy, and we are in favour of retrenchment, and so far as these Council Secretaries are concerned, every year their salaries, not to speak of their other allowances, will amount to not less than Rs. 18,000. And it seems to me, Sir,—and I speak with a strong feeling in this matter—that we must lay ourselves open to the charge of extravagance if we are to vote for the motion put forward by the hon. the Raja of Panagal. Expediency,

[Mr. B. Srinivasa Ayyangar] [19th August 1924]

reason, justice, decency and propriety require that we should give whole-hearted support to the amendment of Mr. Sami Venkatachalam Chetti."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, the hon. the Minister for Education has told us that it is absolutely indispensable to have Council Secretaries, and in a way he told this House that they would be handicapped in their work without them. I do not wish to enter into a controversy as regards that point. But before the hon. the Minister asked this House to accept the motion, I think he owed it to us to furnish detailed information regarding some aspects of this problem. For the last three years three Council Secretaries were appointed on a salary of Rs. 500 each. I believe it was then understood that they were to be full-time Secretaries and that their headquarters also should be Madras. But yesterday we were informed that they would be hereafter part-time Secretaries, that they could stay in their own places, and that they could come here whenever their services are requisitioned by the Ministers. But before we satisfy ourselves about the proposal, I wish to know what circumstances have transpired in the interval which have necessitated a change in the former state of things. Is it the case that the Ministers found it difficult to secure the services of Members of this Council as Council Secretaries on the same terms as before, that is, as full-time Secretaries on salaries of Rs. 500 per mensem? And if so, what attempts have been made and with what result? Then, we were not in a position to obtain any information as to the nature of the duties which these part-time Secretaries were called upon to perform, except that some meagre information was given that they would do such work as they are called upon to do by the Ministers. Is it to be understood that they can carry on their own work and come to Madras at the time of Council meetings and help the Ministers in framing replies to questions or writing notes on resolutions? What is the sort of work they are expected to do? As I said, unless we are given satisfactory reasons as to the proposed change from the old system, as to the necessity for having part-time Secretaries and also as to the nature of the duties which they are called upon to perform, it is difficult to give our assent to the proposal. I do not know if any regulations and rules have been framed as to what sort of duties they are to perform and for how long. If all the information at our disposal is that the Council Secretaries will remain in their own places and only come here if and when the hon. the Minister chooses to call them, I think it will be a very unsatisfactory state of things. Therefore I think it is due to us that the Ministers should take us more into their confidence and tell us exactly how the proposed reform from full-time to part-time is justified. In the absence of that information, I am afraid we cannot give our support to the motion."

Mr. B. MUNISWAMI NAYUDU:—"Mr. President, Sir, throughout the discussion, the question debated upon seems to me that if the Council Secretaries are to be appointed, it should be made clear what their duties are, and that their work must be gauged by volume. Sir, if we refer to the constitutional practice as to the circumstances under which Under Secretaries are appointed in western countries, in the Mother of Parliaments, it would be found that it is more for the purpose of enabling Members of Parliament to get into touch with the administration . . ."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Members of the Party?"

[19th August 1924]

Mr. B. MUNISWAMI NAYUDU:—"Sir, I am sorry that a question of this sort should be put to me. If a little more care is taken to know what are the duties assigned to Parliamentary Under Secretaries under the Constitution which we are always trying to imitate—how we are trying to imitate it is shown by the fact that we were so loud in demanding full provincial autonomy yesterday—it will be seen, I submit, that they have very important duties to perform, that the appointments are intended for the purpose of training them in administration, so that their experience may be of advantage to them, that it is a training ground for them to know what administrative problems are and how to deal with them. We find their duties defined in volume 2 of the Legislative Council Manual, namely, that their duties are analogous to those of Parliamentary Under Secretaries. The Council Secretaries who had been appointed in the past did good work. They were closely in touch with the Ministers and their work. They have learnt the nature of the administrative work in the departments of the Ministers and they have profited by it. If my friend Mr. Ramaswami Mudaliyar was present here at this time, he would have been able to satisfy the House as to the work done by them. As we are trying to develop our system on the lines on which constitutions in the West have developed, I may say that no party would treat the question of the appointment of Council Secretaries as a question to be debated upon as regards the volume of work and so on. The only question that the Council should consider is, provided that the appointments are made, as to whether the Council Secretaries should be paid so much. My submission is that if you want a fulltime servant and if you want to be benefited by his service, you would have to pay a larger salary. But, if, owing to financial stringency you want to fix a lesser amount, it should be such as to induce competent people to think it worth while to accept it. It has been said that this would demoralize party men and is intended to catch votes. I would ask the other side to say, if they are to be in power, whether these appointments would not be necessary. Yes, Sir. Probably there are briefless vakils and bankrupt merchants too on the other side? My submission is that the question should not be looked at from the point of view of volume or quantity. We are trying to have a constitution on western lines, and western institutions do require the appointment of Parliamentary Under Secretaries and they are selected from the party men, so that they may serve during the time the party is in power. These Council Secretaries in this motion are to be like the Under Secretaries attached to Ministers in Parliament."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Are bankrupt merchants qualified to sit as Council Secretaries?"

Mr. B. MUNISWAMI NAYUDU:—"Sir, we want men to be trained and the solution of the question as to what extent they are to be paid depends upon the men to be selected. Their work is not to be gauged by any standard of volume, and when a Member is acting as Private Secretary to a Minister it is impossible to divulge everything that he does; there are certain limitations, and there is also the limitation that on political grounds they may not be permitted to disclose everything that they do, and there ought to be some restrictions also, I think. As I said, Sir, we are all anxious to have institutions on western lines and of the western type, and I say we should also have persons analogous to Parliamentary Under Secretaries, who are part of

[Mr. B. Muniswami Nayudu] [19th August 1924]

western institutions. For these reasons, I think that the pay proposed is not too much, and I hope that better counsels would prevail and this House would vote for the motion."

Mr. P. ANJANEYULU :—" Mr. President, Sir, the last speaker, Mr. Muniswami Nayudu, put the case on lines slightly different from those propounded by the Ministers themselves. If I understood the Ministers correctly, they want these Secretaries because they find their work far too much and they want some help from these Secretaries. The last Council have had full-time Secretaries on the same pay. Is it the Ministers' case that the work has substantially increased and that therefore they want only half-time Secretaries now, whereas they had less work and had full-time Secretaries last year? It is a thing that they must decide for themselves. This position seems to me to be paradoxical. As the work has substantially increased, it stands to reason that they should insist on having full-time Secretaries more urgently this time than on previous occasions. I am indeed at one with the previous speaker in thinking that the salary proposed is too little. If they must have real work done they must have full-time Secretaries. I for one would think that the salaries demanded now by the Ministers for the secretaries are too small. But I think that the secretaries should be treated as Members of Select Committees. As a later development or corollary to what Mr. Muniswami Nayudu has said, it stands to reason that hon. Members could get trained in administration in all possible ways and do honorary work. Especially when they are to be requisitioned here only on occasions like Members of Select Committees who are willing to do substantial work without payment, I think it will be proper to elect them on the same lines and on the same conditions as Select Committee Members. In that view, I think the question of salary is immaterial when you are looking at the matter from the point of view of gaining political wisdom and training. If the Ministers are willing to accept the plea put forward by my hon. Friend Mr. Muniswami Nayudu, I suppose we can have secretaries to do honorary service. It therefore stands to reason that we should accept the amendment proposed by Mr. Sami Venkatachalam Chetti."

Mr. T. ADINARAYANA CHETTIYAR :—" Sir, I rise to support the amendment of my hon. Friend Mr. Sami Venkatachalam Chetti. 12-45 p.m. Yesterday, when we were dealing with the duties of the Council Secretaries, the hon. the Raja of Panagal gave us a very formidable list indeed. He said that there was any amount of drafting to be done, interpellations to be answered and there were various other duties to be performed, but as regards the actual performance, it is not possible to see what their achievements are. One is reminded in this connection of the contents of the famous chapter on snakes in Iceland. I was wondering how the hon. the Minister for Education did not laugh when he referred to the heavy volume of work that these Secretaries were doing, and when he began to draw instances from the United Provinces and probably the moon also for similar occasions for employing similar Secretaries it was clearly evident he has no parallel to adduce from nearer home. Sir, I have been patiently waiting to see if any of the supporters of the Ministry would give any acceptable reasons for the entertainment of these Council Secretaries. My gallant Friend, Mr. Muniswami Nayudu—gallant because he wanted to support a very hopeless cause—began to draw parallels from Parliamentary Under Secretaries. It looks as though we would follow Parliamentary

19th August 1924] [Mr. T. Adinarayana Chettiyyar]

procedure whenever it suited our convenience, but would ignore even the Mother of Parliaments whenever the procedure was inconvenient to us. But even if we respect the reasons which my hon. Friends have given, I fail to see the need for the hurry. We have gone on very well indeed for a year without these Council Secretaries, and from all that we have heard here, it seems to me that we can very well get on for another couple of years at least without their much belauded assistance. Moreover, there is the Reform Enquiry Committee now sitting at Simla, and we do not know what changes are going to be effected in the constitution. So, we can very well afford to wait for some time and meanwhile learn to do without the wonderful help of these Council Secretaries.

" Although I do not wish to harp upon that hackneyed reason any further, yet during the time of devastating floods like this, even the small amount that we can afford to save will count for much. Yesterday, somebody objected to one of the speakers on this side saying that the appointment of Council Secretaries was intended as a bait on the part of the hon. the Chief Minister to add to the strength of the party in power. I heard Mr. Muniswami Nayudu also throwing some kind of bait like that, when he said that when the Opposition comes into power they can also distribute their patronage in a similar way. But I am sorry to have to tell him that neither we Swarajists nor the United Nationalists are tempted by this bait. We do not want to set up a pinjrapole to provide appointments to the never-do-wells of our party. (Laughter.) My Friend Mr. Muniswami Nayudu also said that during the last regime the Council Secretaries had very much profited by being employed as such. That may be a fact from his point of view. Financially perhaps it did benefit them. But the world has to judge it, and from the country's point of view, I am surprised to hear such a statement being made. As regards the close touch referred to by Mr. Muniswami Nayudu that the Ministers had with the public through their Council Secretaries, that is the very ground of complaint which we on this side of the House put forward against the appointment of Council Secretaries. Yesterday, even the hon. the Law Member could not whip up any enthusiasm in regard to the appointment of these Council Secretaries. And the hon. the Chief Minister only talked about their potentialities, but not of any actual performances. If their potentialities are so much, why not the Ministers appoint their Secretaries and pay them out of their own pockets?

" It is unnecessary for me to point out that the Retrenchment Committee has unanimously recommended the abolition of these appointments. That Committee was appointed not by the members of this House, but by the party in power during the last regime.

" For these reasons, I would humbly request my fellow Members to heartily support the motion of my hon. Friend Mr. Sami Venkatachalam Chettiyyar. But before that, I would appeal with all the earnestness I can command to the hon. the Minister not to place the House in a very bad predicament but withdraw the motion he has tabled."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, I am sorry that I cannot agree with my Friend Mr. Muniswami Nayudu in this matter. I know that in such matters he used to have conscience and I expected that that conscience would be kept up when he made his speech."

Mr. B. MUNISWAMI NAYUDU :—" Whose conscience, Sir?"

[19th August 1924]

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"What I said was his conscience. It is unfortunate that whenever this matter of the appointment of Council Secretaries was discussed, the Ministers always wanted to anticipate the people, and they wanted to gain a march by asking His Excellency the Governor to make the appointments before the opinion of the Council was expressed. Four years back, when I gave notice of a resolution recommending to His Excellency the Governor that there was no necessity for the appointment of Council Secretaries in this Presidency, I was anticipated by a few days and the Council Secretaries were appointed after I gave notice of my motion, but before the motion came up for discussion in the Council. Now also the same thing has been repeated. We do not know when actually these Council Secretaries were appointed. We do not know whether it was the late Governor who appointed them, or it is the new Governor who made the appointments. We find that at least for six to seven months when there was a lot of work, and when ordinarily there ought to be a lot of work during the budget season, the Ministers were able to get through their work, but after the budget they now find the necessity for the appointment of these Council Secretaries. Why, when the Ministers were able to get through the busy budget season without requiring the services of these Council Secretaries, they want to have their assistance now is a thing which we have not been told about. Then again it is said that the Council Secretaries are persons who belong to the party which is in power and that they are appointed for the purpose of giving some inner knowledge of the principles of administration. Well, Sir, that came to me as a surprise. At least one of the Council Secretaries now appointed voted in the No-confidence motion—which motion, if anything ought to show to which party a member belongs—against the Ministry and with the Opposition. There we see how far this excuse given by the Ministers of appointing members of their own party as Council Secretaries with a view to give them an inner knowledge of the working of the administration is correct, and whether what was said on this side of the House that the appointment of the Council Secretaries is only a bait for the purpose of purchasing members and nothing else is not true. Last time when the Council Secretaries were appointed, it was clearly stated that they were full-time officers and that they were not to engage themselves in any other work. Whereas, this time we are told that they are only part-time officers. What change has occurred between the last Council and this that the arrangement of appointing full-time Secretaries should be changed into one of appointing part-time Council Secretaries we have not been told, and we have no means of knowing. We are told that these Council Secretaries are at present to be in their own native places and that they will be sent for when required. How often from the 1st of July have they been called for for work here in Madras is a thing on which we have no information. What sort of work have they been actually asked to do? We know what duties they can perform under the rules. Those duties are enumerated at page 101 of Volume II of the Council Manual. But what are the works actually turned out by these Council Secretaries we have not been told. At least we have got the testimony of one of the Council Secretaries who served in the last Council for the opinion that there is no necessity for the continuance of these Council Secretaries. My hon. Friend Dr. Subbarayan who, if I remember aright, was a Council Secretary for a year and a half, and who was a member of the Retrenchment

19th August 1924] [Mr. T. A. Ramalinga Chettiyar]

Committee, has unequivocally stated that there is no necessity for continuing the appointment. That opinion was also shared in by the hon. the Finance Member who was a part of the Executive Government—of the 'happy family' as it has been termed. Well, there we have got the opinion of the Executive that there is no need."

The hon. Sir ARTHUR KNAPP:—"May I ask my hon. Friend to refer me to the statement wherein Sir Charles Todhunter expresses that opinion?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"He will find it in the Retrenchment Committee's report."

The hon. Rao Bahadur Sir A. P. PATRO:—"He took part in the discussion on the appointment of Council Secretaries."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"We know that he has signed the report which has been submitted to this House and in that report he has concurred in the view of the Retrenchment Committee that there is no necessity for continuing the appointment."

The hon. Rao Bahadur Sir A. P. PATRO:—"As Finance Member, he has accepted the proposal."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"As Finance Member he has to approve of the salary that has to be fixed for the appointment but he has no power to say whether there is any necessity for appointing Council Secretaries or not. That is a power which is vested in His Excellency the Governor. All that he, as Finance Member, can say is whether the pay that is fixed is proper or not. That is the only question which, as Finance Member, he can go into and approve. The amount is fixed by the Ministers. That does not mean that the late Finance Member was satisfied that there was necessity for the appointment of Council Secretaries. Well, Sir, that is another point."

"We have heard so much about the 'happy family' in the old days. But now recently, we have got the authority of the hon. the Minister for Education and Exchequer that it is no longer a 'happy family'. It is a question of individuals functioning each in his own way."

The hon. Rao Bahadur Sir A. P. PATRO:—"That is not representing me correctly and accurately."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Well, Sir, there is the speech delivered by my hon. Friend at Guntur and I am only giving expression to my impression of it. Other hon. Members have also read that speech and they can draw their own conclusions in the matter."

The hon. Rao Bahadur Sir A. P. PATRO:—"We do continue to be a 'happy family.'" (Hear, hear.)

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Only the 'happy family' lives poles apart, excepting occasionally meeting at the table of the Legislative Council."

The hon. Rao Bahadur Sir A. P. PATRO:—"I hope my hon. Friend is not serious in his statement."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I am very serious. I am only giving expression to my impression of the speech delivered by my hon. Friend at Guntur."

[Mr. T. A. Ramalinga Chettiyar] [19th August 1924]

"Then again, Sir, even among the Ministers, apparently there is no joint responsibility. Each is to shift for himself. Now we find that the Council Secretaries need not come here and work in the Secretariat because there is no full-time work for them. That is the idea. I do not know whether they are going to bring another idea also into force, viz., that the Ministers themselves having no full-time work, they may themselves be in their own houses in their native places and work, just as the Council Secretaries are now allowed to do, especially because their pay has been reduced by a thousand rupees already. It seems to me that if these Council Secretaries are going to function in any way as permanent parts of the Government, this sort of arrangement that they could remain in their own places, be part-time officers and would only be called for when required, is an unthinkable arrangement so far as it goes.

"Then, Sir, it has been said that these Council Secretaries are to serve as a sort of Parliamentary Private Secretaries. I am told that in England, the Parliamentary Private Secretaries are not paid officers, and, if they are paid, they are paid out of the pocket of the Ministers themselves.

"So, we find here that there is no work for the Council Secretaries. That is practically admitted, because they are allowed to remain in their own house and are only to be sent for when there is work. Then we have got the analogy of the British Parliament in which such Secretaries are paid out of the pockets of the Ministers themselves and not out of public funds. We have also got the fact that the present arrangements are totally different from what obtained during the last Council. As I said, even with the arrangements that existed during the last Council, it was the unanimous opinion of the Retrenchment Committee, in which, there were the senior Member of the Executive Government, and a former Council Secretary, that there was no necessity for the continuance of these Council Secretaries. When that was the case, whether, with the altered arrangements, there is any necessity at all to continue these Council Secretaries, is a matter in which I do not think there is likely to be very much doubt.

"I would very gladly support the amendment of Mr. Sami Venkatachalam Chettiyar, for the simple reason that we have no power in this Council now to abolish the appointments, the appointments having been made by His Excellency the Governor."

Mr. ABBAS ALI:—"I feel I have to oppose the amendment. When

1 p.m. Mr. Ghatala was to be appointed as Council Secretary a deputation of Muhammadan Members of this Council waited upon the Chief Minister and told him distinctly that even though he may have Mr. Ghatala he cannot expect the votes of the members of the Muhammadan party. (Laughter.) He would laugh last who laughs best. The Chief Minister said distinctly 'I am not capturing Mr. Ghatala to capture your votes.' I do not want your votes. If I wanted your votes I would not appoint him.' That was the answer of the Chief Minister. We felt that Mr. Ghatala should have the discretion in the matter, and, rightly or wrongly, he believed that by his going to the ministerial side he would be of use to his co-religionists. I am glad to say that from the reports I hear I understand that the Ministers have been able to know what the feelings of the Muhammadans are and they have been making certain appointments in respect of members of district boards and municipal councils with due deference to the wishes of the Muhammadan community."

19th August 1924]

Mr. S. SATYAMURTI:—"May I ask my hon. Friend to give some instances of the change that he has been able to observe?"

Mr. ABBAS ALI:—"A number of Muhammadans have been appointed and my hon. Friend may refer to the Civil List for some of those appointments. Knowing the circumstances under which certain other appointments were made I do not know if I will be justified in publishing the names without the consent of those who gave me the information. There are some names which have yet to be published. The Ministers have never used Mr. Ghatala to canvass votes. Neither Mr. Ghatala nor anybody else came and asked for votes. I can confidently assert that neither Mr. Ghatala nor the Chief Minister can expect our votes. We are going to have a free hand in the matter and vote as we like. The Ministers have been honourable in their compact. As regards one of the Council Secretaries, Mr. Arpudaswami Udayar, he was a professor of great reputation and learning. Any one who knows Trichinopoly will know in what high regard and esteem Mr. Arpudaswami Udayar is held in Trichinopoly. He is respected by the professors, and Fathers of the St Joseph's College and by a host of students, and I know he is a very learned gentleman. He resigned his professorship when he took up this office. If the Council will vote against this motion he will be considerably inconvenienced. As regards Mr. Ghatala, he is a B.A., B.L., and a vakil practising at Vellore. As regards Barrister Tangavelu Pillai, he is a gentleman we all know. The House will be doing a great injustice to all these gentlemen by voting against the motion. These Secretaries are the eyes and ears of this House and they must manoeuvre and communicate to the Ministers."

A Voice:—"May I know, Sir, what manoeuvring is?"

Mr. ABBAS ALI:—"The Secretaries must see that the Ministers accommodate themselves to the wishes of responsible Members of this House. I therefore oppose this amendment."

Mr. ABDULLA GHATALA SAHIB:—"Last evening I wanted to protest against the statement of Mr. Sami Venkatachalam Chetti. He said that briefless vakils and barristers had been appointed as Council Secretaries."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I thought that my explanation last evening, that it was far from my intention to cast any reflection on the present incumbents, was pretty well understood."

Mr. ABDULLA GHATALA SAHIB:—"As the discussion was abruptly out short at 4 p.m. yesterday, I could not say anything. It looks rather strange that a gentleman of my hon. Friend, Mr. Venkatachalam Chetti's position should give expression to such unfounded and improper statements."

The hon. the PRESIDENT:—"I understood Mr. Venkatachalam Chetti to say that he did not make any reflection on any person who had been appointed."

Mr. ABDULLA GHATALA SAHIB:—"Then, coming to the point of the hon. Member for the University, I remember his having said that the Council Secretaries have been appointed as a vote-catching device. What I would say is this. The hon. Member for the University should have known that the interests of the Mussalmans are not as safe as those of the members of the other communities. Sir, you will remember the hon. Member for the

[Mr. Abdulla Ghatala Sahib] [19th August 1924]

University professing all love, friendship and sympathy for all the communities and at the same time writing a letter behind their back to the Secretary of State for India condemning the principle of communal representation by which alone the Mussalman community has attained its present position."

Mr. S. SATYAMURTI:—"Sir, apart from the question of the point of order regarding the relevancy of the letter I wrote to the Secretary of State, may I point out that my hon. Friend is wholly mistaken in the construction he puts on that letter? I did not object to communal representation. I objected, and I will continue to object to the formation of Ministries on communal bases. I made the point perfectly clear. I feel that my hon. Friend has to considerably change his antediluvian notions on these matters."

Mr. ABDULLA GHATALA SAHIB:—"The point that I would urge is whether it is in the interests of the Mussalman community to support the party which stands for communal representation or to support the party which throws away all principles of communal representation. That is all that I have to say."

Mr. S. SATYAMURTI:—"My party has accepted as a part of its programme communal representation, until such a time as the community to which it has been granted is willing to give it up. I hope the country will realize this one day and until the people are going to do that we are not going to allow each other's throat to be cut in communal wrangles."

Mr. ABBAS ALI:—"When did it adopt that policy?"

The hon. the PRESIDENT:—"We are getting away altogether from the subject."

Mr. J. A. SALDANHA:—"Mr. President, I have got the greatest sympathy for my friends the three Secretaries of whom one is an intimate friend of mine. I heartily support the motion that the Government should be liable to pay a rupee to each of the Secretaries and that the remainder Rs. 499 should be paid out of the excessive salaries of the Ministers. That is my humble suggestion (laughter). I gave notice of a motion on the budget for fixing the salary of the Ministers at the magic figure of 3333/3. If that point had come up for debate I am sure the magic influence of the magic figure would have weighed with this Council and they would have adopted the motion and if that motion had been carried I should have supported the motion for a grant of Rs. 500 out of the Government exchequer to the Council Secretaries. But that motion not having been even discussed, and considering that famine and floods have added to our difficulties, I think it is proper that we should support the amendment and say that the Government should be charged only one rupee. I had expected that at this meeting the Government would not only come forward with sympathies for the sufferers from flood and famine but would come for a grant for immediate relief for the famine and flood affected districts. I will not dilate on the miseries of the inundated districts. All the private benefactions and all the donations that are pouring in cannot adequately meet the needs of these people. Government, I think, ought to have proposed a grant for immediate relief to these sufferers. If the Government had come forward with some motion of this kind, they would have been heartily supported. But for the Ministers to come forward with a grant for Council Secretaries at this juncture, after visiting Palghat and other places, seems to me to be most heart-rending."

19th August 1924]

The hon. the RAJA OF PANAGAL:—"May I just tell the hon. Members that I have not come here with the demand? The demand was already made and granted."

Mr. J. A. SALDANHA:—"Here also the 'happy family' consideration should have prevailed. With these few words I heartily support the amendment."

Mr. YAHYA ALI SAHIB:—"Mr. President, Sir, in view of all that has happened with reference to this resolution, I find myself in a rather embarrassing situation. Considerable amount of animation has been evinced and a certain amount of personal element has been introduced into the debate. In one quarter, reference has been made consciously or otherwise to briefless barristers and unsuccessful vakils and in another quarter to bankrupt merchants. I also find that one hon. Member has categorically detailed the personal qualifications of the present incumbents. In view of all this, I find myself in a sort of delicate situation, and that is why I consider it is rather difficult to make up one's mind in regard to this amendment. But the matter requires dispassionate consideration, and I wish to examine it from a detached standpoint. The very question of the existence of the office is, I suppose, at issue in this resolution. I take it, Sir, that the very object with which this office has been created is to present an opportunity to Members of this House to get into touch with the administration so far as it concerns this Council, and in that light I take it that it is an important and substantial privilege accorded to this House which should not be lost. It may be that the present party in power may not take it in that light. But I consider that it is a privilege which the House should not give up on any score. If it is only a question of salary, rather than the existence of the office itself, I should think it is admitted on all hands that the amount now proposed is itself too low, and unless the present amendment is aimed at bringing about the abolition of the office itself, I apprehend, Sir, that I can have no sympathy with the idea that the present incumbents should continue in office and get a lower salary. If that idea is that the office should exist, but should not carry any salary, and that the present incumbents should work as honorary people, I can understand it. That I submit is a matter entirely left to the present incumbents themselves. If they come out voluntarily saying that they will work honorarily, I can understand it, and probably the House will appreciate the offer ('hear, hear'). But as matters stand at present, the office being deemed absolutely necessary and the present pay of the post being considered rather inadequate having regard to the position and responsibility of the office, I cannot in any way sympathize with this amendment of my hon. Friend Mr. Sami Venkatachalam Chetti."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, this is not the first time when in supporting a motion or opposing it the members of the party in power and the Ministers themselves are at variance in the matter of quoting reasons for their actions. We have heard it said by the hon. the Minister for Education that the work which the Ministers are called upon to do is of an enormous size that they really require the services of another gentleman as Council Secretary. But my hon. Friend, Mr. Muniswami Nayudu, referred us to what is quoted in the Montford Report wherein it is said that non-official Members of the Legislative Council should be appointed as Council

[Mr. Sami Venkatachalam Chettiyar] [19th August 1924]

Secretaries so as to enable them to get into touch with the actual administrative work. I accept that statement with sympathy. If that is so, it is inevitable that the gentlemen who are thus appointed must be permanent residents of Madras, so that they may be in daily touch with the administrative work, and that there was no use in their being attached to the Ministers but that they should get into touch with the Reserved half of the Government. For, in the Ministers there are already three non-official Members of the Council who are in touch with the administrative work in one half of the Government, and so to get into touch with the other half, we require the appointment of Council Secretaries for this half, or rather the Executive Councillors needed the employment of Council Secretaries to themselves. For even in matters where Executive Councillors might consult the Ministers, we have it said by the hon. Sir A. P. Patro that consultations were few and far between, and therefore I cannot easily see the reason why these non-official Members should not be attached to the Reserved half as Council Secretaries."

The hon. Rao Bahadur Sir A. P. PATRO:—"I deny that statement. It is not quoting me correctly."

MR. SAMI VENKATACHALAM CHETTIYAR:—"I so understood the speech he made in reply to the District Board's address at Guntur. If the hon. Sir Patro now states that the Executive Councillors were free in consulting the Ministers on matters concerning the Reserved departments, I shall stand corrected. Therefore, I must say this, that while the Ministers required the services of Council Secretaries, the hon. Member Mr. Muniswami Nayudu was under the impression that their services should be employed to enable them to get into personal contact with the administrative details of work. It is therefore tantamount to there being absolutely no work for the Council Secretaries. From the conditions of the appointment, it is clear that these gentlemen are not expected to do any substantial work. As a matter of fact, it is said that the Council Secretaries were appointed from the 1st of April, or at any rate their pay should be paid from the 1st of July. If the hon. the Chief Minister states that they were expected to render help in preparing answers to questions, we know the hon. the Minister for Development has told us that he did not receive any help from the Council Secretary but that on the other hand Mr. Noyce was helping him in the answers that were given in this House."

"Mr. Muniswami Nayudu also said that if Mr. Ramaswami Mudaliyar were present here, he would have related to this Council the nature of the work which he had to turn out during his tenure of office as Council Secretary. But along with him was Mr. T. C. Tangavelu Pillai, and I should like Mr. Tangavelu Pillai to state his experience as to the work he turned out as Council Secretary. I wonder why Mr. Muniswami Nayudu made reference to an hon. Member who is absent and who cannot be expected to say anything now."

"Then, we have our hon. Friend, Dr. Subbarayan, who was himself a Council Secretary for a year and a half and who was a party in recommending the abolition of this post. Further, Sir, last time, the Council Secretaries were appointed in the first meeting of the Legislative Council. But this time so much time was taken to appoint the Council Secretaries, presumably for the reason that they were trying to find out what work could possibly be

19th August 1924] [Mr. Sami Venkatachalam Chettiyar]

assigned to them. Even now, we are not enlightened as to the duties which they are substantially expected to do. Now, attention has been drawn to page 101 of the Council Manual, Vol. II, where the Council Secretaries' duties are delineated. But our complaint is that these duties are not performed by the Council Secretaries and that there is no chance of their being entrusted with these duties. But, if as the hon. Member Mr. Muniswami Nayudu suggested, these Council Secretaries were to be put in touch with the administrative details, I appeal to the hon. the Chief Minister to transfer these three gentlemen to the Reserved half and enable them to be in touch with the administrative work in those departments."

The hon. Sir ARTHUR KNAPP:—"As a matter of personal explanation I say this to my hon. Friend opposite. He has been told by my hon. Colleague the Law Member that we on the Reserved side, so far from being unwilling, were anxious to have the assistance of Council Secretaries. We only refrained from asking His Excellency to appoint them on financial grounds. I can promise him that we will ask for the appointments if the Council is disposed to grant the money."

MR. SAMI VENKATACHALAM CHETTIYAR:—"I only want a transfer of these Council Secretaries to the Reserved half. I consider that their existence in the Transferred half is useless, and therefore I want these people to be transferred to the Reserved side. Also, Sir, the hon. the Law Member said yesterday that he was not only anxious to have the assistance of Council Secretaries but that he would be very glad to have his pay reduced to that extent. I therefore appeal to this House to vote for this amendment. If, on the other hand, on grounds of financial stringency, the Ministers are prepared to reconsider this question, or if they will allow these Council Secretaries to be transferred to the Reserved half, I shall have no objection to withdraw the amendment on that assurance. I therefore appeal to this House to strongly support my amendment."

The hon. the RAJA OF PANAGAL:—"Mr. President, I am constrained to say that the opposition to the motion is as usual a manifestation of a spirit of opposition from certain quarters of this House. It has been pointed out to the House that under the present constitution the work of administration has become not only more complicated and more difficult but also more or less different in nature and that in the circumstances the appointment of Council Secretaries has become absolutely necessary, at all events, on the Transferred side. That position has not been seriously assailed. My hon. Friend, Mr. Yahya Ali, very sensibly pointed out that once it was conceded that the appointment was necessary, whether it should be an honorary appointment or a paid one, it must be left to the incumbents themselves. Sir, Member after Member rose and advanced argument after argument more or less irrelevant, and I am not prepared to answer all those points. One of the Members said that because the Presidency has had the visitation of unfortunate floods, we ought not to appoint Council Secretaries. I cannot understand why? Are we on that account denying the hon. Members their travelling allowance? The administration must go on, and if in the interests of administration the appointment of Council Secretaries is found necessary, then we ought not to grudge paying them. One other hon. Member . . ."

[19th August 1924]

Mr. J. A. SALDANHA :—"A word of personal explanation, Sir. If the hon. the Minister was referring to my speech in connexion with the appointment of Council Secretaries, I must say that I never said that the Council Secretaries should not be appointed. I only proposed that the Council Secretaries should be paid out of the Ministers' salaries." (Laughter.)

The hon. the RAJA OF PANAGAL :—"Well, Sir, the constitution provides for the payment of the Council Secretaries from the provincial exchequer, and if the Ministers can afford to be generous by all means let them be so. But that must be left to them."

"Sir, another hon. Member said that if the Council Secretaries were to go to the Reserved side he had no objection to their appointment. That is an indication that the objection is not really on financial grounds but is due to party considerations. I am sorry to see that these considerations should go so far as to manifest themselves in an outburst against the appointment of Council Secretaries."

"A third hon. Gentleman has pointed out that because there are no Secretaries appointed on the Reserved side there is no need for Secretaries to be appointed on the Transferred side also. That is an argument which I think it is my duty to answer. In the first place, the Members on the Reserved side are not responsible to the House to the same extent as Members on the Transferred side are. They need not have the feelings of the people interpreted to them. They are not here by the sufferance of the House. They are appointed by His Majesty and no vote of the Council can oust them from their position."

Sriman BISWANATH DAS Mahasaya :—"May I request the hon. the Chief Minister to let us know the difference between the responsibility of the Executive Councillors and that of the Ministers except in so far as we have to sanction the pay of the Ministers?"

The hon. the PRESIDENT :—"That question does not at all arise."

The hon. the RAJA OF PANAGAL :—"Sir, as a matter of fact the demand for Council Secretaries' pay was moved in this House and was granted when the budget was considered."

Mr. S. SATYAMURTI :—"May I point out, Sir, that it was guillotined?"

The hon. the RAJA OF PANAGAL :—"That was guillotined because the hon. Members on the Opposition Benches would not proceed quick enough to reach it."

Mr. S. SATYAMURTI :—"No. It was because the Ministerialists would not allow it to be discussed."

The hon. the RAJA OF PANAGAL :—"Then it is incidental to Parliamentary life; that is all I can say about it. It was open to them to have asked the party in power to concede to their wishes."

Mr. S. SATYAMURTI :—"As a matter of fact, my hon. Friend, Mr. Ramalinga Reddi, did ask you, Mr. President, and you were good enough to say that the guillotining was wrong. In spite of that appeal, the party in power had the vote."

The hon. the RAJA OF PANAGAL :—"What I said was that if they were really in earnest about it, they must have arranged it with the party in power."

19th August 1924]

[The RAJA OF PANAGAL]

Now, Sir, the grant for Council Secretaries having been made already it is only a question of application. The appointment itself is within the discretion of the Governor."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR :—"With or without the advice of the Ministers?"

The hon. the RAJA OF PANAGAL :—"I am not prepared to answer that question. When once it is considered the privilege of this House, I do not think the House is justified in voting for the amendment."

Mr. R. VEERIAN :—"I beg to oppose the amendment moved by my hon. Friend, Mr. Sami Venkatachalam Chetti. I have sufficient reasons for so doing. I wish to say, Sir, that under the Government of India Act the Secretaries are appointed by His Excellency in order that they may have experience of the administration. When such is the case, when once they are appointed by His Excellency, it is unfair on our part to say that there is no necessity for such appointment. Of course, they should concentrate their whole attention on the work assigned to them. If they have any other profession they should give it up forthwith. They should be full-time servants when they are appointed to these places. But they should not be asked to work without pay. As far as I know, my hon. Friend, Mr. Arpudaswami Udayar, has made Madras his headquarters. In fact he has resigned his appointment. It seems to me that he has got a tendency to serve the country (loud cheers). So, Sir, it is reasonable that he should be paid for his work."

The amendment of the hon. Mr. Sami Venkatachalam Chetti to substitute 'Rupee one' in place of 'Rs. 500' was put to the House and lost.

A poll was taken with the following result :—

For

- | | |
|---|---------------------------------------|
| 1. Rao Bahadur C. Natesa Mudaliyar. | 16. Mr. J. A. Saldanha. |
| 2. " T. A. Ramalinga Chetti. | 17. " M. Seetayya. |
| 3. Mr. C. Ramalinga Reddi. | 18. Sriman Sasibhushan Rath Mahasaya. |
| 4. Rao Bahadur A. S. Krishna Rao Pantulu. | 19. Mr. M. R. Seturatham Ayyar. |
| 5. " C. V. S. Narasimha Raja. | 20. " R. Srinivasa Ayyangar. |
| 6. Mr. A. Chidambaram Nadar. | 21. " Sami Venkatachalam Chetti. |
| 7. " K. Koti Reddi. | 22. " C. V. Venkataramana Ayyangar. |
| 8. " P. Anjaneyulu. | 23. " S. Satyamurti. |
| 9. Sriman Biswanath Das Mahasaya. | 24. " T. Adinarayana Chetti. |
| 10. Mr. M. Ganga Raja. | 25. " C. Maruthuvarnam Pillai. |
| 11. " S. Muthayya Mudaliyar. | 26. Rao Sahib U. Rama Rao. |
| 12. " Dr. P. Subbarayan. | 27. Mr. G. Rameswara Rao. |
| 13. Mr. V. C. Vellingiri Goundar. | 28. " B. Venkataratnam. |
| 14. " C. Gopala Menon. | 29. " Muhammad Moosa Sait. |
| 15. " P. Peddiraju. | 30. " K. Uppi Sahib. |

Against.

- | | |
|---|--|
| 1. The hon. Sir Arthur Krapp. | 11. Mr. Abdulla Ghatala Sahib. |
| 2. " Mr. C. P. Ramaaswami Ayyar. | 12. " S. Arpudaswami Udayar. |
| 3. " the Raja of Panagal. | 13. Rao Sahib T. C. Tangavela Pillai. |
| 4. " Rao Bahadur Sir A. P. Patro. | 14. Mr. C. Nicholson. |
| 5. " Diwan Bahadur T. N. Sivagnanam Pillai. | 15. " D. Appavu Chetti. |
| 6. The hon. Mr. R. A. Graham. | 16. " H. B. Ari Gowder. |
| 7. Mr. E. W. Legh. | 17. " N. Devendradu. |
| 8. " P. L. Moore. | 18. Rao Sahib S. Elleppa Chetti. |
| 9. " F. Noyes. | 19. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 10. " G. F. Paddison. | 20. Rao Sahib P. V. Gopalan. |
| | 21. Mr. Mahabala Hegde. |

[19th August 1924]

Against—cont.

- | | |
|---|--|
| 22. Rao Bahadur K. Krishnaswami Nayudu. | 41. Diwan Bahadur P. Kesava Pillai. |
| 23. Mr. V. Madhava Raja. | 42. Mr. Chavadi K. Subrahmanya Pillai. |
| 24. Hony. Lieut. Madurai. | 43. " R. Srinivasan. |
| 25. Mr. T. Mallesappa. | 44. " K. Sitaranga Reddi. |
| 26. " P. N. Marthandam Pillai. | 45. " P. V. S. Sundaramurti. |
| 27. " B. Muniswami Nayudu. | 46. Diwan Bahadur K. Suryanarayana murti Nayudu. |
| 28. " C. Muthayya Mudaliyar. | 47. Diwan Bahadur M. Krishnan Nayar. |
| 29. " T. R. Venkataranga Sastriyar. | 48. Mr. B. Veerian. |
| 30. " T. M. Narayanaswami Pillai. | 49. " K. Venkatachala Padayachi. |
| 31. " B. Obalesappa. | 50. Rao Bahadur C. Venkataranga Reddi. |
| 32. " C. Ponnuswami Nayudu. | 51. Diwan Bahadur W. Vijayaraghava Mudaliyar. |
| 33. " G. Premayya. | 52. Mr. Abbas Ali Khan. |
| 34. " P. T. Rajan. | 53. " Muhammad Ghousa Mian Sahib. |
| 35. " P. S. Rajappa. | 54. " Abdul Hye Sahib. |
| 36. " B. Ramachandra Reddi. | 55. " T. M. Muhammad Sahib. |
| 37. Rao Bahadur P. Raman. | 56. " Yahya Ali Sahib. |
| 38. Mr. P. Sagaram. | |
| 39. " K. Sarabha Reddi. | |
| 40. Rai Bahadur T. M. Narasimhacharlu. | |

30 voted for the amendment and 56 against. The motion was lost. The main proposition of the hon. the Raja of Panagal was then put to the House and carried. The House then (1-45 p.m.) adjourned for lunch.

After Lunch (2-45 p.m.).

VI

NOMINATION OF MEMBERS TO THE HOUSE COMMITTEE.

The hon. the PRESIDENT :—" I have to inform the House that the following six gentlemen were nominated for election to the House Committee :—

- (1) Mr. J. A. Saldanha.
- (2) Diwan Bahadur P. C. Ethirajulu Nayudu.
- (3) Mr. T. Adinarayana Chettiyar.
- (4) Mr. Moosa Sait.
- (5) Mr. R. Veerian.
- (6) Mr. P. T. Rajan.

" As the number of candidates nominated for election is equal to the number of vacancies to be filled, viz., six, I hereby declare the abovementioned gentlemen to be duly elected under Regulation II (4) of the Regulations for the holding of elections by means of the single transferable vote.

" Under Standing Order 80, I have nominated Rao Bahadur C. Natesa Mudaliyar and Rao Sahib U. Rama Rao to be members of the Committee."

VII

AMENDMENTS TO STANDING ORDERS.

Standing Order No. 54.

The hon. the PRESIDENT :—" Standing Order 76 says :

" When the motion is reached, the President shall read the draft amendments and ask whether the member has the leave of the Council. If objection is taken, the President shall request those members who support the motion to rise in their places and if more than 20 members rise accordingly, the President shall intimate that the member has the leave of the Council."

" The hon. Member, Rao Bahadur C. Natesa Mudaliyar, wants leave to amend the Standing Order No. 54 as follows :—

" After the words " a matter of general public interest " add the following :—
" which shall include, beside other matters, individual hardships, personal wrongs and grievances of public servants involving injustice, ill-treatment, injury to self-respect, abuse of power, infringement of Board's Standing Orders, Rules and Regulations of Government."

19th August 1924]

[The President]

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

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Am I in order, Mr. President, in moving for the adjournment of this matter until the September meeting of this Council? Of course, the Standing Orders as they stand prescribe a certain procedure. But I take it, however, that these standing orders do not preclude the application of the ordinary rules relating to motions for adjournments of business taken up.

" My reason for moving the adjournment is this. As the amendment is worded, there are obvious difficulties in the way of working such a rule, and it is possible that if the hon. Member who had given notice of this amendment has the opportunity of consulting some hon. Friends on every side of the House, he may revise some portions of his amendment; for, it cannot be forgotten that if this amendment be carried, it means that every single case of an employee of Government who is suspended or dismissed may be reconsidered in this Council. I know that my hon. Friend, Dr. Natesa Mudaliyar, does not contemplate any such contingency. In fact, I do not think I am interpreting his intentions wrongly if I say that he is perfectly willing to see that no such general result is produced by the amendment which he wants to move. It is because I feel like that, I think that a further consideration of this matter by the House and the hon. the Mover might tend to the elucidation of this matter and the production of a less contentious amendment. I therefore move for an adjournment of this business till the September meeting."

The hon. the RAJA OF PANAGAL :—" I second the motion."

The motion for adjournment was put and carried.

VIII

THE MADRAS STAGE CARRIAGES AND HACKNEY CARRIAGE ACT (AMENDMENT) BILL, 1924.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, I beg to present the report" of the Select Committee which dealt with this subject. I think the matter that I am going to place before the House has been simplified to such an extent that hon. Members will not feel the need for further scrutiny of the matter. The reasons that led to the amendment of this Act were based on two considerations. In the actual working of the Act it was found that the supply of the badges for the drivers and so forth resulted in an annual loss of Rs. 3,942 on an average, and to meet this loss the Select Committee had made certain changes, and certain amendments were proposed or sought to be proposed by Government. I think I shall not be uncharitable if I refer to the amendments proposed by my hon. Friend, Mr. Sami Venkatachalam Chetti, and if I characterize them as a counter-blast. He made certain amendments which would have, according to our computation, the effect of converting the small surplus into a very big deficit. I think on the whole it would conduce to convenience if we deal with this matter in the way suggested by the Select Committee; and I do not propose the amendments of which I have given notice on the understanding that the hon. Member, Mr. Sami Venkatachalam Chetti, will also take the same course."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" I have very great pleasure in abiding by the decisions which have been arrived at by the Select Committee, of which the hon. Member was the president."

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I move that the Report of the Select Committee be taken into consideration."

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

The motion was put and carried.

Clauses 1 and 2 were then put and passed.

New clause after clause 2.

3 p.m. The hon. Mr. C. P. RAMASWAMI AYYAR:—"I move that the following be inserted as a new clause after clause 2:—

"3. In the title of the Madras Hackney Carriages Act, 1911 (hereinafter referred to as the said Act) the words "in the town of Madras" shall be omitted."

"And the subsequent clauses be renumbered."

"Sir, the reason is this: that after having a provision which says that it shall apply to the Madras City there is a subsequent provision which says that it shall apply to other places. This is due to awkward drafting and we have to change it in order that the Act may be applicable to the whole Presidency."

The hon. the RAJA OF PANAGAL:—"I second the amendment."

The amendment was put to the House and carried, and the new clause was inserted after clause 2.

Clause 3.

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

"For the words and figures "the Madras Hackney Carriage Act (hereinafter referred to as the said Act), 1911", substitute "the said Act".

This is a formal matter and I beg to move it."

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

The amendment was put to the House and carried, and clause 3 amended was then put and allowed to stand part of the Bill.

Clause 4 was then put and passed.

Clause 5.

Mr. SAMI VENKATACHALAM CHETTIYAR:—"In this connexion, while I accede to the compromise suggested by the hon. the Law Member that the rates proposed by the Select Committee may be adopted and that I may withdraw my amendments, viz:—

- (1) In item (a) for the figure "10" substitute "3".
- (2) In item (b) for the figure "5" substitute "2".
- (3) In item (c) for the figure "2" substitute "1".
- (4) In item (d) for the figure "1-0" substitute "0-8".
- (5) In item (e) for the figure "8" substitute "4".

"I wish to state that it is not right to say that only the cost of badges should be taken into consideration. The list consists of certain figures presented by the Retrenchment Committee which shows that the administration of this Act resulted in a loss; but from the statement furnished by the Chief Secretary it will be seen that only one staff is maintained for the administration of Motor Vehicle and the Hackney Carriages Act. The administration of both these Acts result in a profit of Rs. 17,000 and not in

[19th August 1924] [Mr. Sami Venkatachalam Chettiayar]

a loss as has been stated by the hon. the Law Member. There may be losses in a particular item, namely, of badges, but that is not the correct way of estimating the loss or profit of a particular administration and it is a contentious point whether each Act in its administration should defray the expenses in connexion with that Act. However, that point might now be overlooked inasmuch as the hon. the Law Member has acceded to the proposal of the Select Committee.

"One other suggestion that I wish to make to the hon. the Law Member is that it seems to me that this income is a legitimate income of the municipal bodies in all the other provincial Governments, and I hope that the hon. the Minister for Local Self-Government will see that the administration of these Acts are transferred to the several municipalities. For instance in Bombay and Rangoon these Acts are administered by the municipal bodies and they form a source of income to them. With these remarks I accept the retention of clause 5 and withdraw my amendment."

The amendment being withdrawn, clause 5 was put and passed.

Clauses 6, 7 and 9 and the Preamble were then put and allowed to stand part of the Bill.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I now move that the Bill be passed into law."

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

The motion that the Madras Stage Carriages and Hackney Carriage (Amendment) Bill, 1924, as amended, be passed into law was put and carried.

IX

THE MADRAS DISTRICT MUNICIPALITIES ACT (AMENDMENT) BILL.

The hon. the RAJA OF PANAGAL:—"I beg to move that the Bill to amend the Madras District Municipalities and Local Boards (Amendment) Act, 1921*, be read in the Council. Sir, the Bill has been published in the *Fort St. George Gazette* and the necessary sanction for its introduction has been obtained from the Governor-General. As has been pointed out in the Statement of Objects and Reasons the idea of introducing this Bill is to remove certain difficulties in the actual working of the Act. Sir, the municipality of Anantapur has to be abolished and reconstituted because the Members did not take the oath of allegiance within three months prescribed in the Act. If this amendment is carried, the Members will be able to take the oath of allegiance or make the affirmation in any of the three meetings after they have become members of a municipal council or a local board. It is also intended that Members who have not taken the oath of allegiance should not be allowed to take part in the proceedings of the meetings. With these objects the Bill has been introduced. It is a small Bill and there can be no objection to its being read in the Council."

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

The motion that the Bill be read in Council was put and carried.

The Secretary then read the title of the Bill.

* Vide Appendix VIII on page 373 infra.

[19th August 1924]

The hon. the RAJA OF PANAGAL :—" I am advised that the Bill should be referred to a Select Committee. I therefore move that the Bill be referred to a Select Committee consisting of—

Mr. T. R. Venkatarama Sastriyar (Advocate-General).
Mr. Mahabala Hegde.

Rao Bahadur O. Natesa Mudaliyar.
Mr. S. Arpudaswami Udayar.

Diwan Bahadur P. O. Ethirajulu Nayudu and myself."

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

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether the hon. the Chief Minister insists upon the Select Committee going into only such of those sections as are mentioned in this amending Bill, or whether they can scrutinize the whole Act?"

The hon. the RAJA OF PANAGAL :—" The question may be discussed by the Select Committee. I propose that the name of Mr. C. V. Venkataramana Ayyangar also be added to the list of Members of the Select Committee."

The motion was put and carried.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It seems to me that the right which the hon. Member from Coimbatore has in relation to this Bill at this stage exists also at the stage of the discussion of the Select Committee Report."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I do not want to wait till the Select Committee stage and that is why I wanted to know whether the Select Committee would be competent to examine the whole Act."

" Well, Sir, I thank the hon. the Minister for Local Self-Government for including me in the Select Committee. However, that is not what I wanted to know. My membership in the Select Committee may help me, whereas this is a question which affects the right of any Member of this House and I wanted to know whether any Member can bring in amendments apart from the amendments suggested by the hon. the Mover of this amending Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I may most respectfully suggest that the hon. Member cannot get a ruling from the hon. the President as to whether he would be in order in doing a certain thing in the Select Committee."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" There is one point of order that has just struck me and it is for the Government and their legal advisers to consider whether it is a proper objection. This Bill purports to be an amendment of an amending Act. When once an amending Bill is passed the original Act is amended and there is no other amending Act. So far as I can see it is the original Act that has got to be amended. The original Act seems to be the position and it struck me just now and I leave it to the Government to consider the objection."

2-15 p.m.

The hon. the RAJA OF PANAGAL :—" Sir, the question will be examined by the Select Committee."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Unfortunately this is not an amending Act at all though it is called by that name. I said so even when the original Bill was passed."

19th August 1924]

The hon. the PRESIDENT :—" Under Standing Order 40 (3) I have to nominate one of the Members of the Committee to be its Chairman. I accordingly nominate the hon. the Raja of Panagal to be the Chairman of the Select Committee."

X

THE MADRAS TOWN-PLANNING ACT (AMENDMENT) BILL.

The hon. the RAJA OF PANAGAL :—" Mr. President, I beg to move that the Bill to amend the Madras Town Planning Act, 1920*, be read in Council. The Bill has been published in the *Fort St. George Gazette* in English on the 4th March 1924. As has been stated in the Objects and Reasons, the object of the Bill is to provide for the transfer of the Town Planning Scheme at any stage of its execution from one local authority to another, from a Trust to a local authority or from a local authority to a Trust, and to avoid when such transfer is made the necessity of having to commence proceedings under the Act afresh. The Bill also provides for the consequential transfer along with the scheme of the assets and liabilities connected therewith and for the payment to the authority from which the transfer is made of the expenses incurred by it on the scheme up to the date of transfer, for the

" I would observe in this connexion that the immediate occasion for the Bill arose in connexion with the Mambalam Town Planning Scheme which was prepared by the Madras City and Suburban Town Planning Trust and had, after the preliminary stages had been gone through, to be transferred to the Madras Corporation for execution mainly for the reason that the Trust was not in a position to finance the scheme. The Bill is purely non-controversial and it is merely intended to obviate the serious practical difficulties felt in the working of the Town Planning Act. I therefore move that it be read in Council."

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

Mr. SAMI VENKATACHALAM CHETTIYAR :—" I rise to oppose the introduction of this measure. The hon. the Minister for Local Self-Government under the heading 'Objects and Reasons' has merely enumerated the provisions of the amending Bill. He did not show the necessity for making any change in the Act and not surely any for divesting one authority of the execution of a scheme and entrusting it to another."

The hon. the RAJA OF PANAGAL :—" May I point out, Sir, that I did refer to the difficulty in transferring the scheme from one local authority to another on account of the financial consideration? The Madras City and Suburban Improvement Committee was financially unable to carry out the Mambalam scheme."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Yesterday, the hon. the Minister for Local Self-Government said that it was not his intention to give this Bill, if possible, retrospective effect. In the case of the Mambalam scheme the execution work was originally in the hands of the Town Planning Trust and it is now on the heads of the Madras Corporation. However, it does not seem to be conducive to the proper and progressive execution of a scheme if at every stage the local Government should interfere with the execution of the work and ask one local body to stop execution and transfer it to another."

* Vide Appendix IX on page 374 infra.

[Mr. Sami Venkatachalam Chettiyar] [19th August 1924]

"Further, this interference will only dislocate the staff and other necessities which those local bodies which were entrusted with the scheme would have employed by the time the execution was proceeded with. In the matter of the Mambalam scheme, legal objection was taken by the owners of the plots whose lands were sought to be acquired by the Town Planning Trust and when it was transferred to the Madras Corporation, the legality of continuing those proceedings was questioned. That cannot, however, be obviated by passing a Bill of this sort. What I wish to say is that it will not tend to the full autonomy of the local bodies if after they are entrusted with the work they are to be interfered with by the Local Self-Government Department. Further, under the provisions of this amending Bill, the final authority seems to be the Local Government though they are prepared to receive representations from the local bodies affected. Even without the consent of the local bodies, either of the transferring body or of the transferee and irrespective of their decision, the Local Government may transfer the execution of a scheme from one local body to another. That seems to be a very autocratic provision. Therefore, even if leave is to be granted for the introduction of this Bill, I wish that the matter should be referred to a select committee."

The hon. the RAJA OF PANAGAL :—" Mr. President, I am afraid my hon. Friend opposite has not understood the scope of the Bill properly. He seems to be labouring under the impression that the Bill will have retrospective effect and will affect the case of Mambalam. As a matter of fact, what I said was that we experienced the difficulty of having to commence the proceedings afresh after the transfer from one local body to another. In the case of the Mambalam scheme, we did experience the difficulty of starting the procedure afresh. So, in order that hereafter such difficulties may not be experienced, the Government propose to amend the Bill. After all, such transfers can be thought of only in cases where one body fails to execute a scheme. If a particular local body is unable to carry out a scheme, are we to drop the scheme altogether? If there is another body ready to take up the scheme and if the finances of that body would permit the execution of it, why not the Government have the scheme transferred from one body to the other? It is with that object that the Bill has been introduced and I am sure that after this explanation my hon. Friend opposite will drop the objection."

MR. SAMI VENKATACHALAM CHETTIYAR :—" If, with the consent of the local body affected, the Local Government is going to effect the transfer, I have no objection. But if the Local Government merely hears the representations of both the local bodies and decides in the manner in which it pleases, I should certainly object to that being done. If the financial difficulty is the only consideration on which the Local Government may ask a local body to divest itself of the execution of a scheme, certainly it must be in the power of the Government to do so. But if other considerations were to prevail in such transfers, then it will perhaps be detrimental to the local bodies concerned. For, I can see the possibility of some local bodies taking up these schemes with a view to make money out of them and financing their other step in and say when a local body has proceeded with the work to a certain extent, you cannot enjoy the proceeds thereof; let your neighbour

19th August 1924]

MR. S. SATTAMURTI :—" Mr. President, Sir, I also rise to oppose this motion. My hon. Friend Mr. Sami Venkatachalam Chetti seems to be satisfied with the proposal that this Bill might go to a select committee. We are not yet at the stage of referring the Bill to a select committee. My own personal opinion is that a matter of principle is involved in the Bill we are now discussing. The principle is this: I accept what the hon. the Minister for Local Self-Government said as regards the remissness of certain local bodies or the possible remissness in not executing certain schemes which they had started. Now, the means which this Bill wants to invest the Government with is this: Because a municipality will not do its duty, the Government wants to compel another municipality or another local body to do what is not its primary duty, but what the Government thinks ought to be its duty without any reference to its willingness, to its resources or to its capacity to carry out the work. No doubt the section provides this:

"(3) Before issuing a notification under sub-section (1) the Local Government shall communicate to the authorities affected the grounds on which they propose to make the transfer, fix a reasonable period for them to show cause against the proposal and consider their objections, if any."

"There may be Members of this House who have a touching faith that the Local Government consider all questions with a just view. I am not one of those who are going to concede to the Executive Government this right to judge between two rival local authorities and decide justly merely by hearing the two local authorities. Not only the power to transfer, Mr. President, to the new municipality, but also the power to take away from the municipality which has already invested some money, is vested with the Local Government. Supposing a municipality or a local authority wants to go on with its scheme, the Government could say 'No, you are not fit to go on with it.' The Government have a right to tell them 'within 15 days from now show cause why we should not deprive you of your right to execute the work'. Some clerk sitting in some Secretariat corner would put up a note, it will go through the usual channels and it will be recorded. Then will issue a communiqué asking a municipality to show cause why it should not be deprived of the execution of its scheme. Afterwards a big Government Order will be issued and placed on the table of the House and we will be told one fine morning that the whole thing is over. And, if we ask questions we will be referred to this Bill and told that the Government are not prepared to answer any more questions."

"Now, Mr. President, I do not think that that is the way in which we are going to develop the autonomy of self-governing bodies about which the hon. the Minister is so very enthusiastic. Why does he want this autocratic power of making the municipalities dance to his tunes, take up this work or drop that work? Surely I thought town-planning was the one thing where the local bodies should have the initiative and should be solely responsible for their development. I do not think that, by this Bill, we are going to have anything except meticulous, unwarranted and officious interference with the autonomy and freedom of local bodies."

"Now, has the hon. the Minister any idea of making this Bill apply to the Mambalam scheme? Will he kindly tell this House what the difficulties are which have cropped up for the solution of which he wants this Bill? What are the various local authorities which have taken up schemes and dropped them on wholly unjustifiable grounds, to justify the interference by

[Mr. S. Satyamurti]

[19th August 1924]

the Government? What are the local authorities which have opened schemes and dropped them on account of their unwillingness to carry out them and about whose financial stability the Government is so sure? Unless the hon. the Minister gives facts and figures and convinces us that in the administration of the Town-Planning Act he has found actual difficulties, I trust this House will not agree to a Bill which in its substance merely restricts the autonomy of local self-governing bodies, puts an extra power in the hands of the hon. the Minister and will not tend to develop the object we have all in view, viz., town-planning. Believe me, Mr. President, no Minister is going to dump down the throats of unwilling local authorities, town-planning schemes drafted in the dark chambers of the Secretariat. I oppose this motion."

Mr. T. R. VENKATARAMA SASTRIYAR:—"Mr. President, Sir, may 3-30 p.m. I point out that section 45 of the Act already provides for the Government transferring the management of these

things from the local body to the trust? The point is when you transfer the work of town-planning from one local authority to another, are you not to have power to authorize this new authority to continue the work from the stage at which it was left over by the previous authority? The real objection of my hon. Friend seems to be that the first clause of this new Bill proposes to vest in the hands of the Government the power to supplant one local authority by another without showing any sufficient reason. If that is so, I am only to point out that section 45 already provides for the power being exercised by the Government no doubt in consultation with the local authority. But in any way the final order is with the Government after consulting the local authority and hearing objection if there be any to the transfer. I do not think that the new Bill takes away that power. It provides for the Government giving notice to the local authority, listening to the objection that it may raise and then passing final orders. If this procedure is objectionable, all that I can say is that the original Act itself provided for it. I do not think what other safeguards my hon. Friend would suggest. His desire is that we must take the permission of the local authorities to transfer the work from the local body to another whom the Local Government might consider to be the fitter instrument for the execution of the scheme. Then the objection is to the original Act. The present Bill is but an amendment which carries the matter further and provides for the additional power of authorizing the subsequent local authority to take the work at the stage at which it was left. There can really be no substantial objection to the Bill if you take into consideration that it vests the Government with no new power."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, I may be permitted to make a few observations at this stage. I am obliged to differ from the hon. the Advocate General who evidently was not a member of the Council when the Act was passed. If he had perused the proceedings of the Council that passed this Act, he would have seen that this particular section was passed by the official majority in spite of non-official opposition. It was then contended that it was not desirable that Government should have the power of transferring the scheme of any local authority to a trust without their consent. So far as the way in which the work has to be executed is concerned, so far as the idea of experts is concerned and local

[19th August 1924] [Mr. C. V. S. Narasimha Raju]

representation as well, at least in my district, viz., Visagapatam, I think there is the danger of allowing the Government to have the deciding voice in matters of town-planning against the wishes of the local authorities concerned."

The hon. the RAJA OF PANAGAL:—"May I point out that the authority is vested in the Government already and it is not attempted to create any more authority than what it has already?"

Rao Bahadur C. V. S. NARASIMHA RAJU:—"It has been said that the authority is already there. I have pointed out that the authority is there on the Statute Book on account of the official majority which the Government were able to have in the then Council. We have now to see how the local authorities will receive the suggestion of investing such power in the hands of the Government. The question is this. When the local authority is maturing a town-planning scheme, when it does not express its willingness to hand it over to a trust and when it wants to do the work in a designed way, the experts of the Government may declare: 'This municipal council will not do; it cannot carry out the scheme. The scheme must be taken away.' They then create a new trust consisting of persons nominated by themselves and after hearing the objections of the municipality they may say: 'we are going to side with our experts and order the handing over of the whole scheme to the trust.' I say that shall not be the attitude. This continuance of the power in the hands of the Government will be resented. The only question is since the Government is prepared to examine the question now, why should they not lay down the principles under which the Government shall have the power. One of the reasons adduced is that the local authority may not have sufficient funds to carry out the scheme. That may be a valid reason. Some reasons at least why the Government choose to exercise this power must be laid out in the provisions of the Bill. I think my friends on this side will not have any objection to allow the Bill go before a select committee to examine the various safeguards that are to be provided in the interests of the municipalities concerned."

Mr. S. MUTTAYYA MUDALIYAR:—"Mr. President, Sir, we are told that this is only an amplification of the powers already given under the Act. I am surprised why the Government should take the trouble to introduce a measure if the power is already there. Apart from this, I find that the power which is now sought under the new Bill is entirely different from that which it has under the Act as passed. The present Bill proposes that the work undertaken by one local body should be handed over at the discretion of the Government to another local body already functioning in the same area and doing a different sort of work. For instance, the work undertaken by the municipality, we shall say, of Chingleput may be handed over to the Chingleput District Board or from the district board to the taluk board. What is contemplated under the old Act is not that this should be done, but for the purpose of undertaking a work when a particular body which under took it is not able to carry it out, a separate trust may be formed; and that will not be a competitive body at all, for it comes into existence only when it is found that the old body is not functioning properly. The proposed amendment creates a sort of competition between two local bodies. Supposing one scheme proves to be a profitable one and another local body functioning in the same place finds that it is profitable to take it up."

[Mr. S. Muttayya Mudaliyar] [19th August 1924]

will influence the local Government to transfer that work to itself. So, according to my reading of the old Act and the new Bill, the present power which is now sought to be taken for the Government is much wider and more dangerous and will create unhealthy competition between one local body and another.

"A more vital objection seems to be this. Suppose one body has undertaken a big work and has incurred liabilities in the hope of reaping large profits and the members of that body have devoted all their time and energy for the promulgation of this project. Clause 4 says, when making a transfer under this Act, it is left to the option of the local Government to direct the authority to whom the project is transferred to give compensation to the body which initiated the work. It is open to the local Government to say that compensation shall not be paid in any case of transfer. It is provided under sub-section (1) that the local Government may direct the payment of compensation. Of course my hon. Friend may say that 'may' will also mean 'shall'. I ask why not make it clear then. So the present measure is uncalled for and will be a dangerous precedent in the Statute Book if passed."

Mr. P. L. Moore:—"Mr. President, I may explain what the facts are which led to this proposal to amend the Act. The hon. Mr. Venkatachalam Chettiyar said, or it seemed to me that he understood, that we proposed to give some sort of retrospective effect to the Bill in the case of Mambalam scheme. Nothing of that sort is intended. Nevertheless the difficulties arose in connexion with the Mambalam scheme. The City Improvement Trust went up to a certain stage. Under section 9 they declared their intention to make a scheme; under section 11 they published a draft. It was essential that the scheme had to be carried through. But that could not be done by the Trust because the Trust had no funds. Originally the intention was to provide the Trust with funds. But that was not followed up. When it became clear that for want of funds the scheme could not be pushed through, the Government proposed to entrust it to a separate body who were willing and would be able to carry it out. It was thought that the Madras Corporation could carry it out because they had got an efficient road-making staff, water-works and drainage staff and so on. The execution of such a scheme by any other body would mean duplication of staff and waste of money. We therefore proposed to pass the scheme at that stage to the Madras Corporation with their consent. But we were then told by the Advocate General that under the Act as it stood we could not do so. We had therefore to call upon the Corporation to prepare a fresh scheme under section 12. That is to say because of the language of the Act, we had to call upon the Madras Corporation to submit a new scheme. We want on the other hand that the scheme could be taken up exactly at the stage where it was left. That is the reason why this Bill is proposed. There is no ulterior motive or anything of that kind with regard to the forcing of schemes on local bodies against their will. Nothing is farther from the intention of Government than that. We employ a small staff with an expert officer at the head of it whose business it is to go round and help the local bodies. I am sure that those hon. Members here who are Members or Chairmen of these Councils will be able to agree with me when I say that this gentleman, Mr. Dann, has given very valuable assistance to various municipal councils

19th August 1924] [Mr. P. L. Moore]
in the preparation of these schemes. With regard to the power which this Bill seeks to confer on Government, it has been clearly pointed out by the hon. the Advocate-General that no new power is proposed to be vested. As I have said there is no ulterior motive in bringing forward this measure. It is simply to remove a difficulty which arose when we sought to transfer a scheme from the Trust to the Corporation that this Bill is proposed."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I quite appreciate the reasons which have induced the Government to bring forward this Bill and I also realize that the powers which are now proposed to be conferred on the Government have already been provided for in the existing Town-Planning Act. But I would ask the Government to consider whether when an attempt is made to modify and amend the Act, the Council would be doing anything but its duty if it should amend some objectionable features of the existing Act itself. I think the Council is thankful to the hon. Minister that he had, for reasons which have been stated, considered it necessary to bring forward this Bill, and has drawn the attention of this House to some provisions of the Town-Planning Act."

"Let me remind the House that the Town-Planning Act of 1920 along with its sister Acts, the Local Boards Act, the District Municipalities Act, the Village Panchayats Act and the Elementary Education Act, which constitute a series of Acts were got out on the eve of the coming into force of the new Reforms. I may be permitted to state that these Acts were passed in a hurry and it was not then possible to provide for all existing defects. These Acts were passed when it was known that the authors of the Montford report had already stated that as a first step towards responsible Government there must be complete freedom of action allowed to the local bodies. Though that formula was enunciated, and though the Reforms came into operation in 1920, the Government would not wait for the non-official majority which was to come as a result of the Reforms, but they passed these Acts when they had a clear and substantial official majority. Now to embark on a legislation without paying due consideration to the circumstances then in force is not very desirable. Sir, those of us who have experience of the working of Local Self-Government Acts realized what it was that was meant by this power of formal consultation provided in the Act. Nobody is enamoured of the provisions of this Act. It merely states that Government would call upon the local bodies to state their objections, give them reasonable time and then pass final orders as they think fit. Whether you give them this opportunity for consideration or not, they have got their own ways of making themselves understood. But so long as no further power is conferred upon these bodies, I think that these provisions will not be of any avail. Therefore I think the hon. the Minister will do well to accept the suggestion already made to have those principles discussed in the select committee, while dealing with these provisions, for the select committee to consider, while introducing more liberal provisions whether it would not be possible to introduce more liberal provisions in the existing Town-Planning Act. May I point out to the hon. Minister that his duty is to liberalize the existing Act but not merely to carry it on seeing that it was passed before the Reform scheme came into operation? I do not know if he has realized that there is a great amount of discontent in the country that even after the Reforms, the local bodies have

[Mr. A. S. Krishna Rao Pantulu] [19th August 1924]

no freedom of action, and I may also remind him that several persons are anxious to have a modification and reform of both the Local Boards Act and the District Municipalities Act, and that they have been complaining that Bills to amend them which have been so long under consideration have not been passed. That being the case, I would expect him to look at this question from the standpoint from which we are looking at it. He is there to safeguard the rights and interests of the local bodies, to give clear proof of his intentions, to give effect to the well-known formula enunciated regarding the freedom of local bodies. The present Bill is only stereotyping what is contained in the Act of 1920, and it carries us no further. I think you cannot reasonably expect us to be satisfied with it, because we know there is still something in it which has to be subjected to examination and that the Government passed it in a hurry. Unless the whole thing is examined in the select committee, it would not be possible to embody liberal provisions in it. Otherwise we would simply be carrying on what was contained in the Act of 1920."

Mr. P. ANJANEYULU:—"Mr. President, Sir, I may at the outset say frankly and fairly what troubled the local bodies when they looked at this Amendment Bill. Now, the Government wants to take to itself the power to transfer any scheme that is being taken up by a local body to another local body. It was only recently that we all unanimously passed a resolution in this House that there should be provincial autonomy, complete, free and unstinted. If that same principle is applied in the case of the local bodies, there should be local autonomy also, and I am perfectly sure that the hon. the Chief Minister sympathises with the ambitions of the local bodies in this respect. The fear entertained by certain local bodies, if the Minister or any other responsible person that has to deal with this Act is to administer it, is that it might be, taking human nature for what it is now, that certain municipalities or local boards would be favoured and others, for not very cogent reasons or at least for reasons which may not be convincing to the local bodies concerned, may be put at a disadvantage by what they were doing being taken away and transferred to another local body. The leader of the Opposition has been submitting to you, Sir, that perhaps it might be referred to a select committee and examined in detail. Perhaps the hon. the Minister, if his reasons, as he has adduced, are simply to make matters easy for the transfer of certain schemes which are not workable, or which could not be worked by one local body to another with its assent, then perhaps he would agree to such amendments in the select committee, as for instance, that the local body itself may have the right so to transfer with the assent of the Government, when it cannot itself work up a plan. The chief reason is one of financial difficulty. If a local body is really anxious to have a scheme and cannot find the wherewithal to work it, it would then be reasonable for that local body to request the Government to have it transferred to another local body. Otherwise, it at any rate creates a sort of suspicion in certain local bodies that they may not be favoured; and what appears to be opposition in this Council may be carried even into the field of local bodies. That is, frankly speaking, what troubles the local bodies. It may be incorrect so, or wrong, but all the same it is the thing that troubles the local bodies. So, at this stage, I respectfully submit that the Bill may be referred to a select committee and that it be examined there in detail."

19th August 1924]

The hon. the RAJA OF PANAGAL:—"I am afraid, Sir, that there has been much waste of powder and shot in this debate (laughter). I never objected to the Bill being referred to a select committee. As a matter of fact, when the hon. Member for Madras wanted that it should be referred to a select committee, I was inclined to accept the proposal. The Government are not in a hurry to proceed with the consideration of this Bill, and as I said it will be referred to a select committee. In this connexion a great deal has been said about the necessity of the local bodies being made autonomous. As the hon. Member from Nellore has pointed out, no man is more ready to establish the autonomous nature of the local bodies than the Minister in the charge of Local Self-Government (hear, hear), provided that that autonomous nature is not likely to interfere with the efficiency of the administration of the local bodies. Sir, I have no objection to the Bill going before a select committee. If this motion is carried, I am going to ask the Council to have the Bill referred to a select committee."

The motion that the Bill be read in Council was then put to the House and carried.

The Secretary then read the title of the Bill.

The hon. the RAJA OF PANAGAL:—"Mr. President, I now move that the Bill be referred to a select committee consisting of the Advocate-General, Mr. P. L. Moore, Diwan Bahadur W. Vijayaraghava Mudaliyar, Mr. R. Veerian, Diwan Bahadur M. Krishnan Nayar, Rao Bahadur C. Natesa Mudaliyar, Rai Bahadur T. M. Narasimhachari, and myself."

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

The motion was put to the House and carried.

Dr. P. SUBBARAYAN:—"I would also request the Minister to add the name of Sami Venkatachalam Chetti."

The hon. the RAJA OF PANAGAL:—"I have no objection. I shall be very glad to do so. I move that the name of Mr. Sami Venkatachalam Chetti be added to the list of members of the select committee as also the name of Mr. Yahya Ali."

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

The motion was put to the House and carried.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"May I just make a remark with your permission, Sir? I am sorry I have to make one or two remarks with reference to motions like this. My remarks apply to this motion as also to similar motions. We are now, if nothing else, trying to imitate responsible government in other places. So far as I can make out, select committees are generally reproductions of the House on a smaller scale. It is generally arranged between the leaders on either side as to who should be on the select committees, and the nominations are made for each party by the leaders of the parties themselves. Now, we find here that select committees are constituted just as one pleases without reference to persons who are likely to oppose the Bills. Such sort of procedure I should think is neither proper nor fair, and I think it will facilitate matters and it will probably be much better if the leaders on either side confer with regard to putting of members on select committees."

Mr. C. RAMALINGA REDDI:—"I would also add my voice to that of Mr. Ramalinga Chettyar and invite your attention to this matter. In"

[Mr. C. Ramalinga Reddi] [19th August 1924]

way, Sir, you, as President of this Council, have in your jurisdiction to see that our proceedings conform to the highest standards, and I wish to know from you, with your direct experience of the House of Commons whether or not it is a fact that select committees are made to reflect as far as possible and as closely as possible the relative strength of parties in the Council. Otherwise, procedure by committee of the whole House would be far better than delegation of important Bills to select committees. As this is a matter which relates to procedure and also in a way to what I may call the fairness with which proceedings should be conducted, I do hope you will be able to see your way to intervene also."

The hon. the PRESIDENT:—"I am quite ready to accede to any proposal to which the House as a whole is a party. My difficulty in this matter has been, if I may open my mind upon a point which has exercised me for some time, that I have had no official notice of a leader of the Opposition having been elected. I have seen articles in the newspapers, but beyond that, I have had no official notice. I drew the attention of the Secretary more than once to the desirability of my getting some information, but no move has been made in that direction, and I think it is necessary before anything of this kind can be done that I should have a formal notice from those concerned that they have elected 'so and so' to be the leader or deputy leader of the party and so forth. Till that is done, I do not see how I can ask the Government to confer with the leader or leaders of the Opposition. Of course, if there is no leader of the Opposition, but there are leaders of the several parties, then it is open to the House to substitute for this proposal another, namely, that the leaders of the several parties should be consulted. That is what I have to say in the matter."

Dr. P. SUBBARAYAN:—"In this connexion, I must admit, Sir, that I made a grave error, because I was authorized by a meeting of the United Nationalists to forward to the Secretary of the Legislative Council the names of the members of the party, and a list was taken at the meeting. The Leader was elected at the meeting, but it was my inadvertence that I did not notify the fact to the Secretary."

The hon. the PRESIDENT:—"I hope that the first time, the list is forwarded with the proceedings of whatever meeting culminated in the election of office-bearers, etc., the consent of the individual members who were parties to that meeting will be unmistakably signified on it; because on the first occasion on which we are taking notice of the change. I should like to have intimation from the members direct. When the party is officially in existence, then we may have perhaps a recognized means of taking notice of changes in the constitution of the party as well as in their views. But on the first occasion I should like to have some unmistakable proof for record in the office as to the members who formed that party and who wished to concur in its proceedings."

Mr. S. SATYAMURTI:—"May I respectfully suggest, Sir, that so far as the Ministerialists are concerned, to my knowledge there is no record in the Council Office of their having signed any particular paper? And when our Secretary, who was recognized as such at our party meeting—communicates to your office the names of the members of our party, unless you hear from them that they have not signed the creed—a possibility which I do not recognize the existence of—I would suggest that you would treat the Opposition—

[Mr. S. Satyamurti]
19th August 1924]

I have no doubt that you will—exactly in the same manner as you treat the Ministerialists. What is the record in your office, Sir, of those gentlemen having joined the Ministerialist party? And I would suggest that in the first instance, you would take our Secretary's word when he has sent to you a list showing the various members who have signed the creed."

The hon. the PRESIDENT:—"I am glad that the hon. Member for the University put me that question. There is a record in the office of the formation of the two parties in this House at the beginning of the session. Some pains were taken to ascertain from every member to what party he belonged, whether to the Ministerialists, or to the Opposition. Up to now we have taken notice of only two sides in the House, because members have declared themselves to belong either to the one side or to the other. But one of the two sides was not homogeneous. Including the Swaraj party and one other, the Muhammadans, we had till now four parties in the Opposition. I presume that so far as the majority of the Members on the Opposition side are concerned, they will hereafter form one party. I am perfectly willing to treat the Opposition exactly in the same manner in which the Ministerialists have been treated."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I wish to know, Sir, whether all those who have been seated on the other side of the table have signified definitely that they belong to the Ministerialist party. I put this question because I hear from some Members that they have not replied to the queries that went forth from the Council Office. Still they are seated there."

Mr. S. MUTTAYYA MUGALIYAR:—"I myself, Sir, have not answered to any queries that I belonged to this party or to the other, and I know that that is the case with regard to some other new Member also, and when he went to the office and inquired why he was put, in the Ministerialist block, he was told that it was due to a mistake."

The hon. the PRESIDENT:—"Members who did not answer the queries had to be classified according to their conduct."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sometimes unfortunately the conduct is settled by their seat."

Mr. C. RAMALINGA REDDI:—"With reference to the new Members, Mr. President, I would request you to see that they are not allotted seats unless they express their desire."

The hon. the PRESIDENT:—"It has been moved and seconded that the Bill to amend the Madras Town-Planning Act, 1920, be referred to a select committee constituted as proposed by the hon. the mover."

The motion was put and carried and the Bill referred to the select committee.

XI

THE MADRAS LOCAL AUTHORITIES ENTERTAINMENTS TAX BILL.

The hon. the RAJA OF PANAGAL:—"Mr. President, I beg to move that the Madras Local Authorities Entertainments Tax Bill be read in Council. "The introduction of the Bill has been approved by the Governor-General and the Bill has been published in the Fort St. George Gazette."

• Vide Appendix X on page 376 infra.

[The Raja of Panagal]

[19th August 1924]

"As explained in the Statement of Objects and Reasons, the object of the Bill is to enable the local authorities to levy a tax on entertainments and other amusements. In view of the slender resources of many of the local bodies in this presidency and of the need for supplementing them by a large grant of provincial funds, the Government gave their anxious consideration to every proposal made from time to time to augment the resources of the local bodies. They also appointed a committee of officials and non-officials to examine the financial relations which should subsist between the Government and the local bodies and the principles under which the formation of the boards and their assistance could be availed of. One of the recommendations of the Financial Relations Committee was that local bodies should be authorized to levy a tax on amusements. The levy of the tax was also urged by the several municipal and local conferences which were held in different parts of the presidency. After careful consideration, the Government have come to the conclusion that the tax would be a suitable subject of exploitation by municipal councils and local boards whose resources are badly in need of development. Moreover, a small tax on amusements and entertainments, while it will not press heavily on the people, will bring in a substantial income to local bodies. It is of the nature of a tax on luxuries and is already levied in Bengal and England. The general provisions of this Bill follow those of the Bengal Amusements Tax Act VII of 1922. Slight alterations have, however, been made so as to suit local conditions, in such details as the rate of tax alone in respect of the tickets of a particular value, and the apportionment of the proceeds between the local bodies and the municipal councils.

"I commend the Bill for your acceptance and I hope that the House will allow the Bill to be read."

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

Rao Sahib U. RAMA RAO:—"Mr. President, Sir, in the first place, I object to any Bill the object of which is the imposition of a fresh taxation. As long as this Council has not got full provincial autonomy, that is, the control over the purse, myself and my party will not be a party to levy any such tax.

"Then, Sir, the hon. the Minister for Local Self-Government said that it will bring in a certain amount of money to the local bodies. He has never told us what amount of money he will be able to get by this means. He may perhaps get enough of money to meet the expenditure on establishments.

"Sir, in the year 1923, I put forward a suggestion during the budget debate that the then existing balance could be met by levying a small tax on luxuries. When I said that, what I had in my mind was the Races. Guindy is the place where a lot of money is being wasted, not on racing, but on betting. Then the hon. the Finance Member, Sir Charles Todhunter, brushed aside that suggestion and remarked at the same time that there was no amusement to be taxed in Madras. It is really amusing to note that such a dull and serene atmosphere as that prevailed in Madras during the time of Sir Charles should at once develop into a lively and jovial one, full of mirth and merriment as to attract the attention of the hon. the Chief Minister, the moment Sir Charles had left our shores. It is a laudable idea that the hon. the Chief Minister has hit upon this fertile source of revenue to feed his famished offspring—the local bodies. This source of revenue is

19th August 1924]

[Mr. U. Rama Rao]

fertile only in a few places, but dry in many others. Amusements in the mufassal are few and far between and except a few dramatic performances now and then—mostly importations from Madras—there are no taxable amusements or entertainments worth the name in the mufassal. Evidently, this Bill is intended to feed and fatten 'that prodigal son of Government'—the Corporation of Madras—besides its newly-born infant—the Saidapet Municipality, and perhaps its bigger brother—the District Board of Chingleput.

"Going into the provisions of the Bill, I find that the definition of 'Entertainment' is very vague. According to the Bill, entertainment includes 'any exhibition, performance, amusement, game or sport to which persons are admitted for payment'. I would like to know under what category 'Musical entertainments in Madras and the Races at Guindy come. Musical entertainments are not only a source of recreation meant to brace the hard-worked bodies and worried minds, but also are of great educative value in helping to revive the dead art of ancient Hindu music. And, as a medical man, Sir, I speak with some authority that music is as important to health as water and food. For a man to live happily and comfortably, music of some sort or other is absolutely necessary, and it is the primary duty of every advanced and civilized municipality that they should provide ways of amusements to the people. In all other countries, the municipality or the local body concerned do provide entertainments. Whereas, in all our municipalities, we have no entertainments, and if any private enterprise were to come and start any entertainments, they are asked to pay some tax. The object is to kill the industry, so that there may not be any musical enjoyment at all. It is said: 'Sound charms the soul and song charms the sense', and if musical entertainments of whatever nature come to be classified under the vague term 'performance' and taxed under this Bill, then we must enter our emphatic protest against it. The wide range of discretion left to the Government in the matter of classifications and exemptions of entertainments and amusements should be curtailed and a list of entertainments and amusements as now exist in the city and in the mufassal should be drawn up and put down as schedule to the Bill, to avoid doubts and ambiguities arising in the future.

"Take again the Races at Guindy—the most fertile source of revenue under this Act. Does it come under game, sport or what? For ought I know, it must come under sport and is certainly liable to be taxed. But, supposing in the absence of any definite pronouncement now, it is subsequently held to be no game, nor sport, nor anything under the purview of this Act, but classified as a legalized gambling, then there is no good in enacting this legislation at all. According to my information—and I speak subject to correction—they have realized six lakhs of rupees in the year 1923, and twenty-five per cent of that will bring in not less than a lakh and a half.

"Then again in Bengal, races have been taxed and the revenue derived from the Entertainment tax during the first year was Rs. 18,87,000, including Rs. 15,75,000 on races against a total estimate of 34 lakhs. In Bombay again, the tax on entertainments yielded only 10 lakhs against a Budget estimate of 16 lakhs. I doubt if poor Madras will approach that mark. Have the Government made out any estimate of the probable income from this source? Or, is this going to be an unnecessary burden on the

[Mr. U. Rama Rao] [19th August 1924]

municipalities and local boards, with not enough income to meet even the establishment charges? These are some points which I should like to place before the Council.

"Then again, we must see that the South Indian Athletic Association in Madras does not also escape the clutches of this Act. That Association exists for the purpose of sports, and a small entrance fee is charged to meet the expenditure. The annual fair held under the auspices of the Association is a regular entertainment, a tamasha, and is not liable to exemption.

"Then, as regards cinemas, I don't know if we will be justified in taxing them, being of the nature of a poor man's entertainment. In Madras we have got 5 to 6 cinemas, all working at a loss. It is the poor people that go in large numbers to these cinemas, paying 2 annas, or 4 annas or 8 annas. If you begin to tax all tickets above 2 annas or 4 annas, people will begin to flock into the lowest class and make it overcrowded and unhealthy, and in that way the health of the city will be endangered. The cinemas in Madras have since departed from the Western methods of exhibition, such as love scenes, dacoities, etc., which adversely affect the morale of the people, and have turned to educate the public in Hindu religion and in the glories of India's past. It would really be unpatriotic to nip such cinemas in the bud by taxing them, and thus cripple an Indian industry.

"As in the course of the working of this Act, it is likely that subtle interpretations may be put and exemptions sought for and granted, I would press for a clear and definite schedule of entertainments now in existence being inserted as part of the Bill."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Mr. President, Sir, I feel compelled to oppose the proposal of the hon. the Minister for Local Self-Government to enable the local authorities to levy a tax on amusements and other entertainments.

"I am however glad that he has, though belatedly, recognized the growing demands on the funds of the local authorities have necessitated the provision of additional source of revenue; such a recognition ought to have impelled the hon. the Minister to have granted these starving local bodies with substantial sources of revenue which are purely local and which are now appropriated or misappropriated by the Government. The income that is sought to be derived by levying a tax on amusements in this country is not likely to be of any substantial nature and therefore the relief that the local bodies will derive by this source of income will not be commensurate with the irritation which this Act will necessarily cause to the public.

"I for one would expect the hon. the Minister to cease misappropriating the excise income and release it in favour of local bodies. It was recognized in other countries that the excise income is purely local. If the demoralising policy of giving grants to local bodies should be discarded, it should naturally be substituted by the excise income. Certain municipalities, such as the Madras municipality, were in the enjoyment of licence fees in respect of shops where spirituous liquors are sold. That right the Madras Government is administering in exchange of a sum of Rs. 13,601 per annum; that being the average income from that source when the Government assumed the administration of the right. Now that the sale has risen to as large a figure as nearly 11 lakhs of rupees; it is fair that that income less charges for collecting the same should be handed over to its rightful owner, namely, the Madras municipality.

19th August 1924] [Mr. Sami Venkatachalam Chettiyar]

"Perhaps I have no reason to expect the hon. the Minister to be sympathetic or at least to be just to the claims of the Madras municipality in this respect in view of the fact that the half-yearly taxes on the Government buildings for the past three or four years are not yet paid to that body. Relief to the local bodies should be adequate to the demands made upon them.

"Turning to the various sections of the Act, I find some points require to be elucidated. It is not clear whether the tax is intended to be levied both on the amateur and the professional societies; whether races come under the category of entertainment; whether the admission for the purpose of amusement by taking part in an entertainment includes the actors in a drama, jockies in races and other performers also.

"In section 3 it is said that the entertainment tax shall not be leviable where the payment for admission is not more than As. 2. There are instances of admission fee being more than As. 2 for a series of entertainments. It is necessary to know whether such payment comes within the scope of the levy of this tax. The local authority having been invested with the administration of this Act, the Act itself being enacted for its benefit, I wonder why the Local Government should lay out any conditions of compounding the tax for a consolidated payment.

"Referring to section 5, I understand that this section applies only to instances where the place of entertainment is situated in a local area and which is within three-mile limit of one municipality. But I can conceive of places of entertainment being in one municipality but deriving a large portion of the income from the inhabitants of an adjoining municipality and I shall be glad to know how the income should be then divided. There are also instances where the place of entertainment is situated in a local area and within the three-mile limit of two municipalities. I should therefore like to know how the proceeds should be divided between these three bodies.

"For instance, Guindy is within three-mile limit to Madras municipality and, if it is not part of Saidapet municipality, is within the limit of three miles. But a large portion of income derived in the races is from the inhabitants of the Madras municipality and a small portion from the Saidapet municipality. If Guindy is beyond these two municipal limits, what provision is made for the Madras municipality, Saidapet municipality and the local authority in which Guindy is situated to divide the proceeds, or if Guindy is within Saidapet municipality I should like to know if Madras can claim any share in the tax on account of the fact that a large number of the income is derived from its inhabitants. Similar is the cases of Srirangam and Trichinopoly.

"Section 5 gives the final authority to the local authority in regard to a season ticket being liable to this tax. I think in the interest of the aggrieved parties provision should be made for an appeal to the courts.

"Section 7 deals with entertainments for religious or charitable purposes. It is necessary that it should be made clear that kalashhepans, Harikathas and lectures on religious subjects should also be excluded from the operation of this law. The difference in section 7 (a) and (b) requires elucidation. Again in (c) the Local Government steps in for a right to decide between a local authority and proprietor of an entertainment.

[Mr. Sami Venkatachalam Chettiyar] [19th August 1924]

"A Bill having been enacted, it should purely be a matter of interpretation of the section; that must decide whether a particular entertainment comes within the scope of the Act or out of it. I would therefore strongly demur to the interference of the Local Government in a matter like this.

"Provision should be made for complimentary tickets. Again tournaments should also be exempted. They are conducted by societies which do not run for profit. Those who take part in them are not professional people. The patrons to these tournaments are mostly students whose taste for athletic improvement it is the duty of the Government to cultivate. After having given the power to local authorities to levy a tax upon certain definite amusements, it seems to me to be inconsistent that you should give them power also to grant exemptions. We can reasonably conceive how exemptions would be made. There should be no scope either for local bodies or for Government to exercise any sort of influence through any means to get certain entertainments exempted. Under this section it is conceivable that Guindy races, for instance, will get free. Members of that club are very influential. The Act is intended to be administered by the local bodies. Where is the necessity of the Local Government by notification authorizing any person to exercise one or more of the powers vested in them by this Act or in like manner such authority? Does it mean that when the Local Government is displeased with a particular local body it can withdraw this source of income from that particular local body and thus show the resentment of the Local Government towards the particular local body? As the country is not prepared for any additional taxation either directly or indirectly, I am compelled to object to a burden of this sort."

Rao Bahadur C. NATESA MUDALIYAR:—"In the Statement of Objects and Reasons of this Bill it is stated that it follows the Bengal amusement tax. But the Bengal Amusements Tax Act consists of two chapters. The first deals with taxes on entertainments and the other deals with those on certain forms of betting. The Bengal Amusement Tax Act deals with all sorts of amusements but our Bill contemplates to deal only with innocent amusements and all the vicious and ruinous amusements of betting are completely lost sight of. It is also stated such taxes exist in England and Bengal. In England ever since this tax was introduced, there has been a continuous agitation and recently taxes were reduced. In America there was similar taxation but they have repealed it recently. In repealing it is said:

"Washington studied the industry closely—the industry as represented by the thousands of small theatres of the country; Washington became convinced that the taxes constituted an onerous burden on that industry; Washington realized that an industry with such opportunities for public service in the hamlets and villages of the nation did not deserve that burden."

The hon. the RAJA OF PANAGAL:—"May I ask the hon. Member whether it is only an enabling Act or an obligatory one."

Rao Bahadur C. NATESA MUDALIYAR:—"It was a compulsory Act and it was repealed."

The hon. the RAJA OF PANAGAL:—"Here it is only an enabling Act."

Rao Bahadur C. NATESA MUDALIYAR:—"No doubt, it is a fact I have already said. After the introduction of this Bill in Bengal five of the cinema companies were closed. One changed management and is in the hands of a receiver. The Empire Theatre, the Grand Opera House, Phoenix Theatre, Howra Cinema, Star Theatre and two of the biggest dramatic

19th August 1924]

[Mr. C. Natesa Mudaliyar]

companies, the Bengal Theatrical Company and the Alfred Theatrical Company were closed. The 10-rupee share of Madan Theatres, Limited, is quoted to-day in the Share Market for Rs. 2-8-0. The India Films, Limited, has closed. In Bombay K.D. Bros., the biggest in the cinema industry owning more than two dozen cinemas and doing the largest film-importing business, have filed insolvency. Sir, it is also said that it is a sort of tax on luxury and in sub-section (3) of this Act it is mentioned that cinemas, theatres, exhibitions and circuses are to be taxed. I will ask the hon. the Raja of Panagal whether these are luxuries or necessities. For clerks and labourers who are drudging at the desk or at the machinery this is nothing but 'unbending' their minds after a day's or week's 'toil.' I can say that this is as much a tonic to their brain as any medicine or exercise that can be prescribed by a medical man. It is with this idea that in the City Municipalities Act in Schedule 5 Part I, the expenditure on theatres, entertainments and exhibitions is authorised. Sir, it is also said that the 2-anna seats are exempted. The 2-anna seats never pay the theatre company or the cinema company and if thousand persons attend purchasing 2-anna tickets the management will get only 125 rupees. It is only that pay higher that should be encouraged so that proper comforts can be given to those people who pay only 2 annas. That is the way to help the poor if the hon. the Raja of Panagal is interested in the poor. Sir, it is an unwritten law, political, social, moral and human, that out of the revenue derived from the rich men the interests of the poor should be safeguarded and their comforts attended to."

The hon. the RAJA OF PANAGAL:—"May I know whether I should tax the poorer class of cinema goers? I mean those that pay 2 annas."

Rao Bahadur C. NATESA MUDALIYAR:—"Give them the two-anna seats and give them all comforts. Instead of paying one rupee if the rich man has to pay Rs. 1-4-0 he won't attend the performance and thus the poorer class will not have the benefit."

"Sir, in Madras especially the cinema companies and the theatres are in a very bad condition. Now, three cinemas belonging to 4-30 p.m. a respectable gentleman are in the hands of a receiver. I am very much acquainted with one cinema company which is run in my division, Triplicane, by a graduate. He pays Rs. 600 as rent for the building and if at the most he can have 200 people paying two annas each, he will get only Rs. 25, but he will have to pay the management Rs. 100 a day, or Rs. 3,000 a month. Surely, if this tax is introduced, he will have to close his cinema company."

"Then, our stage which has fallen terribly from the high moral standard it occupied in ancient India, is just being revived. Many proprietors of dramatic companies are sinking. The cinema industry is in an infant stage, or the cinema industry is just being born. Then exhibitions are very few and circuses are a rarity. Any interference with them will certainly end their already miserable existence. So what I request the hon. the Raja of Panagal is to see that a Bill is brought forward in which are taxed certain forms of betting."

"One thing I forgot to tell and that is that even in Bengal exhibitions are not taxed. As will be seen from sub-section (3) of section 3 of the Bengal Act, it is only cinematographic exhibitions or shows that are taxed. For all these considerations, I request the hon. the Raja of Panagal to take back this Bill and bring in a fresh Bill for taxing some sorts of betting."

[19th August 1924]

Mr. C. V. VENKATARAMANA AYYANGAR :—" I want to know whether the Bill, as it is, includes the levy of tax on racing or not."

The hon. the RAJA OF PANAGAL :—" It does include racing as it includes all sorts of sports."

Mr. S. SATYAMURTI :—" I also rise to oppose this measure. The hon. the Chief Minister has put in the Preamble 'Whereas it is expedient to give power to local authorities'. Now, many things are expedient. But it is a question for a Legislative Council of this kind whether it is desirable and necessary besides being expedient. If you will turn to the Statement of Objects and Reasons, you will find 'The object of the Bill is to enable the local authorities to levy a tax on entertainments and other amusements. The growing demands on the funds of local authorities necessitate the provision of additional sources of revenue.' Now, Sir, pausing there, I should like to ask the hon. the Minister whether he has made even a rough calculation of the possible income which certain municipalities, for example, Madras, are likely to get by way of levying this tax on entertainments, and other amusements under entertainments. So far as the experience of Bengal goes, I am informed that they made only about three lakhs, a paltry sum. If in an advanced city like Calcutta with a large number of theatres, cinemas, and other social amusements and with the well-known Turf Club of Calcutta, they can only make three lakhs, it seems to me that all this is much ado about nothing. Unless the hon. the Minister is going to say in his reply that according to his calculation these theatres, cinemas and other entertainments will in fact give us so much money in terms of rupees, annas and pias, I beg of this House not to pass this measure because the Minister says it is expedient to give the local authorities this power by statute to raise any revenues at all. The first object is to make provision for additional sources of revenue. Let us have some idea of this additional source of revenue. Then the hon. the Minister says in his Statement of Objects and Reasons, 'The Government consider that a small tax on amusements and entertainments, while it will not press heavily on the people, will bring in a substantial income to certain local bodies.' I should like to know what these local bodies are which are going to get a substantial income, and in respect of these local bodies what the substantial income is. I think this House is entitled to know some facts on that matter. Then, it is stated that this tax will not press heavily on the people. I doubt it, Sir. Up to two annas the people who go to the entertainment are exempted. Now, so far as my experience of theatres in this Presidency goes, there is not a single theatre which has any class open to people who pay two annas. It is only in cinemas in towns you have a last class to which admission is by two annas. Therefore, all those who want to attend theatres, undoubtedly a more intellectual form of amusement than the cinema, will have to pay this tax. I believe the last class is only four annas in the theatre. Therefore, it will press heavily on the people. And then with regard to the cinemas, I believe a very large number of people do go to the four-anna class and a similar number undoubtedly, but still a not inconsiderable number, go to the eight-anna class, and they will be taxed, and the tax will press heavily on them. Then it is said 'Moreover, it is of the nature of a tax on luxuries'. I should like to ask the hon. the Chief Minister what he considers as luxuries. Does he consider that a man who does monotonous manual work for eight to twelve hours a day is not entitled to have two or three hours of cheap wholesome

19th August 1924]

[Mr. S. Satyamurti]

amusement, which will relax his nerves, give him some recreation and make him go through life not feeling the burden of it too much? After all, we have our own luxuries, and our ideas of luxuries must vary. I do ask the hon. the Minister to consider whether it is right that he should regard these things as luxuries. From his standard of life, he may consider the theatre a luxury, he may consider the cinema a luxury, he may not go there; but to the average coolie, or to the average low-paid clerk of the Government, or even to the average man who wants some amusement, to say that a visit to a cinema or a visit to a theatre is a luxury is certainly something too much on the part of the hon. the Minister.

"Then, we are told that the 'Local bodies in their group conferences have recommended the levy of such a tax'. It may be that all of us might want to have the power of taxation more and more, as we can get more money and we can create a new earth and a new heaven. I am anxious that we ought not to be too much influenced by the opinions of these local bodies' group conferences, and I am anxious that this question should be viewed from these two standpoints, viz., is it calculated to bring in any substantial income at all, secondly, will it not press unduly heavily on the poor who are entitled to have some amusements without unreasonable cost? Then, we are told 'Such a tax is already levied in England and Bengal.' I am informed, Mr. President, I speak subject to correction—that recently the rates of amusements tax have been reduced in England, because there was a hue and cry against it. Now, even in a rich country like England people do feel the oppressiveness of the tax, and is it right in a poor province, like the Madras Presidency, we are to begin by levying this tax? In Bengal, the experiment has not been a success; it has been a failure, and excepting the doubtful example of England and the undoubtedly adverse example of Bengal, there is no other province in India who has begun to do this. In so many other matters, where we may be abreast of other presidencies, our Government Members are very slow to move, but where exactly something ought not to be done which really will not put more money into the pockets of the local bodies but which will affect the poor, we find anxiety on the part of the Government to enact a statute with the childish object that somehow or other money will come to them. Now, I do not want to criticise the clauses of the Bill in detail. But it seems to me that so far as racing is concerned, although the entrance is taxed,—I think I am right—betting inside is not taxed. In fact in racing you can get more money from betting by way of tax. So, unless and until you tax betting, I may assure the hon. the Minister that if at any time any luxury is to be taxed, it is betting which goes on year after year, and if he wants money at all, why not have the courage of conviction to come here and tax this betting so long as it will pay enough, while it continues?

"Then, Sir, the maximum rate of 25 per cent is in my judgment too much. I do not think we really can afford to pay that. Then there is also a penal provision in this Bill which authorizes the local authority to require security from the proprietors of any entertainment.

"Now, coming to clause 5, I feel that I must raise a protest on behalf of amateur associations, like the Suguna Vilasa Sabha, for example ('hear, hear' from Diwan Bahadur P. Kesava Pillai) of which the hon. the Law

[Mr. S. Satyamurti]

[19th August 1924]

Member was, and even now I believe is, the honoured Vice-President. This clause reads thus:

'Where the payment for admission to an entertainment is made by means of a lump sum paid as a subscription or contribution to any society, or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time, the entertainments tax shall be paid on the amount of the lump sum, but where the local authority are of opinion that the payment of a lump sum or any payment for a ticket represents payment for other privileges, rights or purposes besides the admission to an entertainment or covers admission to an entertainment during any period on which the tax has not been in operation, the tax shall be charged on such an amount as appears to the local authority to represent the right of admission to entertainments in respect of which the entertainments tax is payable.'

"And to-morrow the tax will be levied on all amateur dramatic societies in Madras, and we cannot escape it. We are slowly trying to elevate the standard of the South Indian stage, to give real amusement and instruction to the people, and we will have to pay the tax to the municipality if this section stands as it is.

"Then, with regard to charity performances also the provision made in the Bill is absolutely illusory. I hope to convince the House. If hon. Members will turn to section 7, they will find 'The entertainments tax shall not be charged on payments for admission to any entertainment where the local authority are satisfied—(a) that the whole of the takings thereof are devoted to philanthropic, religious or charitable purposes without any charge on the taking for any expense of the entertainment'. Now, Sir, I have a fairly long and intimate knowledge of charity performances in Madras and elsewhere, and I do not think there is any single performance which is given from the proceeds of which we do not take some money for the expenses of the entertainment. Then, I know there is clause (b); I am coming to that. Clause (b) reads: '(b) that the whole of the net proceeds of an entertainment are devoted to philanthropic, religious or charitable purposes and that the whole of the expenses of the entertainment do not exceed 20 per cent of the receipts'. Again, Sir, I have some experience, as a member of the Suguna Vilasa Sabha and elsewhere, of how entertainments are run and what they cost, especially if they are theatrical entertainments. I do not believe you can run a single dramatic performance at a maximum expenditure of 20 per cent. You may take it from me that it will require very much more than that, almost 50 to 60 per cent. So, it comes to this: that all charity performances which are given under normal conditions of Madras and all amateur associations are going to be taxed. I ask this House whether it is going to practically throttle this great enterprise which is being done by ladies and gentlemen with the great objects of educating their sisters and brothers by means of theatrical performances and of helping charitable objects. For example, if this Bill is passed, and if you want to have a flood relief performance, you must first pay the tax before you send any money for the relief of the distressed.

"Then, clause (c) of section 7 deals with entertainments of a wholly educational character, and in deciding any question on that point the Local Government is the final authority. That is a matter on which each member will have his own ideas. I do not know what the hon. the Minister's ideas are about an entertainment being of an educational character, and finally the Local Government reserves to itself the power of exempting any entertainment or class of entertainments from the tax. That will give rise to favouritism. Sabas and societies will come to the hon. the Minister competing with each other to get exemption; he will exempt this, he will exempt that, he will not exempt this, he will not exempt that.

19th August 1924]

[Mr. S. Satyamurti]

and the result will be an unhealthy competition among all these Sabas to gain the favour of the Government, and the Government will be tempted—I do not say it will do it—but it may be tempted to introduce extraneous considerations in judging what class of entertainments are to be exempted under this Act.

"Lastly, the cinema industry is an infant industry in this country; it is just starting. It is a great industry in America, and I think we ought not now by any legislation throttle that infant industry. We are now paying a high tax on imported films and we are just trying to manufacture films in India, and if you are going to tax these entertainments there will not be the demand for these pictures, and it is likely that the cinemas will have to be closed. Considering all this and considering above all that the money which is likely to be collected is very small, in the absence of any other distinct achievement to improve the lot of our fellow-countrymen in this Presidency, let us not add to our role this taxation measure. I do not think that this is called for; I do not think that this is just; I think it will operate against cinemas and theatres. I therefore appeal with some confidence to every section of this House, because this is not a party measure, and I appeal to the hon. the Minister, who I know is a lover of fine arts, and I ask him to stay his hand and to wait till the cinema industry has developed better, till the theatres are placed on a better footing, and till he is satisfied that more money will really come in, before forcing down this measure by the sheer weight of numbers."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Personally, I am very sorry to have to differ from a large number of my friends on this side of the House who have opposed this measure.

I am one of those who think that luxuries should be taxed, as apart from other amusements. There is no difference of opinion so far as that position is concerned, viz., amusements if they are luxuries should be taxed. If that principle is accepted we have only to see that when the Bill is considered in the select committee the required changes are made in the Bill. My hon. Friend Mr. Satyamurti dealt with the details of the Bill rather than the principles thereof. Therefore the only question to be decided now is, as to what amusements other than luxuries should be taxed. We all know that the municipalities have to incur certain expenses on account of these theatres especially when they begin at 8 o'clock in the night and go on till 6 or 7 in the next morning."

Mr. S. SATYAMURTI:—"At any rate, they do not do so in Madras."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Then so far as the cinemas are concerned, the Indian cinemas might be exempted. There seems to be no objection to that. It will be admitted that many cinema films from foreign countries are very objectionable and our young men who go to these cinemas will only derive very bad moral influences in these cinemas. That cannot be denied and it should be remembered that our young men when they attend these foreign cinemas that picture events of murder, etc., are open to a very bad moral. There must be some check over this situation. There is no provision in this Bill to prevent such sort of thing from going on; of course I am aware there is the system of licensing. But that does not work well and act as a sufficient check."

[19th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"As in the course of the debate a reference was made to the question of licensing these films, I may say as Member in charge of censoring and licensing of films, that a very great scrutiny is being made."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Yes, I also know that. But so far as I know there has not been very many films prohibited as a consequence of this scrutiny in spite of the hon. the Law Member being in charge of that portfolio. I only want to point out that there should be much more of this scrutiny exercised."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There is a board which is vested with this jurisdiction and it is in cases of doubt that matters are referred to the Government when my jurisdiction commences. But I do know that they have considered many of them as objectionable."

Mr. C. V. VENKATARAMANA AYYANGAR :—"It is necessary, I still think, Sir, that more scrutiny should be exercised. I was just now coming to the objection raised that poor clerks and labourers should not be prevented from having amusements. This can be done by raising the taxable minimum from two to eight annas. If poor people can pay more, then make the minimum as high as you think fit. I have no doubt that there will be a considerable sum collected by means of this. Some theatres are very good and some are not. We know the characters of some of these heroes—and shall I say heroines also—and in many of these there should be some check imposed. There should be some tax as long as we admit that these are not amusements but are luxuries. The question will only arise as to what is a luxury and what is not. We can very well get the provisions so amended as to bring in a large number of these amusements within the purview of luxuries. When a person can afford to pay for the admission Rs. 5 and Rs. 6 certainly he can pay 25 per cent more. We in the local body feel that more money is wanted. We feel also that this method of getting it is the least objectionable one. The details may be amended in the select committee so as to satisfy our requirements but with regard to the principle thereof there can be no objection. And I therefore echo the words of my revered friend Mr. Satyamurti that all the members of this House without any question as to what party they belong to will vote for this measure."

Mr. P. L. MOORE :—"Various questions have been asked in connexion with this Bill and I should like to say a few words on those. A question has been asked whether any estimate has been made as to the probable income that might be derived. The answer is 'no.'"

Mr. YAHYA ALI SAHIB :—"I wish to say a few words on this matter. May I know if the hon. Member (Mr. Moore) is giving the concluding reply on behalf of the Government?"

The hon. the PRESIDENT :—"No, he did not make the motion."

Mr. P. L. MOORE :—"The idea of the Government is not to force any tax on the local bodies. In fact the idea originated from the local bodies themselves in their group conferences. The Government felt that the local bodies should be given the power for which they had asked: Government, I think, should certainly not stand in the way of these bodies adding to their revenues. That is why we have not prepared any estimate. The difficulty was raised that it is not possible to divide the proceeds in an equitable manner. The Act provides for doing this. If the tax is collected

19th August 1924]

[Mr. P. L. Moore]

on admissions to an entertainment outside a local area the Government will have to apportion the income which accrues. We have provided for doing that. The hon. Members on the select committee—when it is sent up to the select committee—will help us with suggestions and they will be welcome. The hon. Mr. Satyamurti objected to the statement that it was in the nature of a tax on luxuries. I think the words are clear and they are literally true. I have no doubt that any suggestions would be welcome in the select committee stage. We can make the Bill sufficiently clear on every point in the select committee. With regard to the question whether it does not include races, if you will read section 2 (4) you will find that it includes races also. I must reiterate once again that our intention is merely to carry out the wishes of the local bodies and not in any way to suggest to them the levy of this tax. Government have no desire to interfere with the legitimate amusements of the people. My own opinion is that there is too little of the nature of public amusements in this country rather than too much.

"With regard to performances in aid of charity the intention is clear. They will be exempt. If the drafting leaves this in doubt the doubt will be removed."

The hon. the RAJA OF PANAGAL :—"Mr. President, I am rather amazed to see the position taken up by certain Members of the Opposition in regard to this Bill. Just a few minutes back when we were considering the other Bill they were so anxious about the powers of the local bodies. Now when the Government are going to confer power on the local bodies they seem to oppose the measure. I cannot understand the consistency."

"Sir, a great deal has been said about the details of the provisions. These details will be examined by the select committee 6 p.m. when the subject is taken up for consideration by them. It has been observed that the poor man is taxed. I cannot understand how it can be said that the poor man is taxed. In fact, the Bill provides for exemption in the case of the holders of the tickets of the lowest value."

Rao Bahadur C. NATESA MUDALIYAR :—"I did not say that the poor man was taxed. I said that the rich man should be given all the privileges so that out of the money of the rich man we could support the poor man."

The hon. the RAJA OF PANAGAL :—"In the case of holders of two-anna tickets, exemption is made. If the poor man is particular to attend amusements, he can purchase tickets of the lowest value. It has been observed that in the case of some cinemas the last class ticket sells at four annas. But, as a matter of fact, if they know that the lowest class tickets are not taxed, they may reduce the rates. This will be giving special facilities for the poorest classes."

"Again it is stated that the local bodies ought not to be entrusted with these powers. It is not obligatory on a local body to introduce the provisions of this Bill. This is only a permissive measure and it is open for the local body to exempt any case. If they think that the revenue they get will not pay the expenses incurred in collecting the revenue, they will not be foolish enough to introduce the provisions of this Act in their areas. Sir, it has been said that there may be disputes between local bodies themselves. In the Bill provision has been made that when such disputes arise the Government will decide as to the proportion which each local body should receive. Besides these are matters of detail and when the Bill is considered

[The Raja of Panagal]

[19th August 1924]

by the select committee any improvements the hon. Members are anxious to introduce can be considered. I, therefore, hope that the hon. Members will agree to the introduction of the Bill."

The motion was put and passed.

The Secretary then read the title of the Bill.

The hon. the RAJA OF PANAGAL :—" I move that the Bill be referred to a select committee consisting of the following gentlemen :—

Mr. T. R. Venkatarama Sastri,
Mr. P. L. Moore,
Rao Bahadur A. S. Krishna Rao Pantulu,
" O. Natesa Mudaliyar,
Mr. Sami Venkatachalam Chettiyar,
Rao Bahadur O. Tanikachala Chettiyar,
" O. Venkataranga Reddi,
Diwan Bahadur M. Krishnan Nayar,
Mr. Yahya Ali Sahib,
Mr. Abbas Ali,
Mr. Abdulla Ghatala,
Mr. M. Ratnaswami and
the Mover."

The hon. Mr. C. P. RAMASWAMI AYYAR seconded the motion.

The motion was put and carried.

The hon. the PRESIDENT :—" I appoint the hon. the Raja of Panagal as the chairman of the committee.

"Before closing I am asked by the Government to state that the two remaining items of Government business will, for purposes of to-morrow's business, be taken up in reverse order, i.e., the second will be taken up first."

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

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX IV.

[Vide item IV (1) Communications to the Council on page 319 supra.]

G.O. No. 426, Finance, dated 31st May 1924.

READ—the following paper :—

G.O. No. 1054, Finance, dated 4th December 1923.

ABSTRACT.—Committee — Finance — Constitution of — for the remainder of the year 1923–24.

Order—No. 426, Finance, dated 31st May 1924.

The Standing Finance Committee of the Legislative Council for 1924–25 will be constituted as follows :—

Nominated by His Excellency the Governor.

- (1) The hon. Mr. R. A. Graham, C.S.I., I.C.S. (Chairman).
- (2) R. W. Davies, Esq., I.C.S., M.L.C.
- (3) A. E. Rencontre, Esq., M.L.C.

APPENDIX

19th August 1924]

Elected by the Non-official Members of the Council.

- (4) Rai Bahadur Sir K. V. Reddi Nayudu Garu, Kt., M.L.C.
- (5) M.R.Ry. M. R. Seturatnam Ayyar Avargal, M.L.C.
- (6) " A. Ramaswami Mudaliyar Avargal, M.L.C.
- (7) " C. V. Venkataramana Ayyangar Avargal, M.L.C.
- (8) Janab Muhammad Yahya Ali Sahib Bahadur, M.L.C.
- (9) M.R.Ry. P. N. Marthandam Pillai Avargal, M.L.C.

(By order of the Governor in Council)

R. W. DAVIES,
Acting Secretary to Government.

To all departments of the Secretariat.
" the Accountant-General.
" all Secretaries of departments.
" all Members of the Finance Committee.
" the Secretary to the Legislative Council (for communication to the Members of the Legislative Council).

APPENDIX V.

[Vide item IV (2) Communications to the Council on page 319 supra.]

G.O. No. 421, Finance, dated 29th May 1924.

READ—the following paper :—

G.O. No. 1102, Finance, dated 21st December 1923.

ABSTRACT.—Committee — Public Accounts — Constitution of — 1923–24.

Order—No. 421, Finance, dated 28th May 1924.

The Public Accounts Committee of the Legislative Council for 1924–25 will be constituted as follows :—

Nominated by His Excellency the Governor.

- (1) The hon. Mr. R. A. Graham, C.S.I., I.C.S. (Chairman).
- (2) R. W. Davies, Esq., I.C.S., M.L.C.
- (3) Dr. John Mathai, M.L.C.

Elected by the Non-official Members of the Council.

- (4) Sriman Biswanath Das Mahasavo, M.L.C.
- (5) Rao Bahadur O. Tanikachala Chettiyar, M.L.C.
- (6) Rao Sahib P. V. Gopalan, M.L.C.
- (7) Janab Abbas Ali Khan Bahadur, M.L.C.
- (8) M.R.Ry. A. Chidambara Nadar Avargal, M.L.C.
- (9) " V. Madhava Raja Avargal, M.L.C.
- (10) C. Nicholson, Esq., M.L.C.

(By order of the Governor in Council)

R. W. DAVIES,
Acting Secretary to Government.

To all departments of the Secretariat.
" the Accountant-General.
" all Secretaries to Government.
" all Members of the Public Accounts Committee.
" the Secretary to the Legislative Council (for communication to the Members of the Legislative Council).

APPENDIX VI.

[Vide item IV (3) Communications to the Council on page 319 supra.]

FORECAST OF FINANCIAL PROSPECTS.

Cauvery (Metur) Reservoir Project.

(Revision of forecast, Vol. IV, page 39.)

Part I.—Summary of the estimated Direct Charges to Capital Account.

Year.	Works.			Establishment.	Tools and plant.	Suspense.	Less receipts on Capital Account.	Net total.
	Land.	Other works.	Total.					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
First year	RS. 4,11,000	RS. 4,77,000	RS. 8,88,000	RS. 2,52,500	RS. 96,300	RS. 20,000	RS. 500	RS. 12,56,300
Second "	6,89,300	15,72,400	22,61,700	5,18,000	4,67,500	55,000	10,000	32,83,200
Third "	17,80,000	30,08,000	47,88,000	7,18,000	26,98,900	2,00,000	10,000	83,94,900
Fourth "	18,32,000	52,68,300	71,00,300	8,04,000	45,23,900	1,80,000	10,000	1,26,03,200
Fifth "	8,68,000	61,30,400	69,98,400	8,05,000	4,04,500	28,000	12,000	81,67,900
Sixth "	13,31,400	77,00,700	90,32,100	8,16,500	2,96,400	75,000	12,500	1,00,47,600
Seventh "	1,45,700	19,20,800	20,66,500	7,99,500	2,56,900	60,000	80,800	80,16,600
Eighth "	..	39,29,800	39,29,800	6,02,000	92,400	40,000	1,18,500	44,46,700
Ninth "	..	23,60,800	23,60,800	4,29,000	56,700	40,000	2,35,200	26,71,800
Tenth "	..	5,18,700	5,18,700	1,74,500	5,500	35,000	3,10,500	3,53,200
Total ..	70,57,400	3,78,86,400	4,49,43,800	59,24,000	88,79,000	1,42,000	7,50,000	5,91,38,800

[19th August 1924]

19th August 1924]

FORECAST OF FINANCIAL PROSPECTS.

Cauvery (Metur) Reservoir Project.

(Revision of forecast, Vol. IV, page 40.)

Part II.—Summary of the estimated Indirect Charges to Capital.

Year.	Capitaliza- tion of land revenue abated.	Charge for leave and pension allowances.	Audit and accounts.	Total.
	RS.	RS.	RS.	RS.
First year	43,000	26,400	8,900	78,300
Second "	84,000	80,500	22,600	1,87,100
Third "	1,70,000	49,250	48,000	3,17,250
Fourth "	1,88,000	1,08,250	71,000	3,67,250
Fifth "	1,22,000	1,07,250	70,000	2,99,250
Sixth "	1,92,000	1,09,250	90,300	3,91,550
Seventh "	14,000	1,08,250	70,700	1,92,950
Eighth "	..	81,250	39,300	1,20,550
Ninth "	..	56,100	23,700	79,800
Tenth "	..	22,000	5,200	27,200
Total ..	8,13,000	7,98,500	4,49,700	20,61,200

[19th August 1924]

FORECAST OF FINANCIAL PROSPECTS.

Cauvery (Metur) Reservoir Project.

Part III.—Estimate of growth of Irrigation and Revenue receipts and charges.

[Water-rate at Rs. 15 per acre for first crop and Rs. 7-8-0 per acre for second crop.]

Year.	Irrigated area at end of year.	Revenue receipts and charges.					
		Gross revenue due to works.			Charges both Direct and Indirect against Revenue Account.	Net revenue due to works.	
		Direct receipts.	Enhanced Land Revenue or Indirect Revenue.	Total.		Including enhanced land revenue.	Excluding enhanced land revenue.
Seventh year.	N-1 35,000	Rs. 5,94,500	Rs. ..	Rs. 5,94,500	Rs. 64,725	Rs. 5,29,775	Rs. 5,29,775
Eighth year.	D-2 20,000	11,89,000	..	11,89,000	1,29,450	10,59,550	10,59,550
Ninth year.	N-1 125,000	25,50,050	17,000	25,67,050	2,53,852	23,13,698	22,96,698
Tenth year.	N-2 10,000	35,20,050	67,000	35,87,050	3,64,352	32,22,698	31,55,698
Eleventh year.	D-2 70,000	42,06,650	1,17,000	43,23,650	4,59,182	38,64,468	37,47,468
Twelfth year.	N-1 301,000	50,40,821	1,77,746	52,18,567	5,54,028	46,64,539	44,86,793
Thirteenth year.	N-2 20,000	50,40,821	1,77,746*	52,18,567†	5,54,028	46,64,539	44,86,793
	D-2 70,000						

* This is made up of (a) Rs. 19,736 being the assessment on 15,789 acres of unoccupied dry lands at Rs. 1-4-0 per acre ;
and (b) Rs. 1,58,010 being the interest at 6 per cent on sale-proceeds of 17,557 acres.

Total .. Rs. 1,77,746

† 99,474 acres of Government dry lands at Rs. 15 per acre	Rs. 14,92,110
119,009 acres of Zamin and Inam dry lands at Rs. 15 per acre	17,85,135
64,349 acres of Zamin and Inam wet lands at Rs. 7-8-0 per acre	4,82,618
16,400 acres of Government wet occupied at Rs. 2 per acre	32,800
1,768 acres of Government wet unoccupied at Rs. 6 per acre	10,608

301,000 acres.

15,789 acres—assessment on unoccupied dry lands at Rs. 1-4-0 per acre	19,736
90,000 acres—second-crop charge at Rs. 7-8-0 per acre	6,75,000
Enhancement of first-crop revenue in existing delta	5,29,550
Enhancement of second-crop revenue in the existing delta	33,000
Interest at 6 per cent on sale-proceeds of 17,557 acres at Rs. 150 per acre	1,58,010

Gross revenue .. 52,18,567

N-1 denotes newly irrigated area, single or first crop; total area = 301,000 acres.

N-2 denotes .. second crop; total area = 20,000 acres.

D-2 denotes extension of the second-crop area in the existing delta irrigation; total = 70,000 acres.

19th August 1924]

FORECAST OF FINANCIAL PROSPECTS.

Cauvery (Metur) Reservoir Project.

Part IV.—Estimate of net Financial results of ten years after the probable date of completion of the work.

[Water-rate at Rs. 15 per acre for first crop and Rs. 7-8-0 per acre for second crop.]

Year.	Direct capital outlay during the year.	Direct capital outlay to the end of the year.	Simple interest at 6 per cent on the capital outlay to the end of the previous year plus half the outlay during the year.	Net revenue, including the enhanced land revenue.	Simple interest less the net revenue.	Net revenue less the simple interest.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Rs.	Rs.	R	Rs.	Rs.	Rs.
First year ..	12,56,300	12,56,300	37,689	..	37,689	..
Second ..	32,82,200	45,38,500	1,73,844	..	1,73,844	..
Third ..	83,94,900	1,29,33,400	5,24,157	..	5,24,157	..
Fourth ..	1,26,03,200	2,55,36,600	11,54,100	..	11,54,100	..
Fifth ..	81,67,900	3,37,04,500	17,77,233	..	17,77,233	..
Sixth ..	1,00,47,500	4,37,52,000	23,23,695	..	23,23,695	..
Seventh ..	80,16,600	5,17,68,600	28,65,618	5,29,775	23,35,843	..
Eighth ..	44,45,700	5,62,14,300	32,39,487	10,59,550	21,79,937	..
Ninth ..	25,71,300	5,87,85,600	34,49,997	23,13,698	11,36,299	..
Tenth ..	3,53,200	5,91,38,800	35,37,732	32,22,698	3,15,034	..
Eleventh ..	..	..	35,48,328	38,64,468	..	3,16,140
Twelfth ..	..	..	35,48,328	46,64,539	..	11,16,211
Thirteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Fourteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Fifteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Sixteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Seventeenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Eighteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Nineteenth ..	..	..	35,48,328	46,64,539	..	11,16,211
Twentieth ..	..	..	35,48,328	46,64,539	..	11,16,211
	5,91,38,800	5,91,38,800	5,45,66,832	5,29,71,040	1,19,57,831	1,03,62,039
			15,95,792			15,95,792

(a) Direct charges	Rs. 5,91,38,800
(b) Indirect charges	20,61,200
	6,12,00,000
(c) Arrears of interest [column (4) — (5) or (6) — (7)]	15,95,792
(d) Total sum-at-charge	6,27,95,792
(e) Interest at 6 per cent on (d)	37,67,748
(f) Net annual revenue	46,64,539*
(g) Profit	8,96,791

* Represents a return of 7.43 per cent on the sum-at-charge.

[19th August 1924]

APPENDIX VII.

[Vide item VIII on page 337 supra.]

BILL No. 6 OF 1923.

THE MADRAS STAGE CARRIAGES AND HACKNEY
CARRIAGE (AMENDMENT) BILL.

Report of the Select Committee.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned members of the Select Committee appointed to consider the Madras Stage Carriages and Hackney Carriage Amendment Bill, 1923 (No. 6 of 1923), which was moved by the hon. the Law Member at the meeting of the Council held on the 29th November 1923, have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 20th November 1923, in Tamil, Telugu, Malayalam and Kanarese on 27th November 1923, in Hindustani on the 18th December 1923 and in Oriya on the 1st January 1924.

3. In clause 3 of the Bill in the proposed sub-section (3) (i), after the word 'extend' the following words the omission of which seems to have been due to inadvertence should be inserted, namely, 'to such other parts of the Presidency of Madras as it may think fit.'

4. We also consider that when the Act is extended by notification under sub-section (3) to a particular area it should not come into force on any date less than three months from the date of the notification. We therefore recommend that in line 5 of sub-section (3) (i), proposed in clause 3 of the Bill, for the word 'two' the word 'three' be substituted.

5. We accept the scale of licence fees prescribed in clause 5 of the Bill in regard to the classes of vehicles referred to in (a) to (c). We, however, consider that the rates of fees prescribed for classes (d), (e) and (f) are excessive and should be as follows:—

In (d) for 'Rs. 2' substitute 'Re. 1'.

In (e) for 'Re. 1' substitute '8 annas'.

In (f) for 'Re. 1' substitute '4 annas'.

19th August 1924]

6. We also consider that the altered rates prescribed by clause 6 of the Bill are excessive and recommend that for the words 'two rupees' in line 3 of the clause the words 'one rupee and eight annas' be substituted, and for the words 'one rupee' in line 4 the words 'six annas' be substituted.

7. We consider that clause 8 of the Bill should be omitted.

8. We are of opinion that the alterations made by us in this Bill are not of such importance as to require a republication of the Bill and direct that the Bill shall not be republished.

C. P. RAMASWAMI AIYAR.
C. NATESAN.
A. S. KRISHNA RAO.
C. V. S. NARASIMHA RAJU.
S. ELLAPPA CHETTY.
O. THANIKACHALLA CHETTY
ABBAS ALI.
P. RAMARAYANINGAR.
C. MADHAVAN NAIR.

13th February 1924.

[Note.—The alterations made by the Select Committee are printed in Clarendon type.]

BILL No. 6 OF 1923.

A Bill to

Repeal the Stage Carriages Act, 1861, in its application to the Presidency of Madras and amend the Madras Hackney Carriage Act, 1911.

WHEREAS it is expedient to repeal the Stage Carriages Act, 1861,* in its application to the Presidency of Madras, and amend the Madras Hackney Carriage Act, 1911,† and WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act, it is hereby enacted as follows:—

1. This Act may be called the Madras Stage Carriages and Hackney Carriage (Amendment) Act, 1924. Preamble.

2. The Stage Carriages Act, 1861,* is hereby repealed to the extent it applies to the Presidency of Madras. Repeal of Stage Carriages Act, 1861

* India Act XVI of 1861.

† Madras Act V of 1911.

[19th August 1924]

Amendment
of section 1
of Madras
Act V of
1911.

3. For sub-sections (2) and (3) of section 1 of the Madras Hackney Carriage Act (hereinafter referred to as the said Act), 1911, the following shall be substituted namely:—

“(2) It extends to the town of Madras.

“(3) (i) The Local Government may, by notification, extend to such other parts of the Presidency of Madras as it may think fit all or any of the provisions of this Act from a date to be specified in the notification, which shall not be less than three months from the date of the notification.

“Provided that no such notification shall be issued unless notice of the proposed extension inviting objections thereto shall have been published not less than two months previously.

“(ii) The Local Government may, by notification, cancel or modify any such notification as is referred to in clause (i).”

Amendment
of section 3
of Madras
Act V of
1911.

4. Sub-section (4) of section 3 of the said Act shall be omitted and the existing sub-sections (5), (6) and (7) shall be renumbered.

Amendment
of section 9 of
Madras Act
V of 1911.

5. For the scale prescribed in section 9 of the said Act the following shall be substituted, namely:—

	RS.	A.
(a) For every four-wheeled carriage drawn by two or more horses licensed to carry more than six passengers.	10	0
(b) For every other four-wheeled carriage drawn by two horses.	5	0
(c) For every other four-wheeled carriage drawn by one horse or by bullocks.	2	0
(d) For every two-wheeled carriage drawn by one horse.	1	0
(e) For every two-wheeled carriage drawn by one or more bullocks.	0	8
(f) For every rickshaw, perambulator or other carriage drawn or pushed by a man.	0	4

Amendment
of section 19
of Madras Act
V of 1911.

6. In sub-section (3) of section 19 of the said Act, for the words ‘one rupee’ and ‘four annas’ the words ‘one rupee and eight annas’ and ‘six annas,’ respectively, shall be substituted.

* India Act XVI of 1861.

[19th August 1924]

7. In sub-section (4) of section 24 of the said Act, for the words and figures ‘half the fee mentioned in section 9’ the words and figures ‘the fee mentioned in sub-section (3) of section 19’ shall be substituted.

8. [Omitted.]

9. Section 43 of the said Act shall be omitted.

Amendment
of section 24
of Madras Act
V of 1911.

Amendment
of section 33
of Madras Act
V of 1911.

Repeal of
section 43
of Madras Act
V of 1911.

APPENDIX VIII

[Vide item IX on page 339 supra.]

BILL No. 3 OF 1924

A Bill to amend the Madras District Municipalities and Local Boards (Amendment) Act, 1921.

WHEREAS it is expedient to amend the Madras District Municipalities and Local Boards (Amendment) Act, 1921,* AND WHEREAS the previous sanction of the Governor-General has been obtained under section 80-A (3) of the Government of India Act, to the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Madras District Municipalities and Local Boards Further (Amendment) Act, 1924.

2. Section 3 of the Madras District Municipalities and Local Boards (Amendment) Act, 1921 (hereinafter referred to as the said Act) shall be omitted.

3. In sub-section (2) of section 4 of the said Act after the words “term of office commences” the words “or at one of the first three meetings held after the said date” shall be inserted.

4. For section 5 of the said Act, the following shall be substituted, namely:—

“5. Notwithstanding anything contained in the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, or any other law for the time being in force, no person who has been elected or appointed a councillor or a member of a Local Board or who has become an ex officio member of a Local Board shall take his seat at a meeting of the Council or the

* Madras Act II of 1922.

[19th August 1924]

Local Board or do any act as such councillor or member unless he has made the oath or affirmation as laid down in this Act."

5. After section 5 of the said Act, the following section shall be added, namely:—

"6. The provisions of this Act shall be applicable notwithstanding anything contained in the Indian Oaths Act, 1873."

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to remove the difficulties experienced in the actual working of the Act. In order to give members a fair opportunity to make the oath or affirmation it is proposed to amend section 4 so as to permit a member to make the oath or affirmation at one of the first three meetings held after the date of the commencement of his term of office. The Bill also prohibits a member from taking his seat on a local body or doing any act as such member until he has made the oath or affirmation. Opportunity has been taken to omit sections 3 and 5 of the Act as they are transitory provisions which are no longer needed and to provide that the Act shall operate notwithstanding the provisions of the Indian Oaths Act, 1873.

11th February 1924.

P. RAMARAYANINGAR.

NOTES ON CLAUSES.

Clause 2.—Section 3 of the original Act was only a transitory provision which is no longer required.

Clause 3.—This has been introduced so as to permit a member to make the oath or affirmation at one of the first three meetings held after the date of the commencement of his term of office. The prescription of a period of time instead of a number of meetings leads to difficulties in practice.

Clauses 4 and 5.—Self-explanatory.

11th February 1924.

P. RAMARAYANINGAR.

APPENDIX IX

[Vide item X on page 341 supra.]

BILL NO. 5 OF 1924.

A Bill to amend the Madras Town-Planning Act VII of 1920.

WHEREAS it is expedient to amend the Madras Town-Planning Act, 1920; It is hereby enacted as follows:—

1. This Act may be called the Madras Town-Planning (Amendment) Act, 1924.

19th August 1924]

2. After section 43 of the Madras Town-Planning Act, 1920, the following section shall be added:—

"43-A. (1) The Local Government may, by notification, and from a date to be specified in such notification, transfer the proceedings commenced under this Act in respect of any land by any authority having jurisdiction to any other authority having jurisdiction over such land

"(2) Before issuing a notification under sub-section (1) the Local Government shall communicate to the authorities affected the grounds on which they propose to make the transfer, fix a reasonable period for them to show cause against the proposal and consider their objections, if any.

"(3) The authority to whom a transfer of proceedings is made under sub-section (1) may continue such proceedings from the stage to which they had reached on the date specified in the notification in the same manner as if such proceedings had been commenced by itself.

"(4) When making a transfer of proceedings under sub-section (1), the Local Government may direct the authority to whom the transfer is made to reimburse the authority from whom the transfer is made the net expenditure which the last mentioned authority may, up to the date of such transfer, have incurred on such proceedings.

"(5) From the date specified in the notification under sub-section (1) all rights and assets which, for the purposes of the proceedings transferred by such notification, are vested in, and all obligations and liabilities which for the same purposes are enforceable against the authority from whom the transfer is made, shall vest in or be enforceable against the authority to whom the transfer is made."

STATEMENT OF OBJECTS AND REASONS.

The main object of the Bill is to make provision for the transfer of a scheme at any stage of its making or execution from one local authority to another from a Trust to a local authority or from a local authority to a Trust and to avoid on such transfer the necessity of having to commence proceedings under the Act afresh. The Bill also provides for the transfer along with the scheme of the assets and liabilities connected therewith and for the payment to the authority from whom the transfer is made of the expenses incurred by it on the scheme up to the date of transfer.

28th February 1924.

P. RAMARAYANINGAR.

[19th August 1924]

APPENDIX X

[Vide item XI on page 351 supra.]

BILL No. 9 OF 1924.

A Bill to enable local authorities to impose a tax on amusements and other entertainments.

WHEREAS it is expedient to give power to local authorities to impose a tax on amusements and other entertainments AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Local Authorities Entertainments Tax Act, 1924.

(2) It extends to the City of Madras and to all towns in the Presidency of Madras which have been or may hereafter be declared to be municipalities under the Madras District Municipalities Act, 1920, or other Act of the same nature for the time being in force and the Local Government may, from time to time by notification in the *Fort St. George Gazette*, extend it, at the request of any district board, either permanently or for a time or for specified occasions only and from such date as may be specified in the notification, to any other local area in the Presidency of Madras and may cancel or modify any such notification.

Provided that no such notification shall be issued in respect of any area included in a cantonment without the previous sanction of the Governor-General in Council.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) 'Admission' includes admission as a spectator or as one of an audience and admission for the purpose of amusement by taking part in an entertainment;

(2) 'Admission to an entertainment' includes admission to any place in which the entertainment is held;

(3) 'Agriculture' includes horticulture and breeding of animals of every description;

(4) 'Entertainment' includes any exhibition, performance, amusement, game or sport to which persons are admitted for payment;

19th August 1924]

(5) 'Gazette' means the *Fort St. George Gazette* in relation to the Corporation of Madras and the District Gazette in relation to other local authorities;

(6) 'Local authority' means the Corporation of Madras or a Municipal Council constituted under the Madras District Municipalities Act, 1920, or a local board constituted under the Madras Local Boards Act, 1920;

(7) 'Payment for admission' includes any payment made by a person who having been admitted to one part of a place of entertainment is subsequently admitted to another part thereof, for admission to which a payment involving a tax or a higher rate of tax is required; and any payment for seats or other accommodation in a place of entertainment;

(8) 'Proprietor' in relation to any entertainment includes any person responsible for the management thereof; and

(9) 'Society' includes a company, institution, club or other association of persons, by whatever name called.

3. (1) Except as otherwise expressly provided in this Act, any local authority to which this Act has been applied may levy a tax on any entertainment at a rate not exceeding twenty-five per centum on all payments for admission.

(2) The entertainments tax shall not be leviable where the payment for admission is not more than two annas.

(3) The rate of the entertainments tax in the case of payments for admission to any theatre, cinematograph, exhibition or circus or any other class of entertainments to which the Local Government may apply this subsection shall not exceed the following scale:—

Where the payment excluding the amount of the tax—

(i) is more than two annas but is less than six annas ...	Half an anna.
(ii) is six annas or more but is less than twelve annas ...	One anna.
(iii) is twelve annas or more but is less than one rupee eight annas ...	Two annas.
(iv) is one rupee eight annas or more but is less than two rupees eight annas ...	Four annas.
(v) is two rupees eight annas or more but is less than three rupees eight annas ...	Eight annas.

[19th August 1924]

- (vi) is three rupees eight annas or more but is less than four rupees eight annas ... Twelve annas.
- (vii) is four rupees eight annas or more but is less than six rupees eight annas ... One rupee.
- (viii) is six rupees eight annas or more but is less than nine rupees eight annas ... One rupee eight annas.
- (ix) is nine rupees eight annas or more but is less than ten rupees ... Two rupees.
- (x) is ten rupees or more—for the first ten rupees and for every ten rupees or part of ten rupees over ten rupees ... Two rupees.

(4) The local authority may, on the application of a proprietor of any entertainment and on such conditions as the Local Government may impose, compound the tax for a consolidated payment which shall not be less than twenty per cent of the gross sum received by such proprietor on account of payments for admission to the entertainment.

(5) Where the place of entertainment is situated in a local area which is within 3 miles of the limits of a municipality, the Local Government may, on the application of the municipal council concerned and on being satisfied that a large portion of the income is derived from the inhabitants of that municipality, direct that the proceeds of the entertainments tax shall be apportioned between the local authority and the municipal council concerned in such proportion as they may determine by general or special order or by rules made in this behalf.

4. No person shall be admitted for payment to any entertainment where the payment is subject to the entertainments tax except,

(a) with a ticket stamped with an embossed or adhesive stamp (not used before) issued by the Local Government and indicating the proper fee for such ticket;

(b) in special cases with the approval of the local authority through a barrier which, or by means of a mechanical contrivance which, automatically registers the number of persons admitted,

unless the proprietor of the entertainment has made arrangements approved by the local authority for furnishing returns of the payments for admission to the entertain-

[19th August 1924]

ment and has given security up to an amount and in a manner approved by the local authority for the payment of the entertainments tax.

Nothing in the above proviso shall be deemed to preclude the local authority from requiring security from the proprietor of an entertainment for the payment of the entertainments tax in any other case.

5. (1) The entertainments tax shall be charged in respect of each person admitted for payment and, in the case of admission by stamped ticket, shall be paid by means of the stamp on the ticket and in the case of admissions otherwise than by stamped ticket, shall be calculated and paid on the number of admissions.

(2) Where the payment for admission to an entertainment is made by means of a lump sum paid as a subscription or contribution to any society, or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time, the entertainments tax shall be paid on the amount of the lump sum, but where the local authority are of opinion that the payment of a lump sum or any payment for a ticket represents payment for other privileges, rights or purposes besides the admission to an entertainment or covers admission to an entertainment during any period on which the tax has not been in operation, the tax shall be charged on such an amount as appears to the local authority to represent the right of admission to entertainments in respect of which the entertainments tax is payable.

6. If any person is admitted for payment to any place of entertainment and the provisions of section 4 are not complied with, the proprietor of the entertainment to which such person is admitted shall, on conviction before a magistrate, be liable in respect of each such offence to a fine not exceeding five hundred rupees, and shall in addition be liable to pay any tax which should have been paid.

7. (1) The entertainments tax shall not be charged on payments for admission to any entertainment where the local authority are satisfied—

(a) that the whole of the takings thereof are devoted to philanthropic, religious or charitable purposes without any charge on the takings for any expense of the entertainment; or

[19th August 1924]

(b) that the whole of the net proceeds of an entertainment are devoted to philanthropic, religious or charitable purposes and that the whole of the expenses of the entertainment do not exceed twenty per cent of the receipts;

(c) that the entertainment is of a wholly educational character, any question on that point to be determined in the case of difference of opinion between any local authority and the proprietor of an entertainment, by the Local Government;

(d) that the entertainment is provided for partly educational or partly scientific purposes by a society not conducted or established for profit; or

(e) that the entertainment is provided by a society which is established solely for the purpose of promoting the interest of the industry of agriculture or a manufacturing industry, or some branch thereof, or the public health and which is not conducted for profit, and consists solely of an exhibition of the products of the industry or branch thereof, for promoting the interests of which the society exists or of materials, machinery, appliances or foodstuffs used in the production of those products, or of articles which are of material interest in connexion with the questions relating to the public health as the case may be.

(2) The Local Government may, by general or special order, exempt any entertainment or class of entertainments from liability to the entertainments tax. Any local authority shall have also power to grant exemption in any other case subject to the sanction of the Local Government.

8. (1) Any sum due on account of the entertainments tax together with the costs of the distress may be recovered by the local authority by the distraint of the movable property of the proprietor.

Provided always that movable property described in the proviso to section 60 of the Code of Civil Procedure, Act V of 1908, shall not be liable to distraint.

(2) Any fine imposed under this Act shall be recovered in the manner provided in the Code of Criminal Procedure, 1898, for the recovery of fines.

9. (1) Any officer authorised by the local authority concerned for the purpose may enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as a place of entertainment at any

[19th August 1924]

reasonable time, with a view to seeing whether the provisions of this Act or any rules made thereunder are being complied with.

(2) If any person prevents or obstructs the entry of any officer so authorised he shall, in addition to any other punishment to which he is liable under any law for the time being in force, be liable on conviction before a Magistrate to a fine not exceeding two hundred rupees.

(3) Every officer authorised under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Act XLV of 1900.

10. The Local Government may, by notification, authorise any person to exercise any one or more of the powers vested in them by this Act and may in like manner withdraw such authority.

11. (1) The Local Government may make rules to carry out all or any of the purposes of this Act not inconsistent therewith.

(2) In particular and without prejudice to the generality of the foregoing power they may make rules:

(a) for the supply and use of stamps or stamped or embossed tickets or for the stamping or embossing of tickets sent to be stamped or embossed and for securing the defacement of stamps when used;

(b) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon; and for the payment of the tax on the transfer from one part of a place of entertainment to another; and on payment for seats or other accommodation;

(c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances;

(d) for the checking of admissions, the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provisions of section 3, sub-section (4), are applied or in respect of which the arrangements approved by the local authority for furnishing returns are made under section 4;

(e) for the renewal of damaged or spoiled stamps;

(f) for the keeping of accounts of all stamps used under this Act;

[19th August 1924]

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax; and

(h) for the apportionment of the tax between local authorities.

(3) In making any rule the Local Government may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees.

12. (1) Any local authority may make by-laws not inconsistent with this Act or any rules *thereunder* made—

(a) for the regulation of the time and place of holding an entertainment and supervision thereof;

(b) for the regulation of the time and mode of collecting the tax under this Act and in general, for carrying out the purposes of this Act.

(2) In making a *by-law* the local authority may provide that a breach thereof shall be punishable with fine which may extend to fifty rupees and in case of a continuing breach with fine which may extend to fifteen rupees for every day during which the breach continues after conviction for the first breach.

(3) All such *by-laws* shall have effect when they have been approved and confirmed by the Local Government and published in the *Gazette*.

STATEMENT OF OBJECTS AND REASONS

The object of this Bill is to enable the local authorities to levy a tax on entertainments and other amusements. The growing demands on the funds of local authorities necessitate the provision of additional sources of revenue and the Government consider that a small tax on amusements and entertainments, while it will not press heavily on the people, will bring in a substantial income to certain local bodies. Moreover it is of the nature of a tax on luxuries. Local bodies in their group conferences have recommended the levy of such a tax and the Government consider that this tax can be administered and exploited better by local bodies than by the Local Government. Such a tax is already levied in England and Bengal. The Bill generally follows the Bengal Amusements Tax Act, 1922. The few changes in the Bill are made to suit local conditions.

8th July 1924.

P. RAMARAYANINGAR.

THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 20th August 1924

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.) in the chair.

I

NEW MEMBER.

M.B.Ry. T. R. RAMACHANDRA AYYAR Avargal was sworn in.

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.]

Collectorates.

Christian clerks of the Nellore Collectorate.

181 Q.—MR. M. RATNASWAMI: Will the hon. the Member for Revenue be pleased to state—

(1) whether 11 Christian clerks in the Revenue department had their services terminated in the month of May 1924 in Nellore district;

(2) whether this reduction was made in pursuance of any policy of retrenchment;

(3) what is the total number of Indian Christian clerks employed in the Revenue department in the Nellore district;

(4) whether in the Atmakur taluk of the Nellore district the services of four clerks (two in the Atmakur taluk office, one in the Udayagiri taluk office, one in the Stationary Sub-Magistrate's office at Atmakur) were terminated in May 1924;

(5) whether of these four clerks one was an Indian Christian;

(6) whether of these four clerks the three Hindu clerks have since been reinstated, while the Indian Christian is still kept out of the service; and

(7) whether the three Hindu clerks so retained are senior to the Indian Christian clerk?

A.—(1), (2) & (4) to (7) The Government have no information.
(3) The information can be obtained from the List of Revenue Establishment in the Nellore district kept in the Council Library.

[20th August 1924]

Alleged punishment of Revenue subordinates by the Collector of South Arcot.

182 Q.—Mr. S. SATTYAMURTI: Will the hon. the Member for Revenue be pleased to state the number of persons in the Revenue establishment of South Arcot including the tahsildars, deputy tahsildars and head accountants who were fined, reduced, suspended, dismissed, or recommended for punishment or awarded blackmarks or whose increments were stopped temporarily or permanently by Mr. P. C. Dutt, Collector of South Arcot, from (a) January to September 1923, (b) October 1923 to May 1924?

A.—The Government have no information.

Mr. S. SATTYAMURTI:—"May I ask the hon. the Law Member to say whether the Government would call for the information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The Government have no objection."

Constitution of districts.

The bifurcation of the Kistna district.

183 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state—

- (a) when the bifurcation of the Kistna district will be brought into effect;
- (b) whether the Government have decided upon the location of the headquarters and if so where;
- (c) whether the Government have received any representations from the villagers of Anantapalli, Nallacherla and Dubacherla that their villages should be included in Tadapalligudem taluk and, if so, what action has been taken; and
- (d) whether the Government have received any representation from the new Pamarru taluk people that their taluk should not be added to the divisions and if so what action has been taken?

A.—(a) At an early date.

(b) Yes. Nidadavole has been selected for the headquarters of the proposed Godavari West district. Masulipatam will continue to be the headquarters of the Kistna district.

(c) The Government have not received any representations from the villages. But two members of the Legislative Council suggested to Mr. A. Y. G. Campbell at an interview that the three villages might be included in the Tadapalligudem taluk. The Board of Revenue recommended the suggestion and the Government have approved it.

(d) The Government have received a memorial from the ryots of the proposed Pamarru taluk requesting that this taluk may be included in the Gudivada division. The Government have considered the inclusion of this taluk in the Gudivada, Bezwada or Masulipatam division. In view of the difficulties in arranging the divisional charges the Government have decided that the best grouping would be to link the Pamarru taluk with the Gannavaram taluk and the Nuzvid independent Deputy Tahsildar's division.

[20th August 1924]

Mr. P. PEDDIRAJU:—"With reference to clause (d), may I know whether any representations were made that the Pamarru taluk as it is proposed now would be most inconvenient and the villages should be different from what was stated in the notification?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, the answer to clause (d) indicates that a memorial has been received. In order to prevent misapprehension and also to obviate further questions, may I say that the bifurcation may proceed. When the Collector takes charge he will look into all these matters, and after taking advantage of his experience we shall see whether there is any need to make any modification."

Deputy Collectors.

Transfers of Deputy Collectors.

184 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state—

(a) the names with their communities, caste, sub-caste (Christians, Nambudri Brahmans, Sarasvat, and Gaud Sarasvat, Konkani Brahmans, Nayars, etc.) of the several deputy collectors born in South Kanara and Malabar transferred from and to those districts permanently or temporarily during the last one year;

(b) on what grounds these transfers were made;

(c) in the case of each of these transfers (including transfers from Malabar to South Kanara and vice versa), what was the period of employment before transfer of each of the deputy collectors at the place from which he was transferred; and

(d) if these transfers were within one or two years of employment at a particular station, whether it would not have been possible to avoid them in the interests of economy and efficiency as well as public interest?

A.—The Government do not consider that any useful purpose will be served by collecting, not without some difficulty, the information referred to.

Mr. J. A. SALDANHA:—"I have asked for information about the transfers of deputy collectors of two districts and for one year only. Still, the Government say that they find it very difficult to collect the information."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I should like to know if that is a supplementary question."

Mr. J. A. SALDANHA:—"Will Government call for the information as it concerns only two districts and that for one year only?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It will not, Sir."

Increments to acting Deputy Collectors.

185 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that acting deputy collectors have not been given the benefit of the incremental scale for the last three years;

(b) whether it is true that acting gazetted officers in other departments such as Police, Forest, etc., are granted the time-scale increments;

[20th August 1924]

(c) whether the Government do not propose to act upon rule 5 of the rules appended to G.O. No. 1060, Finance, dated 17th December 1920, and rule 32 of the Fundamental Rules printed with G.O. No. 944, dated 6th November 1922, relating to the counting of such acting service for increment; and

(d) if not, whether the Government will be pleased to furnish the reasons therefor?

A.—The Government have decided to grant increments to acting Deputy Collectors from 1st April 1924.

The transfer of Deputy Collectors.

186 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(i) the number of Deputy Collectors transferred in 1923–24 (financial year); and

(ii) the amount of transit and travelling allowances paid to them?

A.—The Government do not consider that any useful purpose will be served by collecting the information which would involve time and trouble.

Depressed classes.

Assignment of disafforested tracts in Vriddhachalam taluk to the Adi-Dravidas.

187 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that in the disafforested tract in Nallur, Vriddhachalam taluk, the ryots were permitted in 1921 to cultivate about 30 acres lying west of the Kothanur pathway, the remaining extent being reserved for assignment to Adi-Dravidas;

(2) whether it is a fact that the ryots spent about Rs. 800 in repairing and bringing the land under cultivation and paid assessment for two years;

(3) whether it is a fact that the said ryots were given notice to quit and the Collector assigned the whole extent to Adi-Dravidas;

(4) whether it is a fact that out of 100 acres assigned to the Adi-Dravidas only 20 acres have been brought under cultivation and the others are lying waste;

(5) whether it is a fact that in the limits of A. Sithur which lies next south of Nallur considerable extent fit for assignment exists; and

(6) whether in view of the ryots of Nallur having spent about Rs. 800 on 30 acres of land and the greater part of the land assigned to the Adi-Dravidas lying waste, the Government propose to treat these 30 acres separately and assign them to ryots who improved them?

A.—The Government have no information.

Mr. R. SRINIVASA AYYANGAR:—“Will the hon. the Revenue Member be pleased to call for the information?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“There are six clauses to this question, Mr. President. I do not know to which my hon. Friend refers.”

[20th August 1924]

Mr. R. SRINIVASA AYYANGAR:—“There is only one general answer to my question and that is that the Government have no information. Will the hon. the Revenue Member be good enough to call for information for the various sub-heads?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I shall call for the information.”

Mr. J. A. SALDANHA:—“May I know why the Government have not called for the information till now? My hon. Friend tells me that this question was there more than two months ago.”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“The simple reason is that unless it is pressed we think it is waste of time to collect the information.”

The hon. the PRESIDENT:—“I would add another reason and that is that, in all these clauses, the question asked is: whether it is a fact that so and so is the case. It is evident from the terms of the question that the hon. Member who puts the question is aware of certain facts; and I do not know why he wants the information to be confirmed especially as nothing is very apparent from the rest of the question as to why he wants the information to be confirmed. I think the Government are probably right in not going further into the same matter; because, probably it is only to confirm the information which the hon. Member has received. It is not apparent what use he is going to make of the fact of the admission.”

Mr. C. RAMALINGA REDDI:—“May I request you to say whether there is no difference or distinction between facts officially admitted and facts which are known only through non-official channels?”

The hon. the PRESIDENT:—“Probably the hon. Member does not want me to answer that question.”

Mr. C. RAMALINGA REDDI:—“I was going to say that that was the reason why we sometimes put questions of that kind.”

Famine.

Famine-affected areas during current year.

188 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) what localities in this Presidency have been affected by famine in the current year;

(b) what relief measures were adopted;

(c) the cost incurred for relief in the various districts;

(d) what is the amount of revenue (1) suspended, (2) remitted in each of the districts;

(e) whether such suspension or remission is entirely or invariably based on the report of the Collector; or whether it depends on the personal inspection by any other superior officer;

(f) what is the purpose of the tours of the Famine Commissioner and of the hon. Member for Revenue; whether the tours bring to light any information which is not had or cannot be had from the Collector; and

(g) whether the cost of travelling in this connexion incurred by the officials is debited to the Famine account?

[20th August 1924]

A.—(a) The Chokkapad Khandam of the Udayagiri agency in the Ganjam district, the Gooty, Madakasira and Penukonda taluks of the Anantapur district and the Bellary taluk of the Bellary district.

(b) *Ganjam district*.—The Chokkapad Khandam has been declared a famine area and three relief works are in progress. Gratuitous relief by means of cash doles is being distributed both to dependents on works and to the old, the infirm and cripples in villages.

Anantapur district.—The Gooty and Madakasira taluks and a major portion of the Penukonda taluk have been declared famine areas and one, three and one relief works, respectively, are in progress in the three taluks. Dependents and persons eligible for gratuitous relief in the first two taluks who reside within a radius of three miles of a kitchen are being relieved in kitchens while those eligible for gratuitous relief residing more than three miles of a kitchen are given cash doles.

In the Penukonda taluk, a kitchen for the relief of dependents is being opened.

Arrangements have been made to open an additional relief work in the Uravakonda division of the Gooty taluk and a test work in each of the taluks of Anantapur and Dharma-varam.

Bellary district.—The Bellary taluk has been declared a famine area and one relief work is in progress.

Dependents and persons eligible for gratuitous relief are being relieved in kitchens.

Loans are being distributed on a liberal scale to ryots in the Bellary and Anantapur districts and an allotment of Rs. 8.30 lakhs and Rs. 5 lakhs respectively has been sanctioned up to date in the two districts.

Special arrangements have been made for the importation and sale of fodder at cheap rates in the Anantapur district especially to the poorer ryots and an amount of Rs. 10,000 has been placed at the Collector's disposal for this purpose to meet the difference between the price of purchase and sale.

(c) The amount allotted for famine expenditure up to 1st August in the current year are as follows:—

	Departmental.	Civil.	Total.
	RS.	RS.	RS.
Ganjam	24,500	5,000	29,500
Anantapur	1,08,600	27,300	1,35,900
Bellary	34,700	4,200	38,900

Besides this, an expenditure of Rs. 23,452 has been incurred in the three districts during the months of January to March 1924 on famine expenditure for which details by districts are not available.

20th August 1924]

(d)

	Amount suspended.	Amount remitted.
	RS.	RS.
Ganjam	1,500	...
Anantapur	3,90,482	44,842
Bellary	5,19,117	1,28,062

(e) Proposals for suspension and remission were based mainly on the personal inspection of the tracts by the Divisional officers and the Collectors concerned.

(f) (1) To gain first-hand knowledge of the conditions of the tracts and to see whether relief is administered on proper lines.

(2) Sometimes this is so.

(g) No.

Mr. G. RAMESWARA RAO :—“With reference to the last paragraph to answer (b), may I know whether fodder is being supplied to people coming from distant parts to Government fodder depots?”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“There was a complaint in a letter addressed yesterday to me, I think by the same hon. Member. I have sent it to the department with orders to make enquiries.”

Mr. G. RAMESWARA RAO :—“With reference to the same paragraph of the question, may I also know that only a very small quantity, one bundle, is given to people coming from a distance of 25 miles or so and that richer people are denied fodder at these depots?”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“We are not aware of that. The hon. Member has said so and we shall enquire.”

Mr. G. RAMESWARA RAO :—“With reference to the penultimate paragraph of the same answer may I know whether the three taluks which have been declared famine taluks, Anantapur and two other taluks, are satisfied with an allotment of 8.30 lakhs, whereas the one taluk of Bellary gets 5 lakhs?”

Famine relief in Anantapur.

189 Q.—Mr. C. RAMALINGA REDDI : Will the hon. the Member for Revenue be pleased to state—

(a) what action has been taken to relieve the distress caused by famine in Anantapur; and

(b) what is the amount of money spent by Government so far on this behalf?

A.—The hon. Member is referred to the answer to question No. 188 which contains information regarding Anantapur district.

Mr. C. RAMALINGA REDDI :—“I would like my hon. Friend the Revenue Member to tell us whether, in regard to these loans he would try to be a little more generous especially as regards Anantapur regarding which, I am told that the allotment is not sufficient.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“These are allotted according to the application received and the urgency of the matter; and the Government have no desire to be stingy where necessity is established.”

[20th August 1924]

Irrigation.

Penal settlement for illegal watering levied in Godavari and Kistna deltas.

190 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state—

(a) the amount of penal settlement for illegal watering levied (1) in the Godavari Western delta and (2) in the Kistna Eastern delta during each of the last five years;

(b) whether notices are sent to the ryots concerned and due enquiry made before cases are recommended to jamabandi officers for penal assessment; and

(c) whether the Government received any reports from the Board of Revenue in reply to G.O. No. 684, Revenue, dated 7th March 1913?

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

(b) A general or collective notice is published in each village giving (1) preliminary intimation to ryots of their liability to enhanced water-cess for the irregular use of Government water and (2) a final intimation of the actual penalty charged immediately after Village Account No. 6 is passed by the tahsildar.

(c) Yes; the hon. Member's attention is drawn to the Board's remarks under 'enhanced water-cess for irregular irrigation' in the annual jamabandi reports which are laid on the Editors' Table.

Mr. P. PEDDIRAJU:—"With reference to clause (a) may I request the Government to call for the information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The difficulty is this: As appeared from discussions elsewhere, you will have to compile this information from the detailed village accounts and I earnestly ask the hon. Member to consider whether the compilation of this from the detailed village accounts for a period of five years is really what he wants."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"May I know, Sir, whether it would cost the Government thousands of rupees to collect this information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I take it from the hon. Member."

Mr. P. PEDDIRAJU:—"May I ask the hon. Member to get the information? It would be easy to get it from the Administration report for which the information would have to be collected for the Government."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I take it that what the hon. Member wants are the details. So far as the deltas are concerned, it would be easy to get the information as to totals."

Mr. P. PEDDIRAJU:—"It is not the details that I want, but the total amount."

20th August 1924]

Land Revenue.

The collection of land revenue in the Tanjore district.

191 Q.—Mr. S. MUTTAYYA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that, in spite of the Government Order reducing the enhancement in land revenue in certain cases in the Tanjore district, the local authorities collect revenue and issue coercive processes, ignoring the reduction; and

(2) what steps the Government propose to adopt to redress the injury caused to landholders by such illegal action?

A.—(1) With reference to the press communiqué, dated 19th May 1924, limiting the maximum enhancement at resettlements to 18½ per cent, the Government issued instructions to the Collector of Tanjore on 16th June 1924, directing the acceptance of kists tendered on the basis of 18½ per cent enhancement. The Government have no reason to believe that those orders are not being complied with.

(2) Does not arise.

Mr. S. MUTTAYYA MUDALIYAR:—"With reference to clause (1) it is said that the communiqué was issued to the Collector on the 16th June 1924. May I bring to the notice of the hon. the Law Member and the hon. the Revenue Member that even before the 16th June the whole tax without reduction had been collected even by coercive processes in many cases and subsequently even after the 16th June by coercive process? That being the case, may I know what is proposed to be done with regard to the excess that has been collected?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The amount already collected will be credited to the next year."

Levy of interest on the arrears of kist due from the Tanjore mirasidars.

192 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that a circular was issued by the Collector of Tanjore asking all the Revenue subordinates to levy interest on the arrears of kist, due from the mirasidars, within the fasli year;

(2) whether there have been any previous cases of such high-handed exactions up to now; and

(3) whether the Government propose to pay interest on excess collections made by them and refunded in the next year?

A.—(1) & (2) The hon. Member is referred to the answers to clauses (1) and (2) of question No. 808 at the last session of the Legislative Council.

(3) No.

[20th August 1924]

Religious and Charitable Endowments.*Endowments for the maintenance of Kazis in the Presidency.*

193 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Member for Revenue be pleased to furnish a statement showing the number, nature, origin and description of the jaghirs and other endowments for the maintenance of Kazis in this Presidency?

A.—The information would take a full-timed man nearly three or four months to collect and cannot be undertaken by the ordinary staff.

Report of the Srirangam Temple Repairs Committee.

194 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the report of the Srirangam Temple Repairs Committee has been received; and

(b) if not, when it will be received?

A.—The report of a few members of the Committee to whom certain definite issues were referred for investigation as a result of the meeting of the Committee held at Trichinopoly last year has recently been received. A meeting of the whole Committee is proposed to be held this month to consider this report.

Settlement.*Reclassification of soils in the Kistna district.*

195 Q.—MR. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government intend to have a reclassification of the soils, etc., in view of the resettlement in Kistna district;

(b) whether, having regard to the recent Government Order fixing a maximum of 18½ per cent increase in the rates of assessment, the Government still consider it necessary to have a reclassification of the soils; and

(c) whether it is not a fact that the present establishment is too costly both to the Government and the people?

A.—(a) & (b) As the resettlement of the Kistna district is due only in 1929–30 and as the settlement party has just now begun its work in the district it will be premature to say whether any reclassification of soils will be necessary.

(c) No.

The recommendation of the Land Revenue Settlement Bill Committee.

196 Q.—RAO BAHADUR A. S. KRISHNA RAO PANTULU: Will the hon. the Member for Revenue and the hon. the Home Member be pleased to state the circumstances under which the Government did not accept the recommendation of the Land Revenue Settlement Bill Committee requiring that all proposals for initial settlements and resettlements and all rules framed under the Act should be placed before the Legislative Council and that the Legislative Council should have power to reject, modify or adopt those proposals or rules?

[20th August 1924]

A.—The hon. Member is referred to the speech made by the hon. Sir Arthur Knapp when introducing the Land Revenue Settlement Bill in the Legislative Council Meeting dated the 28th March 1924.

MR. S. SATYAMURTI:—“In answer to this question we are referred to the hon. Sir Arthur Knapp's speech on the 28th March 1924. I have just now read that portion of the speech which deals with this question. It does not state the circumstances under which the Government could not accept the recommendations of the Land Revenue Settlement Bill Committee. May I ask my hon. Friend, the Member for Land Revenue, whether apart from the statement of Sir Arthur Knapp that no Government in the world can accept such a Bill, there was no other circumstance which prevented the Government from accepting the recommendation of that Committee?”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“There were other circumstances. That was only one argument.”

MR. S. SATYAMURTI:—“May I know what those circumstances were?”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“The Government do not think that in answer to a question they can give a categorical list of the arguments which induced them not to accept the recommendations of the Land Revenue Settlement Bill Committee. This was shown by an answer given by the Leader of the House the day before yesterday. The decision was arrived at after careful consideration by the Government.”

MR. S. SATYAMURTI:—“May I ask whether the Government of India refused to give permission to this Government to accept the recommendations of that Committee?”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“It was the difficulty of answering such a question that prompted my previous answer.”

MR. S. SATYAMURTI:—“The hon. Member may have pity upon us who are seated below the gangway. Let us hear his answer.”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“I said, it was the difficulty of answering such a question that prompted my answer.” (Mr. Satyamurti: ‘Hear, hear’).

MR. C. RAMALINGA REDDI:—“May I request my hon. Friend to tell us whether there is any objection to publish the Despatch of the Government of Madras? We do not want the reply of the Government of India.”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“If the Government of India give their permission to publish any confidential communication between us and the Government of India, it will then be considered.”

Introduction of fresh Revenue Settlement Bill.

197 Q.—RAO BAHADUR A. S. KRISHNA RAO PANTULU: Will the hon. the Member for Revenue be pleased to state whether, after the rejection of the Madras Land Revenue Settlement Bill, 1924, at the meeting held in March 1924, he has taken any steps to introduce a fresh Bill so as to give effect to the recommendation of the Joint Select Committee that the imposition of new burdens should be brought within the purview of the Legislature?

A.—The hon. Member is referred to answer to question No. 89,

[20th August 1924]

Survey.*Surveys in South Kanara.*

198 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state—

- (i) whether any surveys have been made of any villages in South Kanara recently with a view to test the correctness of the last survey;
- (ii) if so, what has been the result;
- (iii) (a) whether Government have decided or contemplate to make a revisional survey of lands in South Kanara,
(b) if so, for what reasons; and
- (iv) on whom the cost of the survey will be thrown, whether on the general revenues or on the landholders whose lands are resurveyed, and on what grounds?

A.—(i) Experimental surveys were made in two villages in each of the taluks of Kasaragod and Mangalore in the South Kanara district.

(ii) The experimental survey has proved that a resurvey is necessary both in the interests of the administration and of the ryots.

(iii) (a) The Government have sanctioned the resurvey of the coast villages and the theodolite survey of the boundaries between Warg and Sircar Kumeris in the Kumeri villages of the old Kasaragod taluk, South Kanara district. The question of the resurvey of the other taluks of the district is under consideration.

(b) The hon. Member's attention is invited to answer to clause (ii) above.

(iv) Under section 8 of the Madras Survey and Boundaries Act (VIII) of 1923, the cost of the labour employed and of the survey marks used will be recovered from the landholders whose lands are surveyed.

Village Establishments.*Summoning of karnams to headquarters by the tahsildars, etc.*

199 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether there is any Government Order asking the tahsildars and revenue inspectors not to summon karnams unnecessarily to their headquarters; and

(2) if so, whether the Government Order is in force in Ramnad district?

A.—(1) The attention of the hon. Member is drawn to paragraph 4 of G.O. No. 1958, Revenue, dated 14th August 1920, and paragraph (1) of G.O. No. 1006, Revenue, dated 2nd June 1922, which have been placed on the Editors' Table.

(2) The Government Orders are in force throughout the Province.

20th August 1924]

Administration Report.

Statement published in the Administration Report about the general elections.

200 Q.—Mr. S. MUTTAYYA MUDALIYAR: Will the hon. the Home Member and the hon. the Law Member be pleased to state—

- (1) who is responsible for the general summary in the Madras Administration Report for 1922-23;
- (2) on what materials the statement in page X "The result of the elections shows that the Ministerial party had the largest number of candidates returned" is based; and
- (3) whether the Ministerial party put up any candidates, and if so, how many and how many of them were returned, and who they are?

A.—(1) The general summary was drafted by the officer on special duty for the writing of the Administration Report. The report is issued on the responsibility of the Government.

(2) & (3) At the time of the elections, circulars were issued to all Collectors asking them to report, as far as possible, the parties to which the various candidates belonged. The Government used this and such other information as was available.

Mr. S. MUTTAYYA MUDALIYAR:—"Clause (3) of the question remains unanswered. The answer to clauses (2) and (3) does not refer 11-15 a.m. to this part of the question. I wish to know whether the omission is intentional or accidental and if it is an accidental omission, I should like to have information on the matter."

The hon. Sir ARTHUR KNAPP:—"The last clause of the answer, as my hon. Friend will see, purports to apply to clauses (2) and (3). The omission is therefore not accidental. The position is that in this answer to clause (3) we have given the hon. Member all the information we can as to the means by which we arrived at the conclusion."

Mr. S. MUTTAYYA MUDALIYAR:—"Probably I have not made myself clear. The question is whether the Ministerialist party put up any candidate. As regards that, there is no answer."

The hon. the PRESIDENT:—"I take it that the Government did not answer that question because it was not their primary concern. It seems to be so from a reading of the question and the answer thereto."

Mr. S. SATYAMURTI:—"May I ask, with reference to the second paragraph of the question, whether the Government are aware of the number of Ministerialist candidates put up? Otherwise, how can they say that Ministerialist candidates succeeded in large numbers? Surely, Sir, they cannot have both ways."

The hon. Sir ARTHUR KNAPP:—"It seems to me, Sir, that apart from the information contained in the Administration Report, the result of the 'No-confidence Motion' showed that the Ministerialist party had the majority."

Mr. S. SATYAMURTI:—"May I inform the hon. the Home Member that they had a minority of 2 in the 'No-confidence Motion?'"

The hon. Sir ARTHUR KNAPP:—"A majority of one, I think."

Cinchona.

[20th August 1924]

Sale of quinine at the Naduvattam Government Factory.

201 Q.—Rao Sahib U. RAMA RAO : Will the hon. the Home Member be pleased to state—

- (a) the total receipts from the sale of quinine in the Government Factory at Naduvattam during the period from 1919 to 1923, yearwar;
- (b) the total expenditure for the same period; and
- (c) the loss or profit from the factory during the above period, yearwar?

A.—(a), (b) & (c) Information is furnished in the following statement:—

Year.	Receipts by sales and arrears recovered.			Expenditure.			Difference.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
1918-19	7,39,329	15	11	3,70,259	9	7	3,69,070	6	4
1919-20	6,96,327	6	9	5,08,717	3	3	1,87,610	3	6
1920-21	9,87,876	14	9	3,12,241	15	6	6,75,634	15	3
1921-22	11,65,267	11	7	4,71,853	15	3	6,93,413	12	4
1922-23	9,26,049	3	9	3,59,076	15	2	5,66,973	4	7

Damage to the Naduvattam Factory by fire.

202 Q.—Rao Sahib U. RAMA RAO : Will the hon. the Home Member be pleased to state—

- (a) whether it is a fact that in March 1924 fire broke out at the Government Quinine Factory in Naduvattam;
- (b) what was the cause of the fire and the estimated damages to the factory; and
- (c) what are the qualifications of the Factory Overseer and when and on what pay he was appointed?

A.—(a) Yes.

(b) The fire was caused by sparks from pieces of iron which had found their way into the disintegrators from a bag of cinchona bark. A special screening machine will shortly be introduced. This will enable pieces of iron or other metal to be eliminated before bark is fed into the hoppers. The total loss has been calculated at Rs. 4,000. Rupees 500 of this represents structural damage.

(c) The present Factory Overseer acted in the post from 1918 till 1920 when he was confirmed. He had a previous service of nine years as mechanic and engine driver; he holds the Madras Boiler and Engine Driver's competency certificate which he obtained in 1906. His pay as Factory Overseer is in the scale of Rs. 125—5—175.

Depressed classes.

Alleged grievances of the depressed classes in Salem district.

203 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state what steps the Government propose to take to prevent occurrences similar to those complained against by Mr. Veerian, M.L.C., in his letter to the Chief Secretary published in the *Daily Express* of the 25th April 1924, viz., that he was prevented from going to the Post office and the school building in Kamalapuram near Omalur in Salem district?

[20th August 1924]

A.—The Board Elementary School at Kamalapuram has been shifted to a place which is accessible to all classes of pupils, including Adi-Dravidas. In regard the question of location of schools under public management, the attention of the hon. Member is invited to G.Os. No. 329, Home (Education), dated 17th March 1919, No. 87, Law (Education), dated 16th January 1923 and No. 205, Law (Education), dated 11th February 1924, which have been placed on the Editors' Table.

As regards the Branch Post Office at Kamalapuram, the Postmaster-General has taken steps to remove it to a suitable place. The question of the location of Post Offices is a matter for consideration, not by the Local Government, but by the Postmaster-General to whom complaints are forwarded.

Mr. T. ADINARAYANA CHETTIYAR :—"Sir, my information is that though nominally it has been removed outside the Agraharam, the Post office is situated in the same place to which the depressed classes people still have no access. Will the Government be pleased to enquire into the matter?"

The hon. Sir ARTHUR KNAPP :—"If my hon. Friend will make a statement to that effect I am quite prepared to make an enquiry although it is not a matter under our control. The information given to us was that the Post office has been removed."

Mr. R. VEERIAN :—"With reference to (a) may I ask, Sir, whether the Government have taken any steps in the matter? Every member of the depressed classes passing through the Agraharam on business and in a lawful manner is being held up."

The hon. Sir ARTHUR KNAPP :—"I understand, Sir, my hon. Friend has put another question which appears separately with an answer, and I am sure he is not entitled to anticipate it."

Assignment of a tank to Christian Adi-Dravidas in Pannaipuram village.

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

- (a) whether there is a proposal to assign a tank in Pannaipuram village of the Madura district, for cultivation to a few Christian Adi-Dravidas;
- (b) whether it is a fact that with that proposed assignment as a bait, the local Christian Missionaries are persuading the Adi-Dravidas there to become Christians; and
- (c) whether the Government have received any memorials from the Adi-Dravidas of the village on this matter?

A.—(a) & (b) The Government are not aware of any such proposal.

(c) Yes.

Assignment of lands to depressed classes.

205 Q.—Mr. R. VEERIAN : Will the hon. the Home Member be pleased to state—

- (a) whether the resolution passed at a public meeting of Adi-Dravidas held on 10th April 1924 at Pannaipuram village, Periyakulam taluk, Madura district, requesting the assignment of *darkhast* lands at Manthaikulam for cultivation for Adi-Dravida Hindus has been received by the Government;

[20th August 1924]

(b) if not, whether the Government will be pleased to make enquiries whether similar resolutions were submitted direct to the Commissioner of Labour and the District Collector, Madura, by the president of the meeting;

(c) if the resolutions were received by the Commissioner of Labour and the District Collector, Madura, whether the Government will be pleased to call for the information as to how the matter was disposed of;

(d) whether it is a fact that the Manthaikulam land has fallen into disuse; and

(e) if so, whether the Government will be pleased to assign the land on *darkhast* for all Adi-Dravidas whether Hindus or Christians?

A.—(a) & (b) Yes.

(c) The Government have received a report from the Collector of Madura on the subject.

(d) Yes.

(e) The question is now under consideration by the Collector of Madura and the Registrar of Co-operative Societies.

Forests.

The Courtallam waterfalls.

206 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) whether the Courtallam waterfalls in the Tinnevely district are now under the control of the Forest department;

(b) whether it is a fact that a notice is hung upon the entrance to the waterfalls, signed by the Honorary Secretary, Courtallam Waterfalls Fund, and dated the 1st of July 1913;

(c) what that fund is, and by whom the Honorary Secretary is elected or nominated;

(d) whether the said notice contains the following statements:—

(1) "in accordance with the usual custom, the pool enclosure is reserved for European ladies from 7 to 8 a.m. and for European gentlemen from 8 to 9 a.m." and

(2) "between 7 and 9 a.m. there will be no objection to Indian subscribers using the enclosure, if informed by the attendant that no European bathers are expected, provided that they are prepared to leave immediately on being desired to do so by the attendant;"

(e) the history and nature of this "usual custom"; and

(f) whether it is a fact that such a notification based on race is creating great resentment among the Indian visitors to the waterfalls?

A.—(a) Yes.

(b) The Government have no information.

(c) A committee for the control of the Courtallam waterfalls has been in existence since 1876 to which successive District Forest Officers have since 1891 been Honorary Secretaries. In order to give the committee a recognized status it was reorganized last year and now consists of the Collector, the District Forest

20th August 1924]

Officer, the President of the District Board, the Union Chairman of Courtallam and one of the trustees of the temple. Its revenue which constitutes the fund referred to by the hon. Member is derived from the rent paid by visitors for the use of the temporary sheds erected by the committee and from the sale of unclaimed articles.

(d) The Government have no information.

(e) The hon. Member is referred to the Collector's report which was placed on the Council table with reference to the Legislative Council question No. 276 asked by Khan Sahib Muhammad Abdur Rahman Sahib in September 1922 and is printed on pages 378 to 379 of the Legislative Council Proceedings, Volume III of 1922.

(f) The Government have no information.

MR. S. SATYAMURTI:—"Sir, with reference to the answer to clause (d), the Government say they have no information. I have supplied the information that in a public waterfall run under the management of a public department of this Government racial segregation is observed. May I ask the Government to investigate the matter? And may I also ask whether they propose to take any action if on such investigation they find that my information is correct?"

THE HON. SIR ARTHUR KNAPP:—"I am not quite sure what the complaint of the hon. Gentleman is. He talks about racial segregation. I think that is the phrase he used. So far as I can make out from the information which has been conveyed to us in the form of the question, the hon. Member's complaint is that certain enclosures are reserved at certain hours. Will my hon. Friend tell me what his suggestion would be?"

MR. S. SATYAMURTI:—"Sir, the waterfalls are reserved for bathing purposes exclusively for certain classes of His Majesty's subjects during two hours of the morning which are most important hours. I am asking the Government whether they propose to take any action in the matter and whether they propose to do anything to remove this racial discrimination in public bathing places."

THE HON. SIR ARTHUR KNAPP:—"Am I to understand what my hon. Friend suggests is mixed bathing at these hours? If so, it comes to me as a surprise."

MR. S. SATYAMURTI:—"I am not talking of the ladies, Sir. If falls were reserved for ladies alone, I would be the last person to object. But reservation is made for European gentlemen at a particular hour and for a European lady at a particular hour. When it is reserved for a European lady, no Indian lady could go there. I am objecting not to the reservation for ladies. I should be delighted if it is so reserved. What I am objecting to is the racial reservation of a public bathing place for ladies and gentlemen of a particular race during two important hours of the day."

THE RAJA OF RAMNAD:—"May I ask the hon. the Home Member whom he is referring to as the Union Chairman of Courtallam in reply to clause (c)? For aught I know, Courtallam is not a union."

THE HON. SIR ARTHUR KNAPP:—"I am afraid I cannot answer off-hand. I have no doubt that the information was taken from a record of some kind."

[20th August 1924]

The RAJA OF RAMNAD:—"May I ask the hon. the Home Member whether he is aware that I had asked the Government to permit this committee to reserve the falls for the use of Indian ladies for one hour during the day and that has not been complied with?"

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Sir, I wish to know whether there are any disabilities placed upon the members of the depressed classes for bathing there in the mornings."

The hon. Sir ARTHUR KNAPP:—"There are no restrictions on bathing by the depressed classes."

Mr. S. SATYAMURTI:—"The hon. the Home Member has not the courtesy to answer my question, Sir. May I put it to him again?"

The hon. Sir ARTHUR KNAPP:—"May I say, Sir, that the last words of the hon. Member were no question but only a statement."

Mr. S. SATYAMURTI:—"I ask, Sir, whether the Government propose to take any action to remove this racial discrimination by way of reserving a public bathing place for one class of His Majesty's subjects during two hours of the day."

The hon. Sir ARTHUR KNAPP:—"The answer is a perfectly simple one. The management of this bathing place is, and has for years past been, placed in the hands of a local representative committee and the Government propose to leave it to the discretion of the committee so to arrange bathing facilities that they have the greatest use for the greatest number."

Mr. S. SATYAMURTI:—"May I take it that if the committee recommends that it should be removed, the Government would have no objection whatever?"

The hon. Sir ARTHUR KNAPP:—"I am afraid, I must decline to answer the hypothetical question. My hon. Friend can wait and see after the committee has made its recommendation."

The RAJA OF RAMNAD:—"May I request the hon. the Home Member for an answer to my question?"

The hon. Sir ARTHUR KNAPP:—"My hon. Friend asked me, I understand, whether the Government were aware of some past occasion when he had put a certain question. Officially no doubt I must be aware of the fact, but personally I have no recollection."

The RAJA OF RAMNAD:—"May I request the hon. Member to put himself in communication with the authorities concerned? I wish that the falls are reserved for ladies for one hour in the day. I do not fight about any racial discrimination. If the falls are reserved *only* for European Ladies and European Gentlemen, when they go to bathe or not"

The hon. Sir ARTHUR KNAPP:—"May I suggest that my hon. Friend's argument would be more appropriate to a resolution than a question?"

[20th August 1924]

Inconveniences to villagers in the neighbourhood of Unguturu and Nallacherla forest reserves.

207 Q.—Mr. P. PEDDIRAJU: Will the hon. the Home Member be pleased to state—

(a) whether the attention of the Government has been drawn to the hardships and inconveniences felt by the villagers in the neighbourhood of Unguturu and Nallacherla forest reserves; and

(b) whether any representations have been made by the villagers and, if so, what action has been taken on them?

A.—(a) & (b) The Government have received no representations on the subject.

Reclassification of the forests in the Presidency.

208 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—

(a) whether in accordance with G.O. No. 758, dated 12th April 1924, arrangements have been made to re-classify the forests in the Presidency; and

(b) whether a Conservator has been placed on special duty as proposed; if not, when such an officer is likely to be posted or what other arrangement is contemplated?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 100.

Government Houses.

Expenditure on His Excellency the Governor's staff and household.

209 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Home Member be pleased to state the maximum sanctioned by the Secretary of State in connexion with the various grants to His Excellency the Governor for expenditure in connexion with his staff and household?

A.—The maxima sanctioned by the Secretary of State in respect of various grants to His Excellency the Governor in connexion with 'Staff and Household' are as shown in the subjoined statement:—

Head.	Maximum limit fixed by the Secretary of State.
1. Private Secretary to His Excellency the Governor.	Rupees 1,800 per mensem.
2. Military Secretary to His Excellency the Governor.	Rupees 1,250 per mensem.
3. Establishment of the Private Secretary to His Excellency the Governor and the Military Secretary to His Excellency the Governor.	Permanent Rs. 25,000 per annum (represents the maximum average pay of the establishment). Temporary Rs. 1,000 per annum.
4. Contingencies of the Private Secretary to His Excellency the Governor and the Military Secretary to His Excellency the Governor excluding service postage and telegram charges and purchase and maintenance of pictures	Rupees 9,200 per annum.

[20th August 1924]

Head.	Maximum limit fixed by the Secretary of State.
5. Personal staff of His Excellency the Governor and His Excellency the Governor's Body-guard.	No limit.
6. His Excellency the Governor's band establishment, allowances, clothing, rations, etc.	Do.
7. Subscriptions to music and purchase of musical instruments.	Rupees 2,250 per annum.
8. Government House furniture— Maintenance grant for three Government Houses.	Rupees 20,495 per annum.
Inauguration grant for renewal of furniture and carpets by new Governor.	Rupees 13,550 multiplied by the number of years of the preceding Governors' tenure.
9. Medical establishment of His Excellency the Governor and Government House Dispensary— Surgeon	No limit.
Dispensary establishment	Rupees 1,500 per annum.
Dispensary contingencies	Rupees 3,500 per annum.

Jails.

Prisoners detained under Regulation II of 1819.

210 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member and the hon. the Law Member be pleased—

(a) to state the action taken concerning the allowance to be given to prisoners detained under Regulation II of 1819;
(b) to give the list of such prisoners together with the allowance allotted to each; and

(c) to state what compensation Government propose to give for the period during which they were not given allowances as required by law?

A.—(a) & (b) A list is appended showing the allowances of the several prisoners. The Government of India are being addressed to sanction the allowances shown against the men in jails.

(c) The Government do not consider that any question of compensation arises. Before the matter of allowances to prisoners in jails was brought up the prisoners were completely maintained at Government cost.

Hunger strike of Mr. B. Gupta, a prisoner in Cuddalore jail.

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

(a) whether it is a fact that Mr. Balasubrahmanya Gupta, a prisoner in the Cuddalore Jail, went on hunger strike some time in March of this year;

(b) the events or causes that led to this incident;

(c) whether it is a fact that Mr. Gupta was punished with solitary confinement; and, if so, the reasons for that punishment;

(d) what was the length of the period for which he was punished with solitary confinement;

* Vide Appendix I on page 456 infra.

[20th August 1924]

(e) whether the prisoner went on hunger strike before solitary confinement was imposed on him or after; and

(f) whether it is a fact that the former Superintendent, Mr. Srinivasa Rao, disallowed text-books on Hindi and Mr. Gandhi's Guide to Health?

A.—(a) Yes.

(b) The hon. Member is referred to the answer given to clause (a) of question No. 12.

(c), (d) & (e) He was not punished with solitary confinement.

(f) Yes.

Mr. T. ADINARAYANA CHETTIYAR:—"May I ask, Sir, with reference to (f), whether the Government disallowed the use of such text-books in Hindi and the Guide to Health?"

The hon. Sir ARTHUR KNAPP:—"The answer to that is that the discretion rests with the Superintendent; and I gather that the Superintendent on a perusal of these books decided that, in his opinion, they were objectionable."

Mr. T. ADINARAYANA CHETTIYAR:—"Does the present Superintendent allow them?"

The hon. Sir ARTHUR KNAPP:—"I have no information that they are allowed now."

Mr. C. RAMALINGA REDDI:—"Does the Superintendent know Hindi?"

The hon. Sir ARTHUR KNAPP:—"I am afraid I must have notice."

Recruitment of Deputy Superintendents of Jails.

212 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that some Deputy Superintendents of Jails have been recently recruited directly; if so, whether applications were invited by the Government by advertisement; and

(b) who are the persons thus recruited and what are their qualifications?

A.—(a) There is only one appointment of Deputy Superintendent in the Jail Department. It was filled by direct recruitment. Applications were not invited by advertisement.

(b) Mr. R. Howe. He held a commission as a Lieutenant in the 37th Calcutta Rifles and had 17 years' experience in Banking and Audit.

Mr. ABDUL HYE SAHIB:—"With reference to (a) may I know whether the appointment was advertised?"

The hon. Sir ARTHUR KNAPP:—"I do not think that it is usual to advertise such appointments. If my hon. Friend makes a recommendation through the Council to advertise them, I am quite prepared to consider it."

[20th August 1924]

Allowances and free quarters to sub-assistant surgeons in the Jail Department.

213 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that sub-assistant surgeons in the Jail Department have been deprived of their jail allowances and free quarters;

(b) whether there have been any memorials from the jail sub-assistant surgeons against this order; if so, what is the action taken by the Government; and

(c) whether it is a fact that these sub-assistant surgeons have no scope for private practice?

A.—(a) Yes.

(b) Yes. The memorials were rejected.

(c) They are allowed consulting practice.

Lending of the services of Mappilla prisoners to the railway line contractors.

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

(a) whether it is a fact that the Government contemplate lending Mappilla prisoners to the railway line contractors of Nilambur-Shoranur line;

(b) if so, what are the conditions under which they are to be lent;

(c) whether the Government consulted local authorities on the advisability of such a course and, if so, what were their opinions;

(d) whether there is any precedent to this action of lending prisoners to private contractors; and

(e) if not, under what law the present arrangement is to be made?

A.—No; but the question whether certain of the Mappilla prisoners can with advantage be employed by Government on the construction of the railway is under consideration.

Release of Mappilla prisoners.

215 Q.—MR. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state whether the Government have taken any steps to give effect to the resolution of this Council relating to the release of Mappilla prisoners; if so, how many prisoners have been released as the result of the resolution; and what are the criteria on which such release was based?

A.—The attention of the hon. Member is invited to the answer given to question No. 103.

The imprisonment of Mr. K. Ramachandra Rao.

216 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) the jail where Mr. K. Ramachandra Rao, editor of the *Congress*, is now lodged;

(b) the work he is now assigned;

(c) whether he is allowed to write books; and

(d) if not, why not?

20th August 1924]

A.—(a) He is now in the Central Jail, Coimbatore.
(b) He is employed in reading proofs in the Jail Press.
(c) & (d) He is allowed to write books.

The Regulation of 1819 about giving the prisoners provisions in lieu of allowances.

217 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member and the hon. the Law Member be pleased to state whether the Government have now considered the question of taking legal opinion with regard to their power under the Madras State Regulation of 1819 about giving the prisoners provisions in lieu of their allowance and what their decision is?

A.—The Government have taken legal opinion and in G.O. No. 437, Public, dated 18th June 1924, have ordered that State prisoners confined in jails shall in future receive a money allowance to cover their maintenance, clothing and incidental expenses.

The Inspector-General of Prisons.

218 Q.—THE RAJA OF RAMNAD: Will the hon. the Home Member be pleased to state—

(a) whether the present Inspector-General of Prisons is a retired officer of the Indian Medical Service;

(b) when he retired; on what terms he was re-engaged and when;

(c) what was the necessity for his re-engagement after retirement; and

(d) how long the appointment is intended to last?

A.—No.

*Labour.**Recruitment of labour in the Presidency.*

219 Q.—MR. G. RAMESWARA RAO: Will the hon. the Home Member be pleased to state—

(a) the number of tea gardens in Assam to which recruitment of labour is allowed from this Presidency;

(b) what the other conditions of service are which are contemplated in rules on page 970 of the *Fort St. George Gazette*, dated 11th September 1923, and which are to be explained to the labourers before recruitment;

(c) whether those conditions vary from garden to garden and what is the method by which publicity is given to them;

(d) whether the conditions are translated and notified at the recruitment depot openly, and, if not, why not; and

(e) why thumb impressions are obtained in blank books from all the recruits in the depots?

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

(b) The other conditions of service are the nature of work, amount of bonus, cost of rice and special attractions offered on the gardens, e.g., grant of land at reduced rentals, leave, etc.

(c) The Government understand that these conditions vary from garden to garden. They are explained to the recruits orally by the local agents of the Tea Districts Labour Association.

[20th August 1924]

(d) No. There appears to be no good reason for explaining the conditions in detail except to persons who desire to take up employment in Assam.

(e) The Government have no information, but presume that the thumb impression is taken for purposes of identification and to prevent personation.

Mr. G. RAMESWARA RAO:—"With reference to the answer to (c) may I know whether the Government are aware of the several malpractices in the recruitment of labour?"

The hon. Sir ARTHUR KNAPP:—"I have no information, Sir."

Mr. G. RAMESWARA RAO:—"Will the Government satisfy themselves by corresponding with the local authorities about the conditions, and do they recommend the idea of inspecting the depots and advertising all the conditions properly so that there may be no room for misrepresentation?"

The hon. Sir ARTHUR KNAPP:—"I do not quite follow my hon. Friend's recommendation. It is apparently that the conditions should be advertised. My hon. Friend has not suggested the way."

Mr. G. RAMESWARA RAO:—"In writing, so that there may be no room for false statements?"

The hon. Sir ARTHUR KNAPP:—"Are they to be passed round in the form of handbills or posted at the railway stations; or how is it to be done?"

Mr. G. RAMESWARA RAO:—"By printing them and circulating them, by posting them at chavadis in villages, and hanging them at railway stations."

Diwan Bahadur P. KESAVA PILLAI:—"May I know whether they are published in the gazette?"

The hon. Sir ARTHUR KNAPP:—"I do not think they publish them in the gazette. That is not a particularly useful form of advertisement."

Diwan Bahadur P. KESAVA PILLAI:—"May I know if the Government would be pleased to advertise the conditions, or the terms under which the coolies are supposed to work? What are the present means by which the Government are communicating them to the people concerned?"

The hon. Sir ARTHUR KNAPP:—"May I point out that that does not arise out of the question."

Mr. C. RAMALINGA REDDI:—"May I ask whether the hon. the Home Member will consider the advisability of having these conditions pasted at railway stations and village chavadis. That would be the best advertisement."

The hon. Sir ARTHUR KNAPP:—"The answer to that is to be found in the printed answer. Conditions of service vary from garden to garden and it is extremely difficult—not only difficult but dangerous—to put up in the stations posters which purport to cover the conditions of every garden. It seems to me very much safer in the interests of labour that the actual conditions of the place should be communicated to the persons individually. I personally would rather not take the risk of making a general statement of conditions."

[20th August 1924]

Mr. C. RAMALINGA REDDI:—"Is there no standard rate of wages and various other things in common?"

The hon. Sir ARTHUR KNAPP:—"That is an extremely complicated question. There may be a standard rate but the actual earnings vary considerably from garden to garden."

Diwan Bahadur P. KESAVA PILLAI:—"May I draw the attention of the hon. the Home Member to the answer to (b), to the fact that the labourers are taken by surprise, when they arrive on the estates in Assam and learn the actual conditions of service. The conditions of climate, wages, etc., should have been published in the vernaculars of the areas where recruitment is allowed, and the conditions should have been fully and publicly explained to the labourers before recruitment is made."

The hon. Sir ARTHUR KNAPP:—"I think the answer to that appears in clause (d). There appears to be no good reason for explaining the conditions in detail except to persons who desire to take employment. That is to say, the persons when they go to the depot get full particulars, and if they do not like them, they do not engage. If there is a very strong feeling on the matter, I am perfectly ready to give greater publicity; but personally, I regard anything like general posters as dangerous."

The hon. the PRESIDENT:—"It is evident that several hon. Members who regard it as an important matter, have suggested action to the Government. I would suggest that any further proposal should take the form of a resolution."

The prohibition order on Doctor Varadarajulu Nayudu by the Subdivisional Magistrate of Coimbatore.

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

(i) on what date the meeting of the railway labourers was fixed to be held in Coimbatore;

(ii) at what place the order of the Subdivisional Magistrate of Coimbatore, dated 31st May 1924, was served on Doctor Varadarajulu Nayudu;

(iii) on what date the said Subdivisional Magistrate knew that Doctor Varadarajulu would preside at that meeting;

(iv) on what grounds the Magistrate did not issue the order earlier, so as to give the Doctor an opportunity to take judicial proceedings in time, but waited till the last moment;

(v) on whose motion the Magistrate issued the order; and

(vi) when the party thus moving became aware that Doctor Varadarajulu had consented to preside at the meeting?

A.—(i) 1st June 1924.

(ii) At Shoranur.

(iii) & (iv) The order was applied for only on the 31st May 1924.

(v) On the motion of the Superintendent, Government Railway Police.

(vi) On the 30th May 1924.

Military.

[20th August 1924]

Communal representation in the recruitment of combatants and non-combatants.

221 Q.—Hony. Lieut. N. MADURAI: Will the hon. the Home Member be pleased to state the number of recruits for combatants and non-combatants from various classes such as Brahman, Hindu, Muhammadan, Christian, Adi-Dravida, Telugu, Kallar, Maravar, Mudaliyar, Nayudu, Pullar, Valluvar, Odder, Chukler, Vannier, Kosavar, Nayar, Kurumber, Chembadavar, Nambudri, etc., who were enlisted in the Army during the Great War from this Presidency?

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

Mr. J. A. SALDANHA:—“Sir, this is a very important question and I am surprised to see that the Government say they are not in possession of the information asked for. Will the Government be pleased to collect the information on the point?”

The hon. Sir ARTHUR KNAPP:—“I am afraid I cannot see the reason why my hon. Friend is surprised if we are not able to give by castes and sub-castes the total contribution of recruits made by this Presidency. I very much doubt whether the Army Records themselves have got these details by castes and sub-castes which my hon. Friend expects us to find.”

Application for posts in South Kanara from ex-war service men.

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

- (1) how many men of South Kanara who enlisted themselves for war services from South Kanara applied for posts in that district;
- (2) how many of such applicants were educated as far as S.S.L.C. course and above;
- (3) how many of them are employed as clerks and menials (a) in permanent posts and (b) in acting posts in the same district;
- (4) how many applications for posts from ex-military men are still pending; and
- (5) (a) whether the Collector of South Kanara has issued a circular restricting Government appointments only to those persons who actually faced fire or worked in dangerous places; and (b) on what authority the District Collector has issued that circular?

A.—(1) (2) & (3) The hon. Member is referred to the answer given to his question No. 109.

(4) The information is not available, but under G.O. No. 379, Public, dated 27th May 1924, all Presidents of District Soldiers' Committees have been asked to maintain a register of applications for the use of their own and other offices in the district.

(5) The Government have no information, but the hon. Member's attention is invited to G.O. No. 420, Public, dated 19th May 1924, which has been placed on the Editors' Table.

20th August 1924]

Political.

Darbar at Palghat for presentation of sanads.

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

(a) whether it is a fact that, at a Darbar held at Palghat, Mr. Thorne called on Dr. Krishnan to sign a document which required from him an engagement that he will ever continue to deserve the honour which the King-Emperor has conferred on him;

(b) the section of the Act or other power under which this document was asked for; and

(c) the reasons for the requirement of the bond?

A.—In accordance with paragraph 9 of the Royal Warrant of 10th April 1900 instituting the Kaiser-i-Hind medal, the recipient of the medal has to enter into an engagement to return the medal if his name is at any future time erased from the list of those upon whom the decoration has been conferred. The Government presume that it is this engagement that is referred to in the question.

Railways.

The Villupuram-Trichinopoly Chord line.

224 Q.—Mr. C. GOPALA MENON: With reference to the leading article “Are Government Asleep,” published at page 6 of the *Madras Mail* of the 24th March 1924, will the hon. the Home Member and the hon. the Member for Finance be pleased to state—

(a) whether any representations or memorials have been received by the Government from the people of South Arcot district or from the South Arcot district board urging upon the Government the necessity of fixing the British port of Cuddalore Old Town in preference to the French port of Pondicherry as the eastern terminus of the above line now taken up for construction;

(b) whether the Landing and Shipping Dues Committee at Cuddalore and the Madras Chamber of Commerce have put up strong notes to Government on the question pointing out that immediate action by Government is necessary for safeguarding British commercial interests which are sure to be endangered by fixing the French port of Pondicherry as the terminus of the new chord line also; and

(c) in view of the urgency of the matter, what action the Government have already taken or are prepared to take at once to avert the impending danger?

A.—(a) & (b) Representations have been received recommending the fixing of Punruti instead of Villupuram as the terminus of the Villupuram-Trichinopoly chord line.

(c) The Government have brought the representations to the notice of the Railway Board.

Mr. C. GOPALA MENON:—“In view of the fact that a good deal of comment has been made both in the Press here and by a question put in the House of Commons, may I ask the hon. the Home Member whether the local

[20th August 1924]

Government have made any investigation and ascertained whether these representations are based on valid reasons and whether they consider Villupuram as a fit station for the terminus of this line."

The hon. Sir ARTHUR KNAPP:—"The Government have given a good deal of consideration to this matter and have made representations to the Railway Board with the result that we have been told that the matter is practically under re-investigation and that the Railway Board has not yet come to any final decision. The Government are very greatly interested in this question and so far as they are concerned, nothing will be wanting on their part to try to bring the Railway Board's decision into conformity with the local wishes."

Mr. C. GOPALA MENON:—"Now that this question has been before the public for the last six months, my question is whether the Government have made up their mind one way or the other."

The hon. Sir ARTHUR KNAPP:—"My answer is that it is not for this Government to make up their minds. I would advise my hon. Friend to have a question put in the Legislative Assembly at Delhi."

Mr. M. RATNASWAMI:—"Are we to take it that the Government are opposed to Villupuram being fixed as the terminus of this line? That is what I gather from the hon. the Home Member's answer."

The hon. Sir ARTHUR KNAPP:—"The answer is that the local Government were of opinion that the representations made against the selection of Villupuram as the terminus of this line deserved consideration."

Waiting accommodation for third-class passengers at the Coimbatore railway station.

225 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the Coimbatore station third-class passengers' waiting-room was constructed more than fifty years ago;

(b) whether it is a fact that almost all the third-class passengers have invariably to wait outside the waiting-room, an open vacant space, during sun and rain for want of accommodation;

(c) the approximate number of persons that can be accommodated in the existing third-class waiting-room;

(d) whether it is a fact that the Railway authorities are going to extend the Coimbatore railway station and goods-shed;

(e) if so, when;

(f) whether it is a fact that the proposal of extending the Coimbatore Railway station and goods-shed is pending for more than seven years;

(g) if so, the reason for the delay; and

(h) whether Government intend making a reference to the Railway authorities with reference to my questions [(a) to (g)]?

A.—(a) to (g) The Government have no information.
(h) The answer is in the negative.

20th August 1924]

Mr. R. VEERIAN:—"With reference to the answer given to clauses (a) to (g), may I ask whether the Government will be pleased to call for the information?"

The hon. Sir ARTHUR KNAPP:—"I have already explained that this is a matter which entirely concerns the Railway Board and that this question can be mooted in the Assembly or it can be more conveniently raised in the Advisory Committee to which body this House has contributed representative members."

The constitution of the Advisory Board of the South Indian Railway.

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

(a) the constitution of the Advisory Board of the South Indian Railway;

(b) whether any members thereto are elected;

(c) if so, by which constituencies and under what conditions; and

(d) the reasons why the system of issuing half-tickets to passengers has been introduced recently in the railway?

A.—(a) The attention of the hon. Member is invited to the rules published on pages 1380-81 of the *Fort St. George Gazette*, Part I, dated 4th December 1923, as amended by the corrections notified on page 589, Part I, dated 20th May 1924, and page 701, Part I, dated 17th June 1924.

(b) & (c) The Government have no information. The appointment of members representing the several interests to the Local Advisory Committee rests with the Agent, South Indian Railway, and not with the Local Government.

(d) The Government have no information.

The railway strike at Podanur.

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

(a) the reasons of the recent railway strike at Podanur;

(b) the reasons why orders under section 144 of the Criminal Procedure Code were served on Doctor Varadarajulu Nayudu and Mr. V. Pakkiriswami Pillai;

(c) whether the Government took any steps to inquire into the causes of the strike or to bring about a settlement;

(d) if so, the steps;

(e) if not, why not; and

(f) under whose orders or authority the Police and the Magistracy went to the help of the railway authorities, and what is the cost to the general tax-payer of such help?

A.—(a) If the hon. Member refers to the strike among the men in the Locomotive shops at Podanur, no grievances have been alleged and the strike appears to have been directed merely as a protest against the magisterial orders referred to in clause (b) of the question.

[20th August 1924]

- (b) The hon. Member is referred to the text of the Magistrate's order which has been published in "Swarajya".
- (c), (d) & (e) The Government, through their local officer, the Collector of Coimbatore, were kept in touch with the progress of the strike and the Collector was instrumental in bringing the strike to a close.
- (f) The District Magistrate of Coimbatore is responsible for the peace of the district and it is understood that he took such steps as he considered necessary with the police forces at his disposal. The Government have no information that any extraordinary expenses were incurred.

Mr. S. SATYAMURTI:—"With reference to the answer given in clause (b), may I take it that the hon. the Home Member and the hon. the Law Member expect hon. Members of this House to read that paper which has been described as 'scurrilous and vulgar'?"

The hon. Sir ARTHUR KNAPP:—"I think the hon. Member frequently refers us to the "Swarajya" paper and I do not see any reason why we should not also do the same."

Civil Justice.

Revision of the salaries of the copyist establishment.

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

(1) whether the revision of the copyist establishment sanctioned in High Court R.O.C. No. 1826/23, dated 9th August 1923, has not actually been given effect to till now;

(2) why the revision of the clerical establishment took effect from 1st March 1921, while that of the copyist establishment has been ordered to take effect only from 1st September 1922;

(3) (a) referring to answer to question No. 110 in the first session of the second Legislative Council whether Government, in arriving at the conclusion that the duties of the examiners are not so onerous as those of clerks and they are more mechanical, had called for the opinions of the High Court and District Judges; and

(b) whether the pay of the examiner having been fixed so far back as 1884 when the pay of a clerk was only Rs. 15 per mensem, the duties of clerks have in any way since become more responsible or those of the examiners less so?

A.—(1) No.

(2) The date from which the revision of pay of the mufassal copyist establishment will take effect has not yet been finally decided.

(3) (a) The Government acted on the recommendation of the High Court.

(b) There was only one grade of examiner, but several grades of clerks. The duties of examiners have always been regarded as less onerous than those of clerks.

20th August 1924]

Conversion of certain holidays into working days.

229 Q.—Mr. P. PEDDIRAJU: Will the hon. the Law Member be pleased to state whether the Government consulted the judiciary or the Bar when they passed orders converting penultimate Saturdays and some of the Easter holidays into working days; and if not, why not?

A.—The recommendation was made by the Judicial Retrenchment Committee, which contained representatives of the Bar, and the Government consulted 18 officers of the Judicial Service before passing their order.

Criminal Justice.

The alleged arrest of Bharata Ashramam members near Moore market.

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

(a) whether the members of the Sri Bharata Ashramam, Madras, went to the corner on the left side of the Moore market outside the compound just at the curve near the bridge on the 9th of June and began to preach;

(b) whether the police objected and if so, why; and

(c) whether one of them went to the same place on the 10th evening and before he opened his mouth he was arrested, put up for trial and convicted, and if so, why?

A.—(a) Yes.

(b) The police objected to the lecturing because a crowd collected in the street and caused obstruction to the traffic.

(c) The police had given warning that lecturers could not be allowed to collect a crowd at this place. As on the 10th June Chidambara Barathi collected a crowd for this purpose despite the warnings he was arrested by the police under section 71 (xi) of Act III of 1888, and convicted by the Bench of Magistrates before which he was brought for trial and sentenced to a fine of Rs. 2 or in default to undergo three days' simple imprisonment.

Mr. S. SATYAMURTI:—"With reference to the answer given in clause (b), may I ask the hon. the Law Member to specify approximately the number of the crowd that collected in the street and the nature of obstruction caused to the traffic?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am unable to give the information asked for. If the hon. Member thinks that any purpose will be served by my calling for that information, I have no objection to do so."

Mr. S. SATYAMURTI:—"With reference to the answer given in clause (c), did the said Chidambara Bharathi make any speech on that day?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not know."

[20th August 1924]

The number of Madura picketers in the District Jail, Cuddalore.

231 Q.—MR. R. SRINIVASA AYYANGAR: Will the hon. the Law Member be pleased to state—

(1) the number of Madura picketers in the Cuddalore District Jail on the 30th June 1924;

(2) whether since March last any steps have been taken to release all or some of them;

(3) whether it is a fact that the Subdivisional Magistrate of Madura proposed to some prisoners that they would be released if they tendered an apology in open court confessing their guilt and promising good behaviour; and

(4) whether the said terms were accepted by any prisoner?

A.—(1) The Government have no information. By the 1st August 1924, all the Madura picketers will have been released.

(2) to (4) The hon. Member is referred to the answer given to clause (c) of question No. 121.

The appointment of Mr. K. R. Rangaswami Ayyangar as Public Prosecutor of Trichinopoly.

232 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the ground on which Mr. K. R. Rangaswami Ayyangar was appointed the Public Prosecutor of Trichinopoly;

(b) whether he was recommended by the District Collector and District Judge; and

(c) whether he was recommended by the Criminal Investigation Department?

A.—(a) & (b) Mr. K. R. Rangaswami Ayyangar was appointed on the ground of his long experience in the kind of work a Public Prosecutor has to perform and after a careful consideration of the reports of the Collector and District Judge on the claims of the various candidates.

(c) No.

MR. S. SATYAMURTI:—"With reference to the answer given to clauses (a) and (b), may I ask for a categorical answer as to whether Mr. K. R. Rangaswami Ayyangar was recommended by the District Collector and the District Judge?"

The hon. MR. C. P. RAMASWAMI AYYAR:—"I decline to answer that question. The communications have been kept confidential."

The judicial proceedings against Mr. K. Ramachandra Rao, editor of the "Congress".

233 Q.—MR. P. PEDDIRAJU: Will the hon. the Law Member be pleased to state—

(a) whether any inquiry has been held by the Government regarding the case of Mr. K. Ramachandra Rao, editor of the newspaper called "Congress," Rajahmundry;

[20th August 1924]

(b) whether as a result of such enquiry the Government have taken any action and, if so, what action; and

(c) whether the Government will be pleased to lay on the table the report submitted by the District Magistrate, Godāvāri?

A.—(a) & (b) The hon. Member is referred to the answer given to question No. 124.

(c) The report is laid on the table.*

Government Servants' Conduct Rules.

Prohibition of the wearing of khadder by Government servants.

234 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether the Government have expressly or impliedly prohibited the wearing of khadder by Government servants while on duty or in their offices;

(b) whether the Government have expressly or impliedly prohibited Government servants subscribing for the "Hindu" or the "Swarajya"; and

(c) whether any Government servant has been punished, censured, or warned, for wearing khadder or for subscribing for the "Hindu" or the "Swarajya"?

A.—(a), (b) & (c) No.

Irrigation.

Repairs to the supply channels of Hindupur tank.

235 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the maintenance of the supply channels of Hindupur tank in good repairs;

(b) whether it is a fact that the villagers of Hindupur have been appealing to the authorities for the past two decades to improve the supply channels of the said tank; and

(c) whether the Government are aware of the heavy floods in the Pennar about the end of March 1924 and the silting of the supply channels preventing thereby flow of water freely into the tank; if so, what action has been taken to remove the silt?

A.—(a) Yes.

(b) A petition was received in 1915, but work was suspended owing to lack of funds.

(c) The supply channels have become silted. The preparation of plans and estimate has already been ordered.

The progress of the Sangameswaram project.

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

(a) whether His Exalted Highness the Nizam of Hyderabad has not yet permitted the surveying and taking of levels in his province, in furtherance of the projected Sangameswaram project;

* Vide Appendix II on page 461 infra.

[20th August 1924]

(b) how long correspondence has been going on in this connexion;
 (c) whether it is contemplated that the Law Member or His Excellency the Governor should visit the Nizam and settle the whole matter expeditiously; and

(d) whether there is a proposal to have a cutting at Guntakal in the Bellary East canal for the benefit of the Anantapur district, and, if so, what is the estimated acreage which will be served by the canal and in what taluks?

- A.—(a) No.
 (b) Since October 1923.
 (c) His Excellency the Governor and the Irrigation Member will, if necessary, arrange for such a visit.
 (d) The answer is in the negative.

The despatch of Kannambadi agreement to Government of India.

237 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the date on which the Kannambadi agreement was sent to the Government of India and the Right Hon'ble the Secretary of State for India; and

(b) whether any covering letter was sent along with the agreement, and, if so, the contents of the letter?

- A.—(a) 22nd March 1924; the date of its transmission by the Government of India to the Secretary of State is not known.
 (b) Yes; it was a short formal letter forwarding the agreement and stating that the estimates for the Metur project were being submitted separately.

The proposals of the Mysore Government on the Kannambadi project.

238 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the proposals of the Mysore Government as adumbrated in their Government Order on the Kannambadi project;

(b) whether those proposals involve, not only the raising of the level of the Kannambadi reservoir to 124 feet but also

- (1) survey for reservoirs on the Kabbini and the Swarnavathi;
- (2) canals on the right and the left banks of the Kabbini from the proposed reservoir at Hulhalli anicut,
- (3) a canal from the Krishnarajasagara reservoir on the right bank, taking off at a level 60 feet above bed of river;
- (4) channels from the proposed Swarnavathi reservoir; and
- (5) revision of the proposed North Bank high level canal from Krishnarajasagara in the light of the data collected from the abovementioned investigations; and

(c) whether the Government of Madras have agreed to all these projects?

[20th August 1924]

A.—(a), (b) & (c) The attention of the hon. Member is invited to clause 10 of the Mysore-Madras Cauvery agreement, sub-clauses (1), (iv) and (vii).

The difference between the terms of 1892 and the present Kannambadi agreements.

239 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether the terms of the present Kannambadi agreement are the same as those of the 1892 agreement;

(b) if not, the main differences between the terms of the two agreements;

(c) whether, as a matter of fact, the agreement has imposed on Madras "the burden of acquisition by prescription of rights which, but for the agreement, would have been its natural rights"; and

(d) the consideration, if any, for this surrender of rights?

- A.—(a) No.
 (b) The 1892 agreement related to all rivers flowing in both Mysore and Madras territories, while the agreement recently concluded relates specifically to the Cauvery.
 (c) No.
 (d) The question does not arise.

MR. S. SATYAMURTI:—"With reference to the answer given to clause (c) may I ask the hon. the Law Member whether in his judgment he has perfectly believed that the agreement of 1892 has not imposed on Madras 'the burden of acquisition by prescription of rights which, but for the agreement, would have been its natural rights'?"

THE HON. MR. C. P. RAMASWAMI AYYAR:—"The agreement of 1892 which was construed to be full of doubts on this matter has been replaced by the agreement which has been concluded now."

MR. S. SATYAMURTI:—"May I ask whether the hon. the Law Member did not say that his hands were tied up by the agreement of 1892?"

THE HON. MR. C. P. RAMASWAMI AYYAR:—"We could have got better terms but for the agreement of 1892."

MR. S. SATYAMURTI:—"May I ask him, Sir, how his hands were tied up by the agreement of 1892?"

THE HON. MR. C. P. RAMASWAMI AYYAR:—"In that it was a *fait accompli*."

MR. S. SATYAMURTI:—"I know that, Sir, but I am asking how the rights of Madras Government were diminished by that agreement, as otherwise I do not see how this Government's hands were tied up."

THE HON. MR. C. P. RAMASWAMI AYYAR:—"The agreement of 1892 is attached to the agenda paper here and on page 49 it will be found thus:—

'The Madras Government shall be bound not to refuse such consent except for the protection of prescriptive right already acquired and actually existing.'

[20th August 1924]

"This is a great disability on the Madras Government which I contend, and the Madras Government contend, has been resolved in favour of the Madras Government and they can have the maximum possible irrigation under the new agreement."

Mr. S. SATYAMURTI:—"With reference to the sentence just now read by the hon. the Law Member, may I ask whether the burden of acquisition by prescription of rights was not cast upon us?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The contention is 'no', because the word 'prescriptive right' is an absolute misnomer—I say it with all respect to the illustrious persons who participated in the agreement—and although there may be prescriptive right in the language of the law, it cannot exist as against a lower riparian proprietor."

Mr. S. SATYAMURTI:—"May I ask therefore whether the Government have tried to ignore the provisions of section 3 in all the negotiations that culminated in the Kannambadi agreement?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"We have succeeded in getting rid of the very inconvenient interpretation of this clause."

Mr. S. SATYAMURTI:—"That is a matter of opinion."

The terms of the Kannambadi agreement of 1892.

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

(a) the terms of the agreement of 1892 between the Madras and the Mysore Governments regarding the Kannambadi dam;

(b) the reasons why the agreement was not ratified by the Right Hon'ble the Secretary of State for India;

(c) whether, in 1920, the Mysore and Madras Governments were invited by the Government of India and by the Secretary of State "to attempt to arrive by mutual agreement at a settlement of a longstanding controversy regarding their respective rights in the waters of the river Cauvery"; and

(d) whether the present agreement is intended to be in substitution of the agreement of 1892 and purports to provide for the solution of all the disputes that arose or were likely to arise in connexion with the utilization of these waters?

A.—(a) A copy of the agreement of 1892 is placed on the table.*

(b) It was not considered necessary.

(c) Negotiation was suggested as the alternative to a further arbitration.

(d) The hon. Member is referred to the answer to question No. 239.

The rights of Tanjore, etc., mirasidars as affected by the Kannambadi agreement.

241 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the present Kannambadi agreement has secured the fullest protection which, in the exercise of their natural rights, the mirasidars of Tanjore and Trichinopoly districts are entitled to claim in respect of the waters necessary for irrigating their cultivated and cultivable lands?

* Vide Appendix III on page 461 infra.

[20th August 1924]

A.—The hon. Member is referred to the Communiqué published on the 3rd July 1924.

The construction of Kannambadi dam by the Mysore Government.

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

(a) whether in 1912-13, the Madras Government agreed to the construction of a dam at Kannambadi by the Mysore Government;

(b) if so, who was the Governor who so agreed; and

(c) the reasons for that agreement?

A.—(a) This Government agreed to the commencement of the construction of a dam in 1911.

(b) The Governor of Madras at that time was Sir Arthur Lawley.

(c) It was not considered that the construction of the dam would prejudice the interests of Madras.

The final ratification of the Kannambadi agreement.

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

(a) whether any correspondence has passed between the Local Government and the Government of India regarding the publication of the terms of their agreement in regard to the Kannambadi dam before final ratification;

(b) if so, whether the correspondence will be laid on the table of the House; and

(c) if not, why not?

A.—(a) With reference to the decision by the Government of India that the agreement required ratification by the Secretary of State, and to certain reports which appeared in the Press to the effect that the agreement had been published, telegraphic correspondence took place between the Government of India and this Government.

(b) & (c) As the correspondence was confidential, it is not proposed to place it on the table.

The opinion of Tanjore and Trichinopoly mirasidars on the Kannambadi agreement.

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

(a) whether, in their letter No. 941, dated the 20th September 1921, the Government of Madras stated as follows, in regard to the Kannambadi dam, "this question is still under discussion between the Government and the Mysore Darbar, and as stated by the hon. Khan Bahadur Habib-ullah Sahib, in reply to a deputation that waited on him at Tanjore in June last, the mirasidars of Tanjore and Trichinopoly will be given an opportunity for expressing their opinions when the negotiations between the two Governments have assumed a definite shape;"

(b) the manner in which the Government have redeemed this pledge; and

(c) if not, why not?

[20th August 1924]

A.—(a) Yes.

(b) & (c) The hon. Member is referred to the Press Communiqué issued on the 11th July.

The Kannambadi project in 1915.

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

(a) whether in 1915 Lord Pentland and Sir Harold Stuart fought the case of the mirasidars on the Kannambadi project with the Government of India;

(b) whether the Government of Madras delayed their final despatch to the Government of India in order to give time to the Tanjore and the Trichinopoly mirasidars to prepare and send their memorial; and

(c) whether the Government of Madras backed their memorial strongly and said "the memorialists represent the most advanced and progressive section of the people of this Presidency?"

A.—The hon. Member is referred to this Government's letter to the Government of India, No. 200 I., dated 21st April 1915, which was published in May 1916.

The settlement of the Kannambadi question by compromise.

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

(a) whether, in the letter of the Government of Madras to the Government of India in 1915 on the subject of the Kannambadi project, they said that the matter was not one for compromise;

(b) the reasons why the Government of Madras now consider it a matter for compromise;

(c) whether, in the said letter, the Government of Madras said further that "Madras rights are of enormous importance and great antiquity and the agreement of 1892 recognizes that they should not be injured by new projects in Mysore;"

(d) the reasons why the Government of Madras have changed their opinion on this matter;

(e) whether in the said letter the Madras Government also said "but the loss to the Government would be insignificant compared with the loss to the landowners and it is on this feature of the case that the Governor in Council desires that stress should be laid in considering any proposals for settlement by compromise;" and

(f) the reasons why this feature has been ignored by the Madras Government in the recent negotiation?

A.—(a), (c) & (e) Yes.

(b) The compromise in view at that time was of a nature altogether different from the agreement recently concluded.

(d) As the Government of Madras have not changed their opinion on this matter, the question does not arise.

(f) As the considerations referred to have not been ignored, the question does not arise.

[20th August 1924]

As has already been stated in a Press Communiqué, the interests of the landholders have been fully safeguarded. The minimum gauges now agreed upon are based upon accurate gaugings over a series of years, which have shewn that the discharges connoted by gauge readings are considerably more than was anticipated when the discussions to which the hon. Member refers took place. For example, the gauge reading awarded to Madras on arbitration, 6.5 feet, has been found to represent a discharge 27 per cent greater than was assumed at that time.

Repair to the Madakulam tank.

247 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Law Member be pleased to state—

(1) whether the Government have received any memorial from the President, Madakulam Village Association, Pasumalai, Madura district, as to the repair of the Madakulam tank; and

(2) whether the Government have taken any steps to remove the prickly-pear in the tank and Madakula porambokes?

A.—The President of the Madakulam Village Association has very recently sent in a letter forwarding copies of certain resolutions passed on 21st June 1924. It is being referred to the Superintending Engineer for remarks. On receipt of the Superintending Engineer's report such action as may be deemed necessary will be taken.

The papers placed before the Secretary of State in regard to the Kannambadi agreement.

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

(a) the papers which were placed before the Secretary of State in connexion with the Kannambadi agreement;

(b) whether those papers will be laid on the table of the House; and

(c) the dates on which the agreement was first placed before the Secretary of State and on which he ratified the same?

A.—(a), (b) & (c) The hon. Member is referred to the answer to question No. 237.

This Government is not aware whether any other papers were placed before the Secretary of State by the Government of India.

The award of 1914 in regard to the Kannambadi agreement.

249 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state the grounds on which the Government of Madras refused to accept the award of 1914 with regard to the Kannambadi agreement and whether he will place the papers in connexion with this matter on the table of the House?

A.—The attention of the hon. Member is invited to this Government's letter to the Government of India, No. 200 I., dated 21st April 1915, which was published in May 1916.

[20th August 1924]

The conference of 1922 between the Diwan of Mysore and the late Sir K. Srinivasa Ayyangar regarding the Kannambadi project.

250 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state the reasons why at the meetings which took place in Mysore and Ootacamund during June and July 1922 between Sir K. Srinivasa Ayyangar and the Diwan of Mysore, no conclusions regarding the Kannambadi project were arrived at?

A.—Because Mysore was unable at that time to accept the proposals of Madras (as to the sharing of surplus waters).

Mr. S. SATYAMURTI:—“May I ask the hon. the Law Member whether apart from the question of the sharing of the surplus waters, there was any other question which could not be settled at that Conference?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“That was made the approach to the beginnings of a settlement.”

Mr. S. SATYAMURTI:—“Were any other matters discussed at that Conference?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Many other matters were expected to be discussed at that Conference, but the negotiations started on the basis of the sharing of surplus waters. We asked ‘are you willing to accept our proposals so far as the sharing of surplus waters is concerned?’; the Mysore Government said ‘no’. Therefore it is clear that other matters were not discussed in any detail.”

The conference in 1923 between Sir Charles Todhunter and the Diwan of Mysore regarding the Kannambadi project.

251 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state the main points of the Kannambadi agreement which were discussed at Bangalore in April 1923 by Sir Charles Todhunter himself on the one hand and the Diwan of Mysore on the other?

A.—The discussions were quite informal and of a general nature and were inconclusive. It was agreed by both sides that these informal discussions, which were held mainly in order to endeavour to find common ground as the basis for more formal negotiations, should be treated as entirely confidential.

The principal matters relating to the Kannambadi agreement.

252 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state what are the principal matters relating to the Kannambadi agreement and with whom he discussed these matters in June 1923?

A.—The hon. Member's attention is invited to the agreement which has been published in the *Fort St. George Gazette*, dated 8th July 1924. As stated in the Press Communiqué dated 3rd July 1924, the discussion in June 1923 was with the Government of India to whom the position and claims of Madras were explained. Such discussion took place between the Law Member and His Excellency the Viceroy, the Public Works Department Member, the hon. Mr. Chatterjee and other Members of the Viceroy's Executive Council and with the Government of India experts.

[20th August 1924]

Representation of Tanjore mirasidars regarding the Kannambadi agreement.

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

- (a) the number and nature of the various representations made by the Tanjore mirasidars with regard to the Kannambadi agreement;
- (b) when and by whom they were studied and considered; and
- (c) the points in the agreement which have been modified as a result of these representations?

A.—(a) The hon. Member is referred to the reply given on the 31st March last to his question No. 812 (ii)-(b), in which the information now asked for was furnished.

(b) The hon. Member is referred to the Press Communiqué issued on 3rd July 1924. It is not possible to state the exact dates on which the various points were considered.

(c) The various representations made by the mirasidars were kept in view during the course of the negotiations of which the final agreement represents the result. There was, therefore, no point in the agreement which had to be modified as a result of the representations.

The opinion of the Government on the Kannambadi agreement.

254 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the statement in the Communiqué on the Kannambadi agreement that it is a most satisfactory termination of this prolonged dispute is the opinion of the Reserved half or of the Cabinet as a whole?

A.—The opinion is that of the Government as a whole.

The opening of Valavanar and the reopening of the Manankondan drainage channel.

255 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

- (1) whether it is a fact that there is a proposal to open up the Valavanar in the Tiruturaipundi taluk of the Tanjore district through the salt swamps to the Palk Strait;
- (2) whether the Government have received a memorial from the agriculturists of the south-eastern portions of the Tiruturaipundi taluk to reopen the Manankondan drainage channel; and
- (3) if so, what action they have taken on the memorial?

A.—(1) Yes.

(2) & (3) Yes. The memorialists were informed that the restoration of the old drainage channel is impracticable, but that a scheme for a short cut from the eastern end of the Manankondan into the Adappar bar at Thopputhurai was being considered by the Cauvery Committee and that the scheme would be considered by Government in due course.

Repairs of irrigation works in Ganjam.

(i) how much of the 4.42 lakhs allotted for repairs of irrigation works in connexion with floods in Ganjam and Tinnevely districts has been granted for repairs of irrigation works, both major and minor, in Ganjam ;

(iii) whether any money, if so, how much, has been already spent over repairs in Ganjam?

(ii) The Ganjam minor rivers system and the Rushikulya system.

(iii) Information as to the expenditure against the additional amount allotted in consequence of the flood damage is not available, but out of a total grant of Rs. 1,33,000 including the special additional grant, over Rs. 83,000 had been spent by the end of June.

Madhavaborida-Goomsur anicut (Ganjam).

257 Q.—Sriman SASIBHUSHAN RATH Mahasayo: With reference to answer to my supplementary question to question No. 670, dated the 20th March last, will the hon. the Law Member be pleased to state the probable annual cost of keeping in working order the automatic shutters proposed to be introduced in the Madhavaborida-Goomsur anicut (Ganjam)?

A.—About Rs. 300.

Mālabar Tenancy.

Report of Mr. Innes and Mr. Ellis regarding Malabar Tenancy.

258 Q.—**Mr. C. RAMALINGA REDDI:** Will the hon. the Law Member be pleased to kindly lay on the table the reports and recommendations of Mr. Innes and of Mr. Ellis on the Tenancy problem in Malabar?

4.—The report submitted by Mr. Innes is confidential and cannot be placed on the table. There is no report by Mr. Ellis.

Mr. S. SATYAMURTI :—“Is there any rule or set of rules which govern the action of the Government in treating certain reports as confidential or is each report judged on its own merits?”

The hon. Mr. O. P. RAMASWAMI AYYAR :—"The latter is the case."

Mr. K. PRABHAKARAN TAMPAN :—" May I ask whether the Government will be pleased to lay on the table a copy of the opinions collected by Government on the Malabar Tenancy Bill which is proposed to be introduced by the hon. Member Diwan Bahadur M. Krishnan Nayar?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have already made an order to that effect. All the opinions will be placed on the table of the House."

Diwan Bahadur M. KRISHNAN NAYAR :—"Will the hon. the Law Member be pleased to say why the report of Sir Charles Innes is treated as confidential, especially when that report relates to a public matter like the Malabar Tenancy problem?"

20th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. Innes marked the report as ‘ confidential ’ and the Government have considered the question and arrived at the conclusion that it should be treated as ‘ confidential ’.”

Mr. S. SATYAMURTI :—“ It comes to this that this Government is between an upper stool and a nether stool. If the Government of India sends a report they mark it as ‘ confidential ’. If your subordinates send a report they mark it as ‘ confidential ’. So where are we ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—"May I ask the same question?"

Diwan Bahadur M. KRISHNAN NAYAR :—“ May I ask whether it is left to the subordinate officers to say that a particular report should be treated as confidential ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ It is not left to him. If a subordinate officer writes that a certain thing should be treated as confidential we are not bound by it. So we are not between a nether stool and an upper stool.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ May I know the reasons that induced the Government to treat this report as confidential ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—"My hon. Friend will excuse me if I do not answer this comprehensive question."

Rao Sahib P. V. GOPALAN :—"Sir, will not the tenants in Malabar presume that because Mr. Innes' report is in favour of the tenants, the Government have treated it as confidential, and that because the report of Mr. Ellis is against them, they may be prepared to publish it?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It is a maxim which is observed in the Law courts that any document which is not before the court is presumed to be against the party in possession. From that point of view, if hon. Members want to make the presumption, the Government cannot say anything because they are treating it as confidential."

Mr. C. RAMALINGA REDDI :—“Is it against *the party*?”

Mr. C. RAMALINGA REDDI :—“ Is it against the party ?
The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I must strongly repudiate it,
Sir. The Government belongs to no party.”

Police.

Investigation of crimes by the Police in Tinnevely.

Investigation of crimes by the Police in 1922.

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

to state—
(a) whether it is a fact that in Register Case No. 6 of 1923 on the file of the Palamcottah Sub-Magistrate and Sessions Case No. 6 of 1924 on the file of the Sessions Judge of Tinnevely, the Tinnevely Police failed to trace the real culprits and foisted the crime of armed dacoity in the house of an ex-village munisaf on innocent people whose prosecution had to be subsequently withdrawn (vide *Swarajya* of 29th February, headed "Serious Police blunder"); and

(b) what action the Government propose to take thereon?

[20th August 1924]

A.—(a) & (b) The Government have obtained a report and understand that the prosecution of certain accused, charged by the Police in the dacoity case, was withdrawn after further investigation by the District Superintendent of Police. The trial of the case has not been completed in the Sessions Court.

Mr. S. SATYAMURTI:—"With reference to the answer given to this question, may I ask whether the Government have taken or propose to take any action against the subordinate police officers who first charged certain accused against whom the charges have been withdrawn subsequently after investigation?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As pointed out in the answer, trial has not been completed in the Sessions Court. Hon. Members of this Council may rest assured that if any miscarriage of justice occurs on account of the action of subordinate police officers, I for one will take action."

Mr. S. SATYAMURTI:—"I am asking about those accused the charge against whom has been withdrawn. They are not before the Sessions Court at all. I am asking with reference to those who are harassed by the subordinates, whether the Government have taken or propose to take any action?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The Government will consider."

Alleged behaviour of the Police towards the Deck passengers at the South landing stage in the Harbour.

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

(a) whether it is a fact that on 9th May 1924 a certain individual was rudely handled by the Police at the South landing stage in the Madras harbour and prevented from entering while Anglo-Indians and others in European costume were freely let in (vide the letter headed "Police ways towards Deck passengers" in the *Swarajya*, dated 14th May 1924);

(b) the reasons for this invidious distinction; and

(c) the reasons why the police usurp the place of Messrs. Binny & Co. in checking the tickets of passengers?

A.—(a) The answer is in the negative. The Commissioner of Police ordered an enquiry on the appearance of the complaint in the newspaper quoted and did not find the Police responsible for any such action as that complained of.

(b) The Police do not make any invidious distinction. They only carry out the directions of the Port Trust and Customs authorities in the matter of keeping out crowds from approaching a steamer on arrival, preventing smuggling, thefts, etc.

(c) The Police do not check tickets; they only keep order.

The suspension of certain constables at Kumbakonam.

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

(a) whether early in June the District Superintendent of Police, Tanjore, suspended about 32 constables at Kumbakonam;

[20th August 1924]

(b) the reasons for this action; and

(c) whether the Government have instituted any inquiry into the grievances of the policemen?

A.—(a), (b) & (c) Government have not full information and have called for a report.

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

262 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the Government have now received the information they promised to call for about the arrangements at Madura in connexion with His Excellency the Viceroy's visit to that place and whether they will place the information on the table of the House? (see question No. 81 of 5th February 1924.)

A.—The Government have received the information and the answer to the several clauses of question No. 81 asked on the 5th February last is as follows:—

(a) The Government understand that as a part of the precautionary measures taken by the Inspector-General of Police for the safety of His Excellency the Viceroy owners were warned against allowing suspicious strangers in front of their houses.

(b) The owners were advised not to allow people on the roofs of their houses.

(c) No.

(d) No.

(e) By an arrangement with the temple authorities tickets of admission to the precincts of the temple were issued relating to the period extending from the afternoon preceding His Excellency the Viceroy's visit to the temple until the visit was over.

(f) Has already been answered.

Khan Bahadur Saiyid Abdul Karim Sahib Bahadur, Deputy Superintendent of Police.

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

(a) whether Khan Bahadur Saiyid Abdul Karim continues to act as Deputy Superintendent of Police after the 15th January 1924;

(b) whether a telephone is installed in this gentleman's house; if so, for what purposes and the fund from which the charges for the same are paid;

(c) the amount drawn by him on account of travelling allowances and from special rewards every month for the last six months; and

(d) whether he accompanied the hon. the Law Member during his recent visit to Pondicherry and if so, for what purpose?

[20th August 1924]

- A.—(a) Khan Bahadur G. Saiyid Abdul Karim Sahib Bahadur was appointed temporary Deputy Superintendent of Police for one month from the 15th December 1923 for special work in connexion with the National Congress and the appointment was thereafter continued up to the 31st January 1924 in order to enable him to count service continuously.
- (b) The Government understand that there is a private telephone in the house.
- (c) The Government have no information.
- (d) Yes; the duty was of a confidential character and its disclosure is not in the public interests.

Absence of police station in a tract in South Kanara.

264 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that there is no police station in the wooded and dangerous tract of country in South Kanara, extending from Uppinangadi up to the Mysore Frontier, a distance of about 50 miles, and that only an outpost kept during other times of the year is removed during monsoon; and

(b) in view of the fact that this portion of territory is populated, what steps Government propose to take for the early establishment of the permanent police station for the safety of the public?

A.—The Government have no information and have called for a report.

Abolition of a police station in a tract in South Kanara.

265 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the Government propose to abolish the police station in the tract between Perdoor and Sitanadi in South Kanara; and

(b) if so, what would be the distance from the villages lying between Udupi and Agumbe and between Karkala and Agumbe, to their nearest police station?

A.—(a) & (b) The Government have seen no such proposal.

Public Works.

The clerical establishment of the Public Works Secretariat.

266 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member, the hon. the Member for Finance and the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that as many as eleven graduates in the lower division of the clerical establishment of the Public Works Secretariat who were recruited prior to 1918 have no chance of acting in the upper division although they are doing the work of the upper division; and

(b) whether the Government propose to take any steps to remedy this inequality?

[20th August 1924]

A.—(a) The answer is in the negative.

(b) The rule for all offices is that a lower division clerk can draw no extra allowance for officiating in the upper division. There is thus no inequality.

Reforms.

The opinion of the Local Council on the working of the Reforms.

267 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(a) whether the Government have considered the advisability of giving this Council an opportunity to express its opinion on the working of the Reforms before it submits its views on the Reforms to the Government of India; and, if so,

(b) what action they have taken for that purpose?

A.—(a) & (b) This Government was asked to report what difficulties had been experienced in working the present rules and system of Government and how far these difficulties could be remedied by an amendment of the rules without altering the main principles of the Constitution. The material for the report being all available to the Government, there was no point on which it was necessary to consult this Council.

The letter was addressed to the Governor in Council and the Governor in Council was asked to consult the Ministers. This has been done.

Finance.

Commercial accounting in Government commercial concerns.

268 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Finance be pleased to state—

(a) the progress achieved in the matter of introducing commercial accounting in the various Government commercial concerns; and

(b) whether "The Willingdon House" at Ootacamund ever paid its way as a commercial concern and the profit derived or loss incurred thereby from its inception till the end of 1923-24?

A.—(a) The progress achieved in the matter of introducing commercial accounting in the various Government commercial concerns is as shown below:—

A. Concerns in which the commercial system of accounts has been introduced and the concern has been brought under Chapter 2 of the Account Code.

- (1) The Russellkonda Saw Mill,
- (2) The Government Fisheries Cannery, Chaliyam, and
- (3) The Kerala Soap Institute, Calicut.

[20th August 1924]

B. Concerns in respect of which the Auditor-General has approved of the introduction of the commercial system of accounts and to their being brought under Chapter 2 of the Account Code.

- (1) The Cinchona Department,
- (2) The Chenai Nayar Forests,
- (8) The Nilambur Forests, and
- (4) The Mount Stuart Forests.

C. Concerns in respect of which the introduction of a commercial system of accounts is under consideration.

- (1) The Government Industrial Institute, Madura,
- (2) The Government Industrial Institute, Madras,
- (3) The Industrial Engineering Workshop,
- (4) The Goomsur Forests,
- (5) The Public Works Department Workshops,
- (6) Willingdon House, Ootacamund, and
- (7) The Government Press.

D. Concerns in respect of which it has been decided not to introduce the commercial system of accounts.

- (1) The Glue Factory (the factory has since been closed),
- (2) The Fruit Preserving Institute, Coonoor, and
- (3) The King Institute, Guindy.

(b) Willingdon House, Ootacamund, was opened by Government on the 1st July 1920; and so far, profit and loss accounts in regard to its working have been received up to the period ending 30th June 1923. The net result of the accounts from the purchase of the House to the 30th June 1923 is shown below:—

For the two years from 1st July 1920	Rs.	A loss of 1,567.
to 30th June 1922.		
For the year from 1st July 1922 to		A loss of 2,302.*
30th June 1923.		

Audit of Government Commercial concerns.

269 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Member for Finance be pleased to state—

(a) whether there is any reduction or addition in the number of Government institutions which are to be audited by Messrs. Fraser & Ross (besides the number given in answer to question No. 661, dated 20th March 1924);

(b) whether it will not be sufficient to pay a lump sum for the audit of each institution, as is the case with private firms;

(c) whether the Government are aware of any private concerns having monthly paid auditors;

(d) whether the monthly remuneration paid to Messrs. Fraser & Ross includes the travelling allowance for auditing Government institutions;

* (Loss of Rs. 3,657 minus a sum of Rs. 1,355 short-recovered by the late Managers. The real loss is therefore Rs. 2,302.)

[20th August 1924]

(e) if the answer is in the negative, on what basis the travelling allowance is given and if it is according to the revised travelling allowance rules for Government servants; if the travelling allowance is not according to the revised rules, why should a partial difference be shown to these individuals;

(f) whether the men sent out by Messrs. Fraser & Ross for audit purposes are mere apprentices or qualified men;

(g) whether it is a fact that these men are given Rs. 5 per day as allowance and a second-class railway fare up and down; and

(h) whether the Government pay Rs. 1 per day as allowance and a third-class railway fare up and down for a servant who accompanies such apprentice auditors?

A.—(a) The hon. Member is referred to the answer to question No. 268.

(b) The answer is in the negative.

(c) The Government have no information.

(d) The answer is in the negative.

(e) The travelling allowance given has been settled by agreement with Messrs. Fraser & Ross. Neither the principals of the firm nor their employees are Government servants and the rules do not apply to them.

(f) The audits are conducted by the firm and Government are satisfied that the work of the firm, in which the principals are assisted by their staff, is carried out in a competent and satisfactory manner.

(g) & (h) The Government pay the actual travelling allowance and out-of-pocket expenses incurred by the officers of Messrs. Fraser & Ross as shown below:—

(i) *Principals and European Assistants*.—One first and one third-class fare plus actual out-of-pocket expenses.

(ii) *Indian Assistants*.—One second-class fare and in cases where a servant has to be taken one third-class fare in addition. Five rupees per day batta with twelve annas per day for servant if taken and the actual cost of conveyances.

(iii) *First-grade clerks*.—One second-class fare and in cases where a servant has to be taken one third-class fare in addition. Four rupees per day batta with twelve annas per day for servant if taken and the actual cost of conveyances.

(iv) *Second-grade clerks*.—One second-class fare. Three rupees per day batta plus actual out-of-pocket expenses for conveyances.

The rates referred to above are the maximum rates which may be charged.

Government Press.

Applications for leave from employees of the Government Press.

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

(1) the number of applications received direct from subordinates to the Superintendent, Government Press, for privilege leave during the past twelve months;

[20th August 1924]

(2) the number of applications for leave received with medical certificates;

(3) how many of them were refused the full period of the leave recommended by (a) registered medical practitioners, (b) the various District Surgeons; and

(4) the number of applications supported by medical certificates from registered medical practitioners sent up for countersignature to the District Surgeons?

- A.—(1) Five hundred and thirty-eight.
 (2) One hundred and fifty-six.
 (3) (a) Eleven.
 (b) Nil.
 (4) Four.

Government Servants' Conduct Rules.

Alleged unfair reference to a Member of Council by a public servant.

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

(a) whether at a Darbar held at Palghat on the last birth-day of His Majesty the King-Emperor, Mr. Thorne, the Collector of Malabar, referred to certain questions asked by me in the Legislative Council regarding Khan Bahadur Kallady Moidutty Sahib and another as "allegations which have been received with the incredulous contempt which they deserve";

(b) whether a Collector is given power under the rules governing the conduct of public servants to attack Members of the Legislative Council; and

(c) whether the Government have any intention of taking note of the Collector's conduct?

- A.—(a) The Government have seen a newspaper account of Mr. Thorne's speech in which these words occur.
 (b) There has been no contravention of the rules.
 (c) No.

Mr. S. SATYAMURTI:—"Sir, with reference to clause (b) of this question, may I ask the Government whether they propose enacting any rules to prevent, in future, such unseemly attacks?"

The hon. Mr. R. A. GRAHAM:—"No, Sir."

Mr. S. SATYAMURTI:—"May I make a personal submission to you, Sir? It is a matter which is in your hands as much as in the hands of every other hon. Member of this House sent here by the electorates to make representations by means of questions, resolutions, and speeches on Bills and resolutions. We do our best and if we transgress the rules, you have got ample disciplinary powers to enforce any action which you think should be taken against us. But if we make allegations by means of questions which are denied not at once but after investigation, not even wholly denied but partially denied, may I appeal to you, Sir, to come to the aid of hon. Members who have got to discharge their duties under very great difficulties, and impress upon the Government benches to the extent to which you can that they ought to enact rules to prevent Collectors of districts making these charges against

[20th August 1924]

questions put down on the paper in the House by your order and admitted, as allegations 'which have been received with the incredulous contempt which they deserved'?"

The hon. the PRESIDENT:—"Not here and now, but it is open to the hon. Member to suggest and to take any action separately as opportunity arises. Certainly means are open to him of suggesting such action and I shall then be very glad to co-operate with him."

Mr. C. RAMALINGA REDDI:—"Sir, may I ask my hon. Friend whether he received these allegations with incredulous contempt?"

The hon. Sir ARTHUR KNAPP:—"Yes, Sir."

Mr. M. RATNASWAMI:—"May I ask, Sir, whether it is the practice in England for members of the permanent civil service to refer to any statements made by Members of Parliament in the terms in which the Collector remarked against an hon. Member of this House?"

Mr. C. RAMALINGA REDDI:—"May I ask the hon. Member why, if he treated the allegations with incredulous contempt, he took so much trouble to give so long an answer and such a well-argued statement?"

The hon. Sir ARTHUR KNAPP:—"It is perfectly true that when I saw the original question and the suggestions made against the character of persons who were entirely free from suspicion, I treated the allegations with incredulous contempt. I took time to get further and complete information before making what my hon. Friend has referred to as a detailed statement."

Mr. S. SATYAMURTI:—"Is it open to any hon. Member of the House to treat a statement like that with contempt? May I again appeal to you, Sir? Even the Treasury Bench is to be bound by the ordinary rules of decency."

The hon. the PRESIDENT:—"I am very sorry for the hon. Member's apprehension. But I took it that the allegations were treated with contempt, and I do not know if anybody personally was treated with contempt. The hon. Member spoke under a brief from his constituency, and though I do not wish to make any remarks about it, I do not think it was him that the hon. Member for the Government treated with contempt. He treated an allegation, but not anybody or any person, with contempt."

Lee Commission.

The result of the proposals of the Retrenchment Committee and the Lee Commission.

272 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Finance be pleased to state—

(1) what are the orders of Government on the proposals of the Retrenchment Committee in regard to the several departments;

(2) what will be the financial results of such orders and how they are to be arrived at in regard to the several departments of the services for the year 1924-25;

[20th August 1924]

- (3) what will be the approximate addition to the financial burdens of the Madras Government if the proposals of the Lee Commission be carried out under the several headings; and
 (4) how Government propose to meet the additional charges for the year 1924-25?

A.—(1) & (2) The attention of the hon. Member is invited to the answer to question No. 142.

- (3) The cost to the Madras Government in the current year if effect is given to the recommendations of the Lee Commission can only be estimated roughly at between 9 and 10 lakhs.
 (4) The question will have to be considered when final orders are passed.

Oriya-speaking tracts.

Amalgamation of the Oriya-speaking tracts of Madras and Bihar and Orissa.

273 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Finance be pleased—

- (a) to lay on the table the correspondence up to date regarding the amalgamation of the Oriya-speaking tracts of Madras with the other Oriya-speaking tracts of Bihar and Orissa; and
 (b) to state whether the Government of India have intimated their intention to appoint a commission of inquiry in connexion with this question?

A.—(a) The Government are unable to publish correspondence held with the Government of India.
 (b) No such intimation has been received.

Sriman BISWANATH DAS Mahasayo:—“With reference to clause (a) of the answer, may I know the reason why the Government are unable to publish the correspondence?”

The hon. Mr. R. A. GRAHAM:—“It is a general rule that such correspondence should not be published without the permission of the Government of India.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Is it to be understood that all the correspondence between the Government of Madras and the Government of India will not be published?”

The hon. Mr. R. A. GRAHAM:—“Correspondence that is confidential cannot be published without the previous permission of the Government of India.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Under what rules or orders, may I know?”

The hon. Mr. R. A. GRAHAM:—“Under the executive orders of the Government of India.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Have they any rules?”

The hon. Mr. R. A. GRAHAM:—“I made no reference to rules.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Did the Government of Madras obtain the permission of the Government of India as to whether it could be published or not?”

[20th August 1924]

The hon. Mr. R. A. GRAHAM:—“On many occasions they have obtained permission to publish papers. On this matter they have not obtained permission because they did not think it necessary.”

Sriman SASIBHUSHAN RATH Mahasayo:—“In this case, did the Government of India mark the correspondence as confidential?”

The hon. Mr. R. A. GRAHAM:—“The matter is one concerning not only this province but others also and it is for the Government of India to decide what they wish to be published.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Does the hon. Member think that the question of the separation of a portion of this Presidency and adding it on to another is not a question that concerns this province?”

The hon. Mr. R. A. GRAHAM:—“I said that it did not solely concern this province.”

Sriman BISWANATH DAS Mahasayo:—“I should like to know, Sir, if the Madras Government have come to any conclusion on this question.”

The hon. Mr. R. A. GRAHAM:—“I am afraid, Sir, the question is not on which the Government of Madras can come to any conclusion. The matter rests with the Government of India.”

Sriman BISWANATH DAS Mahasayo:—“Have they made any recommendations?”

The hon. the PRESIDENT:—“We must go on with the other questions. The point has been sufficiently dealt with.”

Reforms.

The Reforms Inquiry.

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

- (a) whether the Government of Madras have been addressed by the Government of India in connexion with the Reforms inquiry;
 (b) whether the Government of Madras have sent any reply to the Government of India to the question; and
 (c) whether the Government will place the connected papers on the table of the House?

A.—(a) Yes.

(b) Yes.

(c) Correspondence with the Government of India cannot be published by this Government.

Non-official co-operation in the Reforms enquiry.

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

- (a) whether the Local Government have invited non-official co-operation in formulating and laying their views on the Reforms before the Government of India; and

(b) if not, why not?

[20th August 1924]

A.—The hon. Member is referred to the answers to questions Nos. 146 and 267.

Examination by the Local Government of the working of the Government of India Act.

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

(a) whether it is a fact that the Government are examining the defects and difficulties in the working of the Government of India Act for the last three years;

(b) whether Mr. Stokes was deputed for this work;

(c) whether the examination is finished;

(d) whether the results have been embodied in the form of any formal or informal report;

(e) whether the report, if any, will be placed on the table of the House;

(f) what were the materials on which the examination was conducted;

(g) whether the Government are sending any report to the Reforms Enquiry Committee of the Government of India; and

(h) whether, before doing so, the report will be placed before the Legislative Council for the expression of its opinion thereon?

A.—(a) It is a fact that this Government have been asked to examine the defects and difficulties in the working of the Government of India Act.

(b) Mr. Stokes was deputed to collect materials for the information of Government.

(c) Yes.

(d) Yes.

(e) The Local Government have no authority to place the report on the table.

(f) This information cannot be published with reference to the answer to clause (e).

(g) No. The report of this Government has been made to the Government of India.

(h) Does not arise.

Mr. S. SATYAMURTI:—"With reference to the answer given to clause (b) of this question, may I ask what was the nature of the materials collected and from whom they were collected by Mr. Stokes?"

The hon. Mr. R. A. GRAHAM:—"They were collected chiefly from Government records."

Transfer of Collectors, etc.

Transfers of Collectors and certain heads of departments.

277 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Member for Finance, the hon. the Minister for Education and the hon. the Minister for Development be pleased to state—

(i) how many officers acted as Collectors of the following districts since August 1921, and for what period each of them was in charge:—

(a) Chittoor, (b) Guntur and (c) Vizagapatam; and

[30th August 1924]

(ii) how often there were changes in the headship of the following departments, temporary or permanent, during the same period:—

(a) Industries Department and

(b) Department of Public Instruction?

A.—(i) & (ii) Two statements giving the required information are attached.*

Local Boards and Municipal Councils.

Drinking water-supply for the depressed classes at Pillarikuppam, Chendragiri Taluk Board.

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

(a) whether it is a fact that though it is nearly seven years since the proposal was made a drinking water well has not been sunk as yet in the Pillarikuppam locality of the depressed classes, Chendragiri taluk board, Chittoor district;

(b) whether it is a fact that a well was provided in Cherukanur agharam in spite of the existence of a big public well in the agharam to meet the needs of the people by the taluk board, neglecting Pillarikuppam depressed classes locality altogether; and

(c) whether the Government will be pleased to call for the information in order to furnish the whole facts?

A.—(a) Yes.

(b) No.

(c) The report received from the President, Taluk Board, Chendragiri, on the subject is placed on the table.†

Pay of scavengers in the Presidency.

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

(a) the amount of present salaries paid to different kinds of scavengers employed by each municipality and union board in the Presidency; and

(b) whether the Government intend to issue orders to all the municipalities and union boards to increase the present salaries of their scavengers in the Presidency?

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

(b) The Government do not intend to issue orders of the kind suggested as the local bodies are themselves entitled by law to fix the salary of their establishments.

Mr. R. VEERIAN:—"Sir, with reference to question (a), may I know whether the Government are aware of the inadequacy of pay under which scavengers are working in various municipalities, and union boards?"

The hon. the RAJA OF PANAGAL:—"Mr. President, it is for the local body concerned to decide whether the pay is adequate or inadequate."

[20th August 1924]

Mr. R. VEERIAN :—"Again, Sir, to this question, the answer is that the Government have no information. Will they be pleased to call for the information?"

The hon. the RAJA OF PANAGAL :—"I do not think it is necessary, Sir."

Mr. C. RAMALINGA REDDI :—"Would it not be possible to fix a minimum wage?"

The hon. the RAJA OF PANAGAL :—"That would be fettering the discretion of the local bodies." (Laughter.)

Collection of tolls on the road between Kodikonda and Hindupur.

280 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether carts passing from Kodikonda in the Hindupur taluk to Hindupur have to pay tolls in two places for the District Board and once to the Municipality before reaching Hindupur;

(b) whether it is contemplated to reduce the burden of tolls by appointing only one agency—the District Board—to collect all tolls throughout the district; and

(c) the principle on which the municipalities of Saidapet, Coonoor and Ootacamund do not collect tolls as stated in the latest review and whether the same principle is applicable to all other municipalities?

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

(b) The answer is in the negative.

(c) There is no principle underlying the non-levy of tolls by the municipal councils of Coonoor and Ootacamund. In the case of Saidapet, tolls are not levied in view of its proximity to Madras and of the hardship which would be caused if the residents of the two municipalities had to pay tolls in both places. The Madras Corporation pays a contribution to the municipal council of Saidapet for waiving the right to levy tolls.

Mr. G. RAMESWARA RAO :—"May I ask the hon. the Chief Minister whether any Government grants are being paid to Coonoor and Ootacamund municipalities when they are not levying tolls under the law to improve their financial position?"

The hon. the RAJA OF PANAGAL :—"Grants are distributed to local bodies on different principles. Grants are distributed on the ground that a particular place is a sanatorium, or that it is a pilgrim centre. The grants are distributed on different principles."

Assessment of profession tax by the municipalities.

281 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether persons whose incomes exceed the minimum limit fixed in article 17 of the Schedule IV to the District Municipalities Act, even by a small amount, are being assessed at the maximum rates fixed for the class in the schedule.

20th August 1924]

(b) whether the municipalities have been advised that they are not right in doing so and that they should assess only proportionately to the increase beyond the margin; and

(c) whether there is a uniform practice in this method of assessment in all municipalities; if not, what steps have been taken or proposed to be taken with a view to secure uniformity in this matter?

A.—(a) A person in receipt of the income specified in any of the classes mentioned in rule 17 of Schedule IV of the Madras District Municipalities Act, 1920, is liable to pay the profession tax fixed for that class. The tax payable under each class is the same for all persons in that class.

(b) The answer is in the negative.

(c) The Government have no information and do not see the necessity for taking any steps in the matter.

Mr. G. RAMESWARA RAO :—"With reference to the principle enunciated in clause (a) of the answer, may I request the hon. the Chief Minister to see that there is a uniformity of practice, because the answer to clause (c) says that the Government have no information and do not see the necessity for taking any steps in the matter?"

The hon. the RAJA OF PANAGAL :—"I do not think it is necessary, Sir."

The construction of a pathway from public road for the depressed classes at Kamalapuram village.

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

(a) whether it is not a fact that the members of the depressed classes at Kamalapuram village, Salem district, suffer very much for want of a regular pathway to get into their locality from the public road;

(b) why no steps have been taken to provide them with a regular pathway; and

(c) whether the Government will be pleased to enquire into the matter?

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

(c) Yes.

Grant of 'poverty certificates' by the members of district and taluk boards.

283 Q.—Mr. C. MARUTHAVANAM PILLAI : Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether it is a fact that the Government have refused to reconsider the recommendation of the president of the district board of Tanjore to so amend the rules as to empower members of district and taluk boards to grant 'poverty certificates';

(2) whether they have received similar recommendations from the presidents of other district boards; and

(3) whether the Government propose to reconsider their G.Os. Mis. No. 1348, L. & M., dated 21st May 1924, and No. 858, L. & M., dated 1st April 1924?

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

(2) & (3) The answer is in the negative.

[20th August 1924]

The exclusion of Vannarpet from the Palamcottah municipality.

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

(a) whether the Government have received a memorial from the rate-payers of Vannarpet, Tinnevely, requesting the Governor in Council to exercise the special powers vested in him by the District Municipalities Act of 1920, and to exclude the village of Vannarpet from the Palamcottah municipality; and

(b) what action the Government propose to take thereon?

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

(b) The Government passed orders in June last declining to comply with the request of the memorialists.

The principle of nominations to district boards and municipalities.

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

(1) whether the nominations to the district boards and municipalities are to be made from communities which are already represented thereon; and

(2) whether the nominations are not intended for the representation of communities which cannot come in through election?

A.—The attention of the hon. Member is invited to sub-section (5) of section 9 of the Madras Local Boards Act, 1920, and sub-section (3) of section 7 of the Madras District Municipalities Act, 1920.

The nomination of an Adi-Dravida to the Negapatam taluk board.

286 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state why no Adi-Dravida has so far been nominated to the Negapatam taluk board?

A.—Appointments to nominated vacancies on taluk boards are made by the President of district board.

Nomination of Jains to local bodies.

287 Q.—MR. K. RAGHUCHANDRA BELLALA: Will the hon. the Minister for Local Self-Government be pleased to furnish the number of Jains nominated as members of the district and taluk boards and municipal councils; and whether there is any objection to the present number being increased hereafter?

A.—Information is not readily available; the Government will consider the claims of Jains for nomination to district boards and municipal councils whenever that community needs representation and suitable persons belonging to the community are available. Presidents of district boards nominate members to taluk boards.

20th August 1924]

Medical.

Grant to Tuberculosis Sanatorium, Madanapalle.

288 Q.—MR. A. V. BHANOJI RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether a representation has been received from the Union Mission Tuberculosis Sanatorium authorities for an increased grant in support of the sanatorium;

(b) whether it is the only sanatorium for the Presidency;

(c) whether the Government have received an application from the same authorities for recommendation to the Government of India for a special grant for the research work to be done at the sanatorium; and

(d) whether the application has been forwarded to the Government of India?

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

The opening of a medical school in Guntūr.

289 Q.—MR. P. ANJANEYULU: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government propose starting a medical school in Guntūr; and if so, when?

A.—The Government propose to transfer the Vizagapatam Medical School to Guntūr by the 1st July 1927 when the necessary buildings at Guntūr are expected to be ready.

The ambulance car in the General Hospital.

290 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 ambulance car kept in the General Hospital for the use of the public is fitted with two cushion tyres and only two pneumatic tyres;

(b) whether it is a fact that it is an old Ford car which gives very severe shaking to the patient inside and that complaints have been received about it;

(c) whether Government intend to replace it by an up-to-date ambulance car; and

(d) whether it is a fact that the Resident Medical Officer's permission has to be obtained before the car is taken out and that considerable delay is sometimes caused when he is not available and the car is requisitioned at once?

A.—(a) The car is fitted with pneumatic tyres and not with cushion tyres.

(b) The car was a new one when it was purchased from Messrs. Oakes & Co. at a cost of Rs. 5,000 on 21st August 1922. It was overhauled in 1923 and the springs readjusted. No complaints have been received officially that patients were shaken about.

(c) No such proposal is under contemplation. A suggestion was made to provide a second ambulance owing to the heavy work entailed on the present one; but the proposal was dropped on account of the present financial stringency.

[20th August 1924]

- (d) The sanction of the Resident Medical Officer is generally obtained; in his absence the permission of the Assistant Surgeon on duty is obtained so that in ordinary circumstances there is no delay. It may happen at times that the car is out when asked for in which case there will be delay.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (b) and clause (c) of the question, allegations have been made in the newspapers. Will the Government be pleased to enquire into the matter."

The hon. the RAJA OF PANAGAL:—"Sir, that question has already been answered in the printed answer, namely, that the matter is under consideration."

The removal of the municipal dispensary in the Tiruvathiyur High Road.

- 291 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—
(a) whether the Government have directed the removal of the municipal dispensary from its present premises in the Tiruvathiyur High Road; and
(b) the reasons for the same?

A.—(a) Yes.

- (b) As the building in which the dispensary is located is a Government building, and as it is now required for Government purposes, the Madras Corporation was asked to replace it at the disposal of Government.

The creation of a new post in the Rayapuram hospital.

- 292 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—
(a) whether a new post is to be created in the Rayapuram hospital;
(b) the duties of and the need for creating that post; and
(c) what economies the new post is intended to effect?

A.—(a), (b) & (c) The question of creating a new post in the Civil Surgeon's grade in the Rayapuram hospital is under consideration.

Religious and Charitable Endowments.

The Muhammadan charitable endowments under the management of local boards, etc.

- 293 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to furnish a descriptive list of Muhammadan Charitable Endowments under the management and control of the Government, local boards and municipalities?

A.—The hon. Member is referred to the list of endowments vested in the Treasurer of Charitable Endowments published at pages 1290—1325 of Part II of the *Fort St. George Gazette*, dated 1st July 1924, which includes endowments by or on behalf of Muhammadans. The Government have no further information readily available.

20th August 1924]

Education.

Muhammadan representation in the Education Department in Ganjam.

- 294 Q.—Mr. MUHAMMAD MOOSA SAIT SAHIB: Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the Muhammadans of the Ganjam district waited in a deputation on the hon. the Minister for Education when he visited that district;

(2) the names of the Ganjam Muhammadans that have since been employed in the various departments under his control as per his reply given to the address presented by the Muhammadans and the rank to which they have been appointed; and

(3) whether it is a fact that no Muhammadan was nominated to the District Secondary Education Council in the districts of (1) Ganjam, (2) Vizagapatam, (3) Godavari, (4) Chittoor, (5) Tanjore, (6) Tinnevely, (7) Salem, (8) Chingleput, (9) Ramnad, (10) Madura and (11) Bellary?

A.—(1) Yes.

(2) An appointment was accordingly made of a suitable candidate in the Registration Department. There have been no other applications from competent candidates.

(3) The nominations are not made on a communal basis.

Scholarships to Muhammadan students in South Kanara.

- 295 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur: Will the hon. the Minister for Education be pleased to state—

(a) the number and amount of Government scholarships given to Muhammadans in all the secondary school and high school departments of colleges in the South Kanara district in 1923-24; and

(b) in what forms and standards such scholarships are made available in the South Kanara district in 1924-25?

A.—(a) In 1923-24 scholarships in secondary schools in South Kanara district were held by Muhammadans as follows:—

One in the I form, two in the II form, two in the III form and two in the V form. The value of each scholarship is Rs. 3 per mensem in the I, II and III forms and Rs. 6 per mensem in the IV, V and VI forms.

(b) The scholarships have not yet been awarded for the year 1924-25. They are tenable in all the forms of the secondary school.

Representation of Europeans and Indian Christians in the District Secondary Educational Boards.

- 296 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education be pleased to state the number of Europeans and Indian Christians (separately) in the District Secondary Educational Boards and the District Elementary Educational Boards in each of the districts of South Kanara, Malabar, Salem, Coimbatore and Nilgiris, elected and nominated?

[20th August 1924]

A.—No Secondary Education Board has been constituted for the Nilgiris. Lists of the elected and nominated members of the other four District Secondary Education Boards and of the District Educational Councils of the five districts mentioned are laid on the table.*

Nominations to the district secondary education boards.

297 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the hon. the Minister for Education be pleased to state—

(a) on what principle the nominations to the district secondary educational boards were made; and

(b) whether it is a fact that no Muhammadan was nominated to such boards in the following eleven districts, even though Muhammadans could not secure seats in the elections:—Ganjām, Vizagapatam, Gōdāvari, Chittoor, Tanjore, Tinnevely, Salem, Chingleput, Ramnad, Madura and Bellary?

A.—(a) Nominations were made so as to provide for the representation of interests not otherwise adequately represented. Attention is invited to the answer to clause (c) of question No. 162.

(b) Yes.

The reorganization of the Law College.

298 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state whether the report of the Law College Reorganization Committee will be placed before the Council for discussion before Government pass final orders thereon?

A.—No.

Mr. S. SATYAMURTI:—"May I ask whether the report of the committee will not be placed on the table of this House for discussion?"

The hon. Rao Bahadur Sir A. P. PATRO:—"It is not necessary. It is a committee appointed by the Government."

The privilege of the election of presidents of district secondary education boards.

299 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Education be pleased to state—

(i) whether any district secondary education boards have been given the privilege of electing their presidents; if so, what those boards are;

(ii) how many have exercised this privilege;

(iii) whether the Government propose to extend this privilege to all the boards in the Presidency at once;

(iv) whether the Government do not deem it essential that the presidents of these boards should possess an educational qualification of being at least a graduate of some recognized University; and

(v) whether the Government do not consider it necessary to fix a minimum educational qualification for members composing these boards?

A.—(i)–(v) No.

* Vide Appendix VI on page 473 infra.

[20th August 1924]

Mr. P. ANJANEYULU:—"As regards answers to clauses (iv) and (v), may I know whether the reply applies for all time to come?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I cannot speak for the future."

The introduction of the conscience clause, etc., in the Grant-in-Aid Code.

300 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) the number and names of the district secondary education boards which have sent their opinions to the Government on the introduction of the conscience clause in the Grant-in-Aid Code and making the mother tongue the media of instruction to pupils in the secondary schools;

(b) when the opinions of other boards are expected to be received; and

(c) whether the opinions so far received will be placed on the table of the House?

A.—The Government have not yet received the opinions. They are received by the Director of Public Instruction who has been asked to forward them to Government with his own recommendations thereon. The Director has been asked to remind those boards which have not yet replied.

Excise.

Petition from one Mr. Chelliah Gownder regarding toddy shop rental.

301 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether he has received a petition from Chelliah Gownder, renter, toddy shop No. 1, Akkaraippatti village, Rasipuram taluk, Salem district, praying that he may be excused payment of the future rentals, and the contents of the petition; and

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

A.—(a) Yes.

(b) No. The attention of the hon. Member is invited to the press communiqué published on page 873 of Part I of the Fort St. George Gazette, dated the 29th July 1924.

Mr. T. ADINARAYANA CHETTIYAR:—"With regard to the answer to this question, is the hon. the Minister for Education aware that many of the statements made in the press communiqué have been contradicted officially by the President of the District Congress Committee, Salem?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I have not known it, Sir."

Picketing of toddy shops.

302 Q.—Mr. S. SATYAMURTI: With reference to the report of the Board of Revenue, dated the 26th March 1924, giving some concrete facts regarding violence, etc., to persons frequenting toddy shops, will the hon. the Minister for Education be pleased to state—

(a) the acts of violence or intimidation or insult to persons going to the toddy shops in instance No. (i);

[20th August 1924]

- (b) the evidence on which instances Nos. (ii) and (iii) are based;
- (c) the persons responsible for the acts mentioned in instance No. (iv);
- (d) the nature of obstruction mentioned in instance No. (v);
- (e) the reasons why, if there was evidence to support the allegations in instance No. (vi), the persons responsible were not prosecuted and why they were proceeded with under the security sections;
- (f) the persons responsible for the act referred to in instance No. (vii);
- (g) the evidence on which the statements in instance No. (viii) are made and the reasons why the persons concerned were not prosecuted;
- (h) the persons by whom the act referred to in instance No. (ix) was done;
- (i) the evidence on which the acts mentioned in instances Nos. (x) and (xi) are attributed to the volunteers and the reasons why they were not prosecuted;
- (j) who are the persons referred to in instance No. (xii), and whether they are volunteers; and
- (k) the materials on which the instances have been mentioned, who supplied the materials and when?

A.—(a) to (d) & (f) to (k) The Government have no further information beyond that contained in the report already supplied to the hon. Member and do not propose to call for it.

(e) The matter was within the discretion of the District Magistrate.

Penalty for not tapping toddy in Salem district.

303 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether the renter of the toddy shop in the Akkaraippatti village of the Salem district has been fined Rs. 50 for not working his shop and for not tapping and drawing toddy from the trees;
- (b) the reasons for this action;
- (c) whether this action is approved by the hon. the Minister; and
- (d) if not, what steps have been taken to express his disapproval?

A.—The attention of the hon. Member is invited to the press communiqué published on page 873 of Part I of the *Fort St. George Gazette*, dated the 29th July 1924.

Prohibition in the Presidency.

304 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education be pleased to state—

- (1) in which of the districts and taluks total or partial prohibition is in force;
- (2) (a) what are the measures taken to enforce prohibition and
- (b) with what success;
- (3) whether Government contemplate extension of the area of prohibition; and
- (4) what are the recommendations for reducing consumption of liquor made by the Excise Committee on the evidence recently recorded by it with a brief statement of the reasons for such recommendations?

[20th August 1924]

- A.—(1) Sale of arrack is prohibited in the Shiyali and Tiruturaipundi taluks of the Tanjore district, in the Tiruvadanai taluk of the Ramnad district, in the Tenkasi taluk of the Tinnevely district and in the Attur taluk of the Salem district.
- Sale of arrack and beer is prohibited except on a medical certificate to hill tribes in the Ootacamund, Coonoor and Kotagiri areas of the Nilgiri district.
- (2) (a) No new arrack shops are allowed to be opened within 5 miles of the boundary of the area in which prohibition of arrack is in force. Selected and competent sub-inspectors have also been posted to the ranges in the taluks in question.
- To enforce prohibition of sale of liquor to hill tribes in the Nilgiris a staff of three sub-inspectors and nine peons has been added to the preventive establishment in the Nilgiris.
- (b) The experiment having been brought into force from 1st April 1924, it is too soon to estimate its results.
- (3) The Government would await the result of the experiments now made before extension of prohibition to other areas.
- (4) The Committee has not yet finished the examination of witnesses.

Liquor manufactured by Messrs. Parry & Co.

305 Q.—Mr. J. A. SALDANHA: The Revenue Board—having kindly furnished me with a report on the questions Nos. 374, 375 and 377 asked by me on the 7th February 1924 in this Council, will the hon. the Minister for Education be pleased to place the reports with the questions before the House as they are of public importance?

A.—The reports will be laid on the table of the House.*

Temperance in Anantapur.

306 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Minister for Education be pleased to state—

- (a) whether it is true as stated in the article headed "Temperance in Anantapur—an object lesson" in the *Hindu* of 21st June 1924 that the renters were not given any relief in spite of their heavy losses;
- (b) how many trees were marked for tapping and how many were really tapped for the villages mentioned in the article;
- (c) whether it is true that the public came to the relief of the renters by paying subscriptions;
- (d) the amount of total excise revenue collected from the renters of the villages in question in every year from 1921 onwards;
- (e) whether any cases of illicit tapping or illicit distillation in or in the vicinity of the villages mentioned were reported to the Government from 1921 onwards;
- (f) if the answer to (e) is in the negative, whether the Government are thinking of closing the shops in these villages permanently; and
- (g) whether the Government have received a resolution of the District Board of Anantapur requesting that the shops in the said villages may be permanently closed, and if so, what is the action taken or proposed to be taken in this matter?

* Vide Appendix VII on page 476 infra.

[20th August 1924]

A.—(a) to (e) The Government have no information.
(f) & (g) No.

Mr. G. RAMESWARA RAO :—"The answer to clauses (a) to (e) says that the Government have no information. But the question is whether particular things are true. They must say 'yes' or 'no'."

The hon. Rao Bahadur Sir A. P. PATRO :—"The answer is given there already, Sir."

Mr. G. RAMESWARA RAO :—"Question (e) refers to information essentially in the possession of the Government and the answer given is unintelligible. Can I have a better answer?"

Diwan Bahadur P. KESAVA PILLAI :—"May I know if the hon. the Minister will kindly call for the information?"

The hon. Rao Bahadur Sir A. P. PATRO :—"I do not think that any useful purpose will be served by so doing."

Diwan Bahadur P. KESAVA PILLAI :—"May I know if the hon. the Minister has received the resolution of the district board?"

The hon. Rao Bahadur Sir A. P. PATRO :—"I have already said that no report has been received."

Diwan Bahadur P. KESAVA PILLAI :—"Will the hon. the Minister be pleased to close the shops?"

The hon. Rao Bahadur Sir A. P. PATRO :—"That is a suggestion for action."

Licensing of toddy-shops, etc., in the city.

307 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education be pleased to state—

(a) the number of licensed toddy-shops, the number of trees to be tapped and the number of men (toddy-drawers) assigned to each shop in the city of Madras in 1919-20;

(b) the number under the three above heads in 1924-25; and

(c) the total number of trees tapped for toddy in the city in 1919-20 and licensed to be tapped in 1924-25?

A.—(a) As regards the number of toddy-shops sold in 1919-20 in the City of Madras the hon. Member is referred to Imperial

Return No. III appended to the Excise Administration Report for 1919-20 which has been placed on Editors' Table with

G.O. No. 2688, Revenue, dated 8th November 1920. The Government have no information regarding the other points.

(b) As the toddy lease commences from 1st October 1924, figures for 1924-25 are not available.

(c) 144,126 trees were licensed in 1919-20. Figures for 1924-25 are not available.

Sale of liquor in the Triplicane liquor shops.

308 Q.—Mr. S. SATYAMURTI : With reference to the allegations contained in the Rev. M. Leith's letter to the press of the 27th June, namely, that in the liquor shops in the Triplicane neighbourhood the sales of liquor are

[20th August 1924]

being conducted between 8 and 9 p.m. although the regulation is that the shops should be closed at 8 p.m., will the hon. the Minister for Education be pleased to state—

(a) whether representations were made to the Excise authorities on this matter in February, March and April of this year;

(b) whether, in spite of all this, lights are still burning in some of the shops between 8 and 9 p.m. and the people enter and leave even at 8-30 and 8-45 p.m.;

(c) the reasons for this; and

(d) whether the Government have taken any steps in the matter?

A.—The Government will enquire into the matter.

Mr. S. SATYAMURTI :—"With reference to the answer to this question, the Government say that they will enquire into the matter. Am I to presume that the Government have not yet begun to enquire into the matter?"

The hon. Rao Bahadur Sir A. P. PATRO :—"I may say, Sir, that the matter is now under investigation."

The removal of liquor shops by the municipalities and local bodies.

309 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education be pleased to state—

(a) the number and the names of the municipalities, taluk boards, and district boards which have resolved on the removing of liquor shops from their jurisdiction;

(b) whether these recommendations have been given effect to in any case;

(c) if not, why not; and

(d) the number and the names of the municipalities which have refused to send representatives to Licensing Boards since their recommendations have not been accepted?

A.—(a) The hon. Member is referred to the answer given to clause (c) of question No. 683 in the last session of the Legislative Council. In addition to the municipalities referred to therein applications have been received from the following local boards and municipalities :—

- | | |
|-----|---------------------------------|
| (1) | District Board, Ganjam. |
| (2) | Taluk Board, Bapatla. |
| (3) | Taluk Board, Cocanada. |
| (4) | Municipal Council, Periyakulam. |
| (5) | Do. Gudiyattam. |
| (6) | Do. Nellore. |

(b) No.

(c) The excise policy in all its aspects is now under the consideration of the Excise Advisory Committee. Pending the recommendations of that Committee the Government do not propose to take any action in the matter.

(d) The Government have no information.

[20th August 1924]

The power of the City Corporation to settle sites of toddy and arrack shops.

310 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether his attention has been drawn to the resolution of the Council of the Madras Corporation passed on the 8th July 1924, regretting the attitude of the Government in declining to vest in the Corporation the power to settle sites of toddy and arrack shops within the municipal limits of Madras and suggesting that their present representatives on the Excise Licensing Board should resign their seats;

(b) the reasons for the Government declining to vest the above-mentioned power in the Corporation; and

(c) whether the Government have changed their mind, in view of the resolution of the Council of the Corporation, and, if not, why not?

A.—(a) Yes.

(b) The hon. Member is referred to the answer given to clause (b) of the question No. 168.

(c) The Government are considering how best they can remove the objections to the location of liquor shops.

Tours.

The speech of the hon. the Minister for Education regarding the services at the South Indian Liberal Federation, Trichinopoly.

311 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state whether the statements made by him about the services in his reply to the members of the South Indian Liberal Federation, Trichinopoly, were made in his personal capacity or as Minister?

A.—The statement was made in his capacity as a Minister.

The tour of the hon. the Minister for Education in the southern districts.

312 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) the nature and amount of public official work he did during his recent tour in the southern districts;

(b) the expenditure incurred by the Government on this tour; and

(c) the names and the number of the conferences over which he presided or which he attended?

A.—(a) & (c) The nature and the amount of public official work done together with the conferences over which the hon. Minister presided have already appeared in the public press.

(b) The expenditure incurred on account of the tour amounted to Rs. 823.

Agriculture.

Paddy-breeding demonstration farm in Kistna.

313 Q.—Mr. P. PEDDIRAJU: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have settled the location of the paddy-breeding demonstration farm in the Kistna district:

[20th August 1924]

(b) whether the Government are going to start the farm this year, and if not, why not; and

(c) whether the Government intend to spend the budget amount for the farm this year or not?

A.—(a) Yes.

(b) The Government do not propose to open the station this year as the Government Economic Botanist is on leave preparatory to retirement and it is not advisable to open the station until his successor has been appointed.

(c) No funds were provided for this purpose in the current year's budget.

British Empire Exhibition.

The extension of trade due to Indian exhibits at the British Empire Exhibition.

314 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Minister for Development be pleased—

(a) to state what orders, if any, have been received by firms in our Presidency as a result of our exhibits at Wembley; and

(b) to place on the table a statement giving details, such as articles ordered, quantity ordered, total value, etc.?

A.—(a) & (b) The Special Officer reports that he has received whole sale orders for palmyra fibre and fish-oil. Orders for various kinds of lace such as crochet, filet, tea cloth border, oval tray cloth, sideboard cloth, mats, table centres, shawls and tea cosies have also been received and transmitted to exhibitors. Owing to exhibitors not having supplied the Special Officer with precise quotations and terms, it has not been possible for the Special Officer to receive definite orders for goods on a large scale. A large number of inquiries have been made by large importers in the United Kingdom and on the Continent who want direct supplies of goods from the exhibitors or wish to secure the agency for them. These firms have been placed in touch with the exhibitors concerned and instructions have also been sent to the exhibitors in each case. The articles for which there is this kind of effective demand are as follows:—

Palmyra fibre.
Turmeric.
Annatto seed.
Cardamoms.
Palampores.
Coloured yarns.
Incense sticks.
Condiments.
Ruby mica.
Muslins.
Lunghies.
Canned fish.
Kondapalli toys.

Buffalo horns and tips.
Spices.
Indigo.
Manganese ore.
Chrome ore.
Preserved fruits.
White mica.
Cinnamon.
Capsicums (large chillies).
Coriander.
Coconut fibre.
Hemp.

[20th August 1924]

There is a great demand for Madras lace and condiments. The Government have no more information on the subject at this stage.

Mr. C. RAMALINGA REDDI:—"May I ask the hon. Minister for Development whether he would give us any approximate idea of the total value of these articles?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The Government have no information."

Mr. C. RAMALINGA REDDI:—"Will the hon. the Minister kindly call for the information?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The answer given with reference to a succeeding question will show that this is not the proper time to get the information as the officer has not yet returned to India."

Mr. C. RAMALINGA REDDI:—"When would it be possible?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"After he returns."

Expenditure on the British Empire Exhibition by the Local Government.

315 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; and

(b) the amount of money, if any, that may have to be spent on that account?

A.—It is not possible to furnish the information until after the return of the Special Officer deputed by Government in connexion with the Exhibition.

Mr. S. SATYAMURTI:—"May I ask as to why it is impossible to get information of the amount of money so far spent, till after the return of the special officer?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Because he is engaged otherwise and cannot find time to examine the accounts in order to give the particulars."

Co-operation.

Co-operative Societies for Muhammadans.

316 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Minister for Development be pleased to state—

(a) the total number of co-operative societies and those formed for the exclusive use and benefit of the Muhammadans; and

(b) the number of Muhammadan Assistant Registrars appointed with a view to popularize such societies in centres largely peopled by Muhammadans?

[20th August 1924]

A.—(a) The total number of co-operative societies in the Presidency was 9,784 on 30th June 1924. Twenty-one of these are for the exclusive use and benefit of Muhammadans.

(b) There is one Muhammadan Assistant Registrar in the Co-operative department. Assistant Registrars are appointed not for work amongst one community but for work amongst all communities in the area over which they have jurisdiction.

The opening of Land Mortgage Banks in the Presidency.

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

(i) whether there is a proposal to open land mortgage banks in this Presidency and, if so, in how many centres; and

(ii) to lay on the table order, if any, passed on the subject?

A.—(i) Yes. A proposal is under consideration to open land mortgage banks in two centres as an experimental measure.

(ii) No orders have yet been passed.

Mr. T. ADINARAYANA CHETTIYAR:—"Is it the intention of Government to ask the Registrar of Co-Operative Societies to circulate the proposals to the non-official bodies for their opinion?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"It is not considered necessary at present, but these suggestions will be borne in mind."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I ask what the proposal under consideration is?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"It is contained in answer (i) to the question: 'A proposal is under consideration to open land mortgage banks in two centres as an experimental measure.'"

Mr. R. SRINIVASA AYYANGAR:—"Will the hon. the Minister tell us which the two centres are?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"They have not yet been decided. It is rather premature to decide upon the centres now."

Mr. R. SRINIVASA AYYANGAR:—"You have only fixed the number, but not the centres?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Yes."

Fisheries.

Quantity of fish manure, fish guano and fish oil railed from the West Coast.

318 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state the quantity and value of (i) fish guano, (ii) fish manure and (iii) fish oil railed from the West Coast (Malabar, South Kanara and British Cochin) to other parts of this Presidency and India in the years 1918-19, 1919-20, 1920-21, 1921-22 and 1922-23?

A.—The information asked for is not available.

[20th August 1924]

Sale of goods produced in the Madras Government Cannery.

319 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

(a) the exact number of the various brands of canned fish tins remaining in stock, as per the latest stock-taking done by any officer of the Fisheries department or by the Government Commercial Auditors;

(b) whether it is a fact that the Government Houses in India do not patronize the canned goods of the Madras Government Cannery;

(c) if the above is true, if it is due to the inferiority of the Cannery products;

(d) whether it is a fact that these Cannery products are highly appreciated by fish-canning experts in England;

(e) whether there are many customers among the European officials of this and other provinces who patronize these Cannery products;

(f) whether it is a fact at the Empire Exhibition (in the Madras Courts) these canned tins have attracted a large number of visitors; and

(g) what is the approximate number of canned tins the Government have sent to the Empire Exhibition and if they propose to send any more large consignment?

A.—(a) A statement showing the number of tins of the various brands of canned fish in stock on the 1st April 1924 is laid on the table.*

(b) & (c) There have been no orders for canned goods from Government Houses in India, but it cannot be said that this is due to the inferiority of the goods; much depends on individual taste.

(d) The Government understand that certain persons in England who are qualified to express an opinion on the subject have spoken well of the products of the Cannery.

(e) Ninety-five per cent of the customers of the Cannery are either Europeans or Anglo-Indians, but there is no information as to how many of them are officials and how many are non-officials.

(f) The Government have no information, but it may be presumed that the products of the Cannery have attracted attention as the Special Officer in charge of the Madras Court of the British Empire Exhibition ordered fresh consignments, particularly of curried sardines and whole prawns for sale at the Exhibition.

(g) Up to the middle of July 3,320 tins of all varieties had been despatched. More will be sent if further orders are received from the Special Officer.

Mr. S. SATYAMURTI:—"May I ask the hon. the Minister for Development why canned goods from the Government canneries are not ordered by Government Houses in India?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The hon. Member does not expect me to answer that."

Mr. C. RAMALINGA REDDI:—"My hon. Friend Mr. Satyamurti's question was as to why canned goods from the Government canneries are not ordered by Government Houses in India, and not whether the hon. the Minister is helping the Government Houses to eat fish." (Laughter.)

* Vide Appendix VIII on page 478 infra.

20th August 1924]

Industries.*Aided industrial schools in the Presidency.*

320 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) the number of aided industrial schools in the Presidency and the number of students under training in them;

(b) whether most of these so-called industrial schools are under missionary management;

(c) whether they take in non-Christian students on the same terms as Christian students;

(d) whether some of these schools compete in the open market and are able to undersell, because their overhead charges are covered by Government grants;

(e) the policy underlying these grants; and

(f) the limits, if any, of giving aid to these small factories?

A.—(a) The number of industrial schools recognized by the Department of Industries and the number of students under training in them, on the 31st March 1924, were 46 and 2,198 respectively. Of the 46 schools, 44 received grants-in-aid during the year.

(b) The hon. Member presumably refers to Christian missionary management. Of the 46 schools mentioned above, 33 are under such management.

(c) With the exception of four small schools for girls, all these schools admit non-Christian students as day-scholars on the same terms as Christian students provided they are otherwise satisfactory. The great majority of them also admit non-Christian students to their hostels on the same terms as Christians.

(d) To the extent to which the schools accept orders from the general public they may be said to enter into competition in the open market. But this is unavoidable if they are to give a proper training to the students under commercial conditions and in the atmosphere of a commercial workshop as far as possible. It is not correct, however, to state that they are able to undersell ordinary private dealers with the help of the Government grant. These grants in most cases cover only a very small proportion of the cost of conducting the institutions and are quite insufficient to give the management any unfair advantage over the local dealers in the open market. During 1922-23, the last year for which figures are at present available, grants-in-aid amounted to Rs. 62,416 against a total expenditure of Rs. 7,80,625.

(e) & (f) The policy underlying the making of grants to these institutions, which are schools and not factories, is the furtherance of industrial education in the Presidency and the provision of facilities for the training of the large number of skilled operatives which the country requires if its industries are to be properly developed. The schools are recognized under the provisions contained in the Madras Educational Rules of the Department of Public Instruction in so far as these rules are applicable to such institutions. They are aided in accordance with the rules embodied in the Grant-in-Aid Code of the same department.

[20th August 1924]

APPENDIX I.

[Vide answer to question No. 210 asked by Mr. C. Ramalinga Reddi at the meeting of the Legislative Council held on the 20th August 1924, page 402 supra.]

List of prisoners.

Name.	Whether in jail or at large.	Allowances.
1. Minumalur Lakshmi Patrudu ..	At large; under surveillance of the police.	Rs. A. P. 20 0 0
2. Minumalur Kanna Patrudu ..	Do.	
3. Mottadam Virayyadhora ..	In jail ..	36 0 0
4. Moung Lat ..	At large ..	16 0 0
5. Kunderi Borram Nayudu ..	In jail ..	500 0 0
6. Kalathingal Alavi Mussaliyar ..	At large; under surveillance of the police.	8 8 0
7. Pottammal Unni Mammad ..	Do.	18 0 0
8. Kanhirangadan Saiyid Ali ..	Do.	12 0 0
9. Alingal Aidru ..	Do.	12 0 0
10. Malayotodiyil Ibrayam ..	Do.	12 0 0
11. Pulikkal Viran Kutti ..	Do.	12 0 0
12. Koshisseri Kunhormutti ..	Do.	12 0 0
13. Palakkal Kunhunnian Mussaliyar ..	Do.	12 0 0
14. Kandapodi Muhammad ..	Do.	12 0 0
15. Ayyarali Kunhali ..	Do.	10 0 0
16. Choliyil Koyassan ..	Do.	17 0 0
17. Parapurathil Mammuni ..	Do.	3 0 0
18. Kuppanath Mammad Haji ..	Do.	10 0 0
19. Pathumbulavil Suppi ..	Do.	10 0 0
20. Madho Singh (Ex-Maharaja of Panna) ..	Do.	11 0 0
21. Nadakolathil Erathali Haji ..	Do.	2,000 0 0
22. Pushuthuni Kunhayn ..	Do.	13 0 0
23. Kuthuvala Kundil Ahmad ..	Do.	12 0 0
24. Naipadath Kunhanman ..	Do.	15 0 0
25. Karayil Mammi ..	Do.	11 0 0
26. Vattiparambath Kunhalan Gurikkal ..	Do.	12 0 0
27. Mahi Ibr. Jemal alias Mayan Haji ..	Do.	12 0 0
28. Panakadan Ismail ..	Do.	30 0 0
29. Kishisseri Khader ..	Do.	12 0 0
30. Cherudala Ahmad ..	Do.	11 0 0
31. Thangayathil Alavi ..	Do.	11 0 0
32. Pottayil Mammad Mussaliyar ..	Do.	12 0 0
33. Padatodiyil Paradi ..	Do.	12 0 0
34. Yeshungadan Valia Peedikakkal Moyan Kutti ..	Do.	13 0 0
35. Chembratodiyil Raman ..	Do.	18 0 0
36. Kuttipulian Ahmad ..	Do.	10 0 0
37. Velarongil Ahmad Kutti ..	Do.	10 0 0
38. Palapra Mammutti ..	Do.	12 0 0
39. Parakkadan Ahmad Haji ..	Do.	11 0 0
40. Pottayil Unniyan Kutti Mussaliyar ..	Do.	10 0 0
41. Pottayil Kunhamathu Mussaliyar ..	Do.	30 0 0
42. Pansala Peddi Padal ..	Do.	20 0 0
43. Cheetali Bayumma ..	Do.	15 0 0
		10 0 0

* Is a peon in Bandar Taluk office on Rs. 12 per mensem.

† Is a dalyat in Bandar Divisional office on Rs. 12 per mensem.

[20th August 1924]

Name.	Whether in jail or at large.	Allowances.
44. Kuthrithodi Alivi ..	In jail ..	Rs. A. P. 8 8 0
45. Pullithodi Aidru ..	Do. ..	8 8 0
46. Pulliyil Alathur Moideen ..	Do. ..	8 8 0
47. Pallivalippeedikkal Mootha ..	Do. ..	8 8 0
48. Pari Komu ..	Do. ..	8 8 0
49. Oosan Mammad ..	Do. ..	8 8 0
50. Nanath Kurovayi Alivikutti Haji ..	Do. ..	8 8 0
51. Oosan Kunhamad Haji ..	Do. ..	8 8 0
52. Andikut Moideen Kutti ..	Do. ..	8 8 0
53. Nanath Athan ..	Do. ..	8 8 0
54. Kalathingal Chekutti ..	Do. ..	8 8 0
55. Panampuzha Aidross ..	Do. ..	8 8 0
56. Oosan Kunhaimad ..	Do. ..	8 8 0
57. Tiyyan Toppitta Anamad ..	Do. ..	8 8 0
58. Chembayil Ahmad Mussaliyar ..	Do. ..	8 8 0
59. Kollaparamban Kuthalavi ..	Do. ..	8 8 0
60. Parathodi Athankutti ..	Do. ..	8 8 0
61. Kadakadan Kunhaimad ..	Do. ..	8 8 0
62. Tennale Nechiyil Koyanna ..	Do. ..	8 8 0
63. Parammal Alivi ..	Do. ..	8 8 0
64. Paramban Moideen Haji ..	Do. ..	8 8 0
65. Oosan Veerankutti ..	Do. ..	8 8 0
66. Kuthradan Unniavaran ..	Do. ..	8 8 0
67. Kalathingalthodi Aimadkutti Mulla ..	Do. ..	8 8 0
68. Pulliyil Ali ..	Do. ..	8 8 0
69. Chalal Kalladithodi Marakkhar ..	Do. ..	8 8 0
70. Naduthodi Kuttiasan ..	Do. ..	8 8 0
71. Kaladithodi Chekku ..	Do. ..	8 8 0
72. Kalladi Kuthiali ..	Do. ..	8 8 0
73. Pullan Moideenkutti ..	Do. ..	8 8 0
74. Pari Moidu ..	Do. ..	8 8 0
75. Nanathkomu Haji ..	Do. ..	8 8 0
76. Nechipalliyali Moideen ..	Do. ..	8 8 0
77. Pulliyil Aidru ..	Do. ..	8 8 0
78. Koovungal Alikutti Haji ..	Do. ..	8 8 0
79. Iriyakalath Mammad Haji ..	Do. ..	8 8 0
80. Naduthodi Kunhi Moideen ..	Do. ..	8 8 0
81. Koothradan Kunhaimad ..	Do. ..	8 8 0
82. Koolankuth Moideen Kutti ..	Do. ..	8 8 0
83. Naduthodi Avaran ..	Do. ..	8 8 0
84. Palakkan Mammad ..	Do. ..	8 8 0
85. Pandalan Kunhalavi ..	Do. ..	8 8 0
86. Amakkattil Kuttayi ..	Do. ..	8 8 0
87. Vashayil Funhi Moideen Haji ..	Do. ..	8 8 0
88. Panampuzhakkal Kunhaimad ..	Do. ..	8 8 0
89. Noorengal Isup Mussaliyar ..	Do. ..	8 8 0
90. Naripatta Kappur Ismail ..	Do. ..	8 8 0
91. Kadiri Moideen ..	Do. ..	8 8 0
92. Pottenpulavan Moideen ..	Do. ..	8 8 0
93. Kurudi Kandathil Avaran ..	Do. ..	8 8 0
94. Pulliyil Marakkhar ..	Do. ..	8 8 0
95. Pultiyal Kuttirayan Haji ..	Do. ..	8 8 0
96. Koothrat Unnithi Haji ..	Do. ..	8 8 0
97. Vellana Valappil Athan Kutti of Trikolam ..	Do. ..	8 8 0
98. Kallarakkal Ayammadu ..	Do. ..	8 8 0
99. Pottayil Abupooker ..	Do. ..	8 8 0
100. Pottayil Muhammad Haji ..	Do. ..	8 8 0
101. Koyisseri Moideenkutti ..	Do. ..	8 8 0
102. Thekkesseri Imbiehi Mammad ..	Do. ..	8 8 0
103. Poovancheri Mammad Mussaliyar ..	Do. ..	8 8 0
104. Pulikkalvittil Ahmad Kutti ..	Do. ..	8 8 0
105. Kollathodika Imbiehi Mammad ..	Do. ..	8 8 0
106. Pashakkathodi Moyan Kutti ..	Do. ..	8 8 0
107. Mukkunnan Veeran ..	Do. ..	8 8 0
108. Jakas alias Paramban alias Thalhoduka Alavi ..	Do. ..	8 8 0

[20th August 1924]

Name.	Whether in jail or at large.	Allowance. RS. A. P.
109. Cheetanapuravan Moyan Kutty	In jail	8 8 0
110. Poovanoheri Mammadunni	Do.	8 8 0
111. Pandiyati Atban Kutty	Do.	8 8 0
112. Palathingal Ahamad Kutty	Do.	8 8 0
113. Poovanoheri Rayan Kutty	Do.	8 8 0
114. Kakunderi Kunholan	Do.	8 8 0
115. Vallikadan Kamad	Do.	8 8 0
116. Malayathodika Unnian Kutty	Do.	8 8 0
117. Ossan Kunhimu Haji	Do.	8 8 0
118. Ossan Alavi	Do.	8 8 0
119. Kclasseri Pokker	Do.	8 8 0
120. Ummazhithodi Ahamad	Do.	8 8 0
121. Srambiyan Mammad	Do.	8 8 0
122. Motathipara Moyan Kutty	Do.	8 8 0
123. Koralyatan Chekkali	Do.	8 8 0
124. Parambuthodika Moyan	Do.	8 8 0
125. Nellikayi Mammad	Do.	8 8 0
126. Pudusseri Aimad	Do.	8 8 0
127. Puthanveetan Alivi	Do.	8 8 0
128. Kulluvettikuzhiyil Kunholan Kutty	Do.	8 8 0
129. Kayinath Kunhi Koya Thangal	Do.	8 8 0
130. Manjeri Chekku Gurikkal	Do.	8 8 0
131. Pottayil Mammad Kutty Mussaliyar	Do.	8 8 0
132. Pottayil Unni Moyi Mussaliyar	Do.	8 8 0
133. Pottayil Unni Ali Mussaliyar	Do.	8 8 0
134. Pathayekotan Mammad Kutty	Do.	8 8 0
135. Mundambra Avokkerkutty	Do.	8 8 0
136. Puzakkathodi Aidermankutty	Do.	8 8 0
137. Kolothumthodi Mammad	Do.	8 8 0
138. Pandarathodi Veeran	Do.	8 8 0
139. Karimbana Alavi	Do.	8 8 0
140. Uzhunnan Moideen	Do.	8 8 0
141. Tuzakkathodi Pokker	Do.	8 8 0
142. Thazheth Veetan Marakkar	Do.	8 8 0
143. Puzhakkathodi Pokker	Do.	8 8 0
144. Konualath Aidermankutty	Do.	8 8 0
145. Chemmalapara Thoppitta Mohamad	Do.	8 8 0
146. Mangala Pokker	Do.	8 8 0
147. Nellangara Ayamutty	Do.	8 8 0
148. Patikkathodi Pokker	Do.	8 8 0
149. Vayakali Kunali	Do.	8 8 0
150. Pookadan Kunhi Pokker	Do.	8 8 0
151. Pookadan Alavi	Do.	8 8 0
152. Cholakkal Pokku	Do.	8 8 0
153. Chenat Athan	Do.	8 8 0
154. Kunnummal Moideen	Do.	8 8 0
155. Kannummal Alavi	Do.	8 8 0
156. Vatakkapurath Mammad	Do.	8 8 0
157. Vatakkapurath Sayidutty	Do.	8 8 0
158. Vatakkapurath Kunhikammu	Do.	8 8 0
159. Vatakkapurath Ayamad	Do.	8 8 0
160. Ossan Moidu	Do.	8 8 0
161. Poothattayi Avaran	Do.	8 8 0
162. Poothattayi Moideenkutty	Do.	8 8 0
163. Poothattayi Pokker	Do.	8 8 0
164. Madathil Kunhimoidu	Do.	8 8 0
165. Kavungal Kumbalan Molla	Do.	8 8 0
166. Thomangadan Ayamad	Do.	8 8 0
167. Chukkan Ibrayan	Do.	8 8 0
168. Mukamveetan Moideen	Do.	8 8 0
169. Ossan Kunhali	Do.	8 8 0
170. Illikkal Kunhali Haji	Do.	8 8 0
171. Pullambalavan Marakkar Haji	Do.	8 8 0
172. Kurukkan Moideen	Do.	8 8 0
173. Ayanikat Aidross	Do.	8 8 0
174. Palasetti Alavi	Do.	8 8 0

20th August 1924]

Name.	Whether in jail or at large.	Allowance. RS. A. P.
175. Koonari Moideenkutty	In jail	8 8 0
176. Eiba alias Etakandan Alavi	Do.	8 8 0
177. Kuriyatan Kammutty	Do.	8 8 0
178. Anjukandan Avarankutty Haji	Do.	8 8 0
179. Anjukandan Mootha	Do.	8 8 0
180. Ossan Moideen	Do.	8 8 0
181. Pullambalavan Kommu	Do.	8 8 0
182. Kottakat Kunhokku Haji	Do.	8 8 0
183. Karomannil Ayamad	Do.	8 8 0
184. Areekat Athankutty	Do.	8 8 0
185. Mala Alavi	Do.	8 8 0
186. Kuzhinggumbottathil Ahmed Haji	Do.	8 8 0
187. Kavungal Kucholan	Do.	8 8 0
188. Pudusseri Mammad	Do.	8 8 0
189. Ossan Mammad	Do.	8 8 0
190. Kollathodika Mammad	Do.	8 8 0
191. Kollathodika Kunhokku Haji	Do.	8 8 0
192. Alikutty	Do.	8 8 0
193. Koramba Hyderman Haji	Do.	8 8 0
194. Ummashithodi Ayderman Kutty	Do.	8 8 0
195. Ummashithodi Kunhappa	Do.	8 8 0
196. Pallikunnan Mammad Kutty	Do.	8 8 0
197. Thelakatan Umithary	Do.	8 8 0
198. Thenutti Kallingal Pokkutty	Do.	8 8 0
199. Karikatampoyil Gulam Moideen	Do.	8 8 0
200. Karikatampoyil Kunhappa	Do.	8 8 0
201. Kakkidumban Hyderman Haji	Do.	8 8 0
202. Kakkidumban Kunholan	Do.	8 8 0
203. Kishakkuveetan Moideen Kutty	Do.	8 8 0
204. Engam Pulakkal Ayamed	Do.	8 8 0
205. Cheramoidi Kutty	Do.	8 8 0
206. Karimbalangot Kunhappa Mussaliyar	Do.	8 8 0
207. Kolakadan Moyan Kutty	Do.	8 8 0
208. Parappan Ahamad Kutty	Do.	8 8 0
209. Chengana Ali	Do.	8 8 0
210. Paramban Kunhaimad Haji	Do.	8 8 0
211. Paramal Kunhi Abdulla	Do.	8 8 0
212. Kappur Kunhali	Do.	8 8 0
213. Parathodi Kunhi Moideen	Do.	8 8 0
214. Puthiyagath Kunhabamad Mussaliyar	Do.	8 8 0
215. Konnara Imbiobi Koya Thangal	Do.	8 8 0
216. K. Attakoya Thangal	Do.	8 8 0
217. K. Pukoya Thangal	Do.	8 8 0
218. K. Abdulla Koya Thangal	Do.	8 8 0
219. Parappur Cherukadan Mootha	Do.	8 8 0
220. Ossan Kunhali	Do.	8 8 0
221. Nambikunnan Kunhimu	Do.	8 8 0
222. Cholakkal Markkar Mussaliyar	Do.	8 8 0
223. Ossan Moideen	Do.	8 8 0
224. Ossan Aimad	Do.	8 8 0
225. Etakandan Kunhokker	Do.	8 8 0
226. Maniobethodi Ali	Do.	8 8 0
227. Kunnimol Ahamad	Do.	8 8 0
228. Chonari Syed Ali	Do.	8 8 0
229. Cherothil Veeran	Do.	8 8 0
230. Paramal Kunhin	Do.	8 8 0
231. Mechikandan Mayan	Do.	8 8 0
232. Kuttipuliyar Abdulla	Do.	8 8 0
233. Kallangal Ayamu	Do.	8 8 0
234. Polakkathodi Veerankutty	Do.	8 8 0
235. Churakooth Kunhayamu	Do.	8 8 0
236. Thengunthodi Moideen	Do.	8 8 0
237. Mathodika Muhammad	Do.	8 8 0
238. Koovapalli Koyimar	Do.	8 8 0
239. Kallingal Ahamad	Do.	8 8 0
240. Pathira Manna Kunhakan	Do.	8 8 0

Name.	Whether in jail or at large.	Allowance.
241. Karakanthodi Mamma ..	In jail ..	Rs. A. P.
242. Pothanpulaven Kunhiamad ..	Do. ..	8 8 0
243. Pulliyil Koma ..	Do. ..	8 8 0
244. Pulliyil Alivi ..	Do. ..	8 8 0
245. Pothakunhi Ahamad ..	Do. ..	8 8 0
246. Katavath Ummara ..	Do. ..	8 8 0
247. Palathodi Thodukathari Mammad ..	Do. ..	8 8 0
248. Pallancheri Alassankutti ..	Do. ..	8 8 0
249. Kimidi Veerayya ..	Do. ..	8 8 0
	Under personal restraint; treated as civil prisoners in jail.	Rs. 10 per head inclusive of sundries like betel and tobacco, etc.
250. Potakura Unnbayya ..	Do. ..	Do.
251. Seiji Mallayya ..	Do. ..	Do.
252. Muttadam Aranga Dora ..	Do. ..	Do.
253. Kankipati Sarabanna ..	Do. ..	Do.
254. Panassala Chenchu ..	Do. ..	Do.
255. Dasapati Bhaskara Rao ..	Do. ..	Do.
256. Yinguva Sanyasi Padal ..	Do. ..	Do.
257. Mukadam Ramaswami ..	Do. ..	Do.
258. Yinguva Rajanna ..	Do. ..	Do.
259. Sumarla Balayya ..	Do. ..	Do.
260. Lotha Balayya ..	Do. ..	Do.
261. Lotha Sanyasi ..	Do. ..	Do.
262. Chorla Pullayya ..	Do. ..	Do.
263. Adapa Balayya ..	Do. ..	Do.
264. Sedala Lakshmayya ..	Do. ..	Do.
265. Uggina Dorayya ..	Do. ..	Do.
266. Palasa Pendayya ..	Do. ..	Do.
267. Pujari Papayya ..	Do. ..	Do.
268. Pothuri Pentayya ..	Do. ..	Do.
269. Gadathuri Chinnayya ..	Do. ..	Do.
270. Chadda Barayya ..	Do. ..	Do.
271. Kankipati Mallu Padal ..	Do. ..	Do.
272. Lotha Mallayya ..	Do. ..	Do.
273. Lachula Rajayya ..	Do. ..	Do.
274. Otanji Pennala ..	Do. ..	Do.
275. Jalumulu Venkayya ..	Do. ..	Do.
276. Seiji Lakshmayya ..	Do. ..	Do.
277. Dala Ambayya ..	Do. ..	Do.
278. Nathuri Bodayya ..	Do. ..	Do.
279. Golisingi Barasayya ..	Do. ..	Do.
280. Dasapati Balayya ..	Do. ..	Do.
281. Sajjina Tammanna ..	Do. ..	Do.
282. Muttaswami Booi Dora ..	Do. ..	Do.
283. Suria Lakshmayya ..	Do. ..	Do.
284. Pittha Ramayya ..	Do. ..	Do.
285. Gathuri Lingayya ..	Do. ..	Do.
286. Seddala Pentayya ..	Do. ..	Do.
287. Marla Chilakulayya ..	Do. ..	Do.

[20th August 1924]

20th August 1924]

APPENDIX II.

[Vide answer to question No. 233 asked by Mr. P. Peddiraju at the meeting of the Legislative Council held on the 20th August 1924, page 415 supra.]

District Magistrate's Report, Cocanada, 15th April 1924.

Arrest warrant for K. Ramachandra Rao was issued on 5th February 1924 and he was arrested at 4 a.m. on 16th February 1924 and brought to Cocanada. The case was taken up about 11 a.m. that day as the accused did not ask for an adjournment. The prosecution evidence was over by about 12 and the case was adjourned till 3 p.m. to enable the accused to file a written statement. As the accused had admitted all the facts and did not want to examine witnesses or cross-examine the prosecution witnesses, and as the only question was whether the articles were seditious or not, it was considered that the time granted was sufficient. He was convicted a little after 4 p.m., having filed a written statement about 3 p.m.

The day was an office holiday, being the penultimate Saturday of the month. The date was fixed when the complaint was taken on file on 5th February 1924 and the case was posted to the 16th in consultation with the Public Prosecutor who was to conduct the prosecution. The particular date was chosen in order to avoid interfering with the work of the Public Prosecutor in the District and Sessions Court at Rajahmundry.

The accused wanted further time to put in a written statement, but as under the circumstances of the case I considered the time allowed was sufficient, I did not grant it. So far as I remember I don't think he asked for a week's time. In any case a week's time would have been most excessive.

The sentence was an appealable one. The accused has not appealed.

J. R. HUGGINS,
District Magistrate, Godavari.

APPENDIX III.

[Vide answer to question No. 240 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 20th August 1924, page 418 supra.]

AGREEMENT OF 1892.

Rules defining the limits within which no new irrigation works are to be constructed by the Mysore State without previous reference to the Madras Government.

I. In these rules—

(1) "New irrigation reservoirs" shall mean and include such irrigation reservoirs or tanks as have not before existed, or, having once existed, have been abandoned and been in disuse for more than 50 years past.

(2) A "new irrigation reservoir" fed by an artificial stream shall be regarded as a "new irrigation reservoir across" a stream.

[20th August 1924]

(3) "Repair of irrigation reservoirs" shall include (a) increase of the level of waste weirs and other improvements of existing irrigation reservoirs or tanks, provided that either the quantity of water to be impounded, or the area to be irrigated, is not more than the quantity previously impounded, or the area previously irrigated, by them; and (b) the substitution of a new irrigation reservoir for and in supersession of an existing irrigation reservoir but in a different situation, or for and in supersession of a group of existing irrigation reservoirs, provided that the new work either impounds not more than the total quantity of water previously impounded by the superseded works, or irrigates not more than the total area previously irrigated by the superseded works.

(4) Any increase of capacity other than what falls under "repair of irrigation reservoirs" as defined above shall be regarded as a "new irrigation reservoir".

II. The Mysore Government shall not, without the previous consent of the Madras Government, or before a decision under rule 4 below, build (a) any "new irrigation reservoirs" across any part of the fifteen main rivers named in the appended schedule A, or across any stream named in schedule B below the point specified in column 5 of the said schedule B, or in any drainage area specified in the said schedule B, or (b) any "new anicut" across the streams of schedule A, Nos. 4 to 9 and 14 and 15, or across any of the streams of schedule B, or across the following streams of schedule A, lower than the points specified hereunder:—

- Across 1. Tungabhadra—lower than the road crossing at Honhalli,
 „ 10. Cauvery—lower than the Ramaswami anicut, and
 „ 13. Kabani—lower than the Rampur anicut.

III. When the Mysore Government desires to construct any "new irrigation reservoir" or any new anicut requiring the previous consent of the Madras Government under the last preceding rule, then full information regarding the proposed work shall be forwarded to the Madras Government and the consent of that Government shall be obtained previous to the commencement of work. The Madras Government shall be bound not to refuse such consent except for the protection of prescriptive right already acquired and actually existing, the existence, extent, prescriptive right already and the mode of exercising it being in every case and nature of such right with the law on the subject of prescriptive right determined in accordance with what is fair and reasonable as to use of water and in each individual case.

IV. Should there arise a difference of opinion between the Madras and Mysore Government in any case in which the consent of the former is applied for under the last preceding rule, the same shall be referred to the final decision either of arbitrators appointed by both Governments, or of the Government of India.

V. The consent of the Madras Government is given to new irrigation reservoirs specified in the appended schedule C, with the exception of the Srinivasasagara new reservoir across the Pennar, the Ramasamudram new reservoir across the Chitravati, and the Venkatesasagara new reservoir across the Papaghni. Should, owing to the omission of the Mysore Government to make or maintain these works in a reasonably adequate standard of safety

20th August 1924]

irrigation works in Madras, themselves in a condition of reasonably adequate safety, be damaged, the Mysore Government shall pay to the Madras Government reasonable compensation for such damage.

As regards the three new reservoirs excepted above, the admissibility of any compensation from Mysore to Madras on account of loss accruing to Madras irrigation works from diminution of supply of water caused by the construction of the said works, will be referred to the Government of India whose decision will be accepted as final, and should such compensation be decided to be admissible, the decision of the Government of India as to the amount thereof will be accepted, after submission to them of the claims of Madras which would be preferred in full detail within a period of five years after the completion of said works.

VI. The foregoing rules shall apply as far as may be to the Madras Government as regards streams flowing through British territory into Mysore.

SCHEDULE A.

Main rivers.	Remarks.
1. Tungabhadra.	
2. Tunga	Tributary of Tungabhadra.
3. Bhadra	Do.
4. Hagari or Vedavati	Do.
5. Pennar or Northern Pinakini.	
6. Chitravati	Tributary of Pennar or Northern Pinakini.
7. Papaghni	Do.
8. Palar.	
9. Pennar * or Southern Pinakini.	
10. Cauvery.	
11. Hemavati	Tributary of the Cauvery.
12. Lakshmantirtha	Do.
13. Kabani	Do.
14. Honhole (or Suvarnavati)	Do.
15. Yagachi, up to the Felur bridge	Tributary of the Hemavati.

* Known as the Ponnar in Madras.

SCHEDULE B.

A list of the minor streams and catchments in Mysore territory on which no new irrigation reservoirs are to be built within the limits specified without previous reference to the Madras Government.

(1) Serial numbers in schedule A.	(2) Drainages.	(3) Serial numbers on map.	(4) Minor branches.	(5) Defined limit on a stream below which, or defined drainage area within which, no new irrigation reservoirs are to be built without previous reference to Madras Government.	(6) Distance from frontier as measured up the stream (approximate).	(7) Remarks.
I.	Tungabhadra.					
1(a)	Charodi or Kunnavati ..	1	Charodi or Kunnavati ..	Up to the bridge on this river on Honnali-Shikarpur road.	10 miles.	The Sulikere tank seldom discharges. This stream joins the Tungabhadra in Mysore territory.
1	Sulikere-halla ..	1	Sulikere-halla ..	The bund of Sulikere tank ..	46 do. ..	About this point there are numerous existing tanks, and the run-off from these smaller catchments are of no appreciable importance to floods in the Tungabhadra river.
2	Sagali-halla ..	2	Sagali-halla ..	Up to the boundary line of the Channagiri taluk.	40 do. ..	A stream of insignificant importance to floods in the Tungabhadra river. This stream joins the Tungabhadra river in Mysore territory.
3	Sarat-halla ..	3	Sarat-halla ..	As far as the boundary line of the Kakargola and Avar-gola villages.	94 do. ..	Catchment above the Kadaji tank small and insignificant.
4	Branch of Sarati-halla from east.	4	Branch of Sarati-halla ..	Up to Kadaji tank bund ..	164 do. ..	There are no existing Madras works on this branch of the Tungabhadra.
5	North Hagari ..	5	North Hagari ..	Up to boundary of Chitaldrug taluk.	124 do. ..	No existing Madras works on this stream before it joins the North Hagari. Catchments above Hoskere and Kyasenhalli tanks very small and insignificant.
6	Branch of do. ..	6	Branch of do. ..	Up to Anaji tank-bund ..	10 do. ..	This is an outlying bit of Mysore territory in latitude 14-55'; longitude 76-38'.
7	Sokke-halla ..	7	Sokke-halla ..	Up to the Hoskere tank-bund.	9 do. ..	There are existing Madras tanks below, and the whole area which drains into such tanks is included.
8	Branch of Sokke-halla ..	8	Branch of Sokke-halla ..	Up to the Kyasenhalli tank-bund.	9 do. ..	
9	Jiganhalli tank (Madras) catchment.	9	Jiganhalli tank (Madras) catchment.	The whole of the outlying bit of Mysore territory which drains into this Madras tank.	..	
10	Anantapur tank (Madras) catchment.	10	Anantapur tank (Madras) catchment.	The whole of the area of the extreme northern portion of the Molakalmuru taluk in Mysore which drains northwards into the Anantapur (Madras) tank catchment.	..	

Mysore which drains northwards into the Anantapur (Madras) tank catchment.

[20th August 1924]

Vedavati or Hagari.	11	Chinna-Hagari ..	..	Up to where the stream crosses the frontier near Rangalyan-drug.	16 miles ..	This stream joins the main river about 8 miles beyond the frontier.
	12	Sherikola-halla, or Nagal-pura tank (Madras) catchment.	..	The whole catchment area in Mysore territory.	..	Affects the supply to Madras tank below.
	13	Rangasamudram tank (Madras) catchment.	..	The whole area of catchment of the tank in Mysore territory.	..	The stream from this catchment leaves Mysore territory in latitude 14-37'-30" and longitude 76-48'-30".
	14	Yerakere tank (Madras) catchment.	..	Do. do.	..	The Yerakere in Madras is on latitude 14-30'; longitude 76-57'-30".
	15	Main stream of the taluk drainage.	..	Up to the bridge over this stream on the Salem-Bellary road.	154 miles ..	The road is a convenient point for a limit. This stream joins the Vedavati river within Mysore limits.
	16	Main stream of the Doderi drainage.	..	Up to the boundary of the Hosahalli village.	174 do. ..	Latitude 14-21'; longitude 76-49'. This stream joins the Vedavati river within Mysore territory.
	17	Virapamudram and Amarapur tank (Madras) catchments.	..	The whole area of catchment of this series in Mysore territory.	..	This area represents a large proportion of the Pavagada taluk of Mysore.
Pennar or Northern Pinakini.	18	Mulkalkara tank (Madras) catchment.	..	Do. do.	..	This Madras tank is situated in latitude 14-8'; longitude 77-26'-20".
	19	Ruddam tank (Madras) catchment.	..	Do. do.	..	A considerable area in the north of the Maddagiri taluk of Mysore is on this catchment.
	20	Virapamudram tank (Mysore) catchment.	..	Do. do.	..	This terminal tank is in S.E. corner of the Pavagada taluk of Mysore, but there are some Madras tanks above in the Madakasira taluk. The catchment excluded from Mysore operations is chiefly in the north of the Maddagiri taluk.
	21	Purghi tank (Madras) catchment.	..	The whole area of catchment of this series in Mysore territory.	..	The catchment excluded from Mysore operations is in the north of the Maddagiri taluk.
	22	Jayamangali river ..	..	Up to its junction with the Garudachala stream.	28 miles ..	The river above this point is of minor importance to Madras.
	23	Suvarnamakhi branch of Jayamangali.	..	Up to site of Rampur anicut ..	26 do. ..	Joins the Jayamangali a few miles below this point.
	24	Kunnavati ..	..	Up to site of anicut feeding the Kodagatur and Gaudaga tanks in Mysore.	94 do. ..	This stream joins the Pennar on the Mysore frontier.
	25	Chaulor tank (Madras) catchment.	..	The whole direct catchment of this tank in Mysore territory.	..	This Madras tank is on the west bank of the Pennar just outside Mysore territory.

[20th August 1924]

SCHEDULE B—cont.

Serial number in schedule A.	Drainages.	Serial numbers on map.	Minor branches.	Defined limit on a stream below which, or defined drainage area within which, no new irrigation reservoirs are to be built without previous reference to Madras Government.	Distance from frontier as measured up the stream (approximate).	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
V	Pennar or Northern Pinakini—cont.	26	Western or Thondebbavi branch of the Pennar or N. Pinakini.	Up to its source	27 to 30 miles.	
		27	Central or Varvani branch of the Pennar or N. Pinakini.	Do.	25 miles.	
VI	Chitravati ..	28	Hindupur tank (Madras) catchment.	The whole area of catchment of this series in Mysore territory.	..	An important and large area of the Goribidnur tank is here excluded from Mysore operations in a part where water for irrigation is much appreciated.
		29	Kushavati stream (Bukkepetna tank catchment in Madras).	Up to site of Daparti ariet ..	10½ miles ..	The large Gudibanda tank in Mysore and the 20 smaller tanks above impound a very large proportion of the upper catchment already.
		30	Chitravati (Bukkepetna tank catchment).	The whole area to the north of the Chelur-Bagenhalli road.	..	This portion of the Chitravati catchment being more hilly and barren, the runoff is greater than in the more cultivated and level catchment to the south of the Chelur-Bagenhalli road.
VII	Papaghni river.	31	Vadnaman halla	Up to Naremadipalli tank ..	9½ miles ..	No Madras works affected up to the junction of this stream with the Papaghni river.
		32	Guntipalli tank (Madras) catchment.	The whole area of catchment in Mysore territory	..	This Madras tank is situated just above the large Vyasa mudram tank.
		33	Sadam tank (Madras) catchment.	The main stream up to its source.	17 to 18 miles.	This Madras tank, the wet-spread of which is partly in Mysore territory, drains into the Papaghni river just above the Vyasa mudram tank.
		34	Kotagal branch of the Papaghni.	Up to Kotagal tank	Do.	The catchment above Kotagal tank is comparatively small and unimportant with numerous small tanks already on it.

[20th August 1924]

20th August 1924]

35	Tippasa mudram tank (Madras) catchment.	The Marasanpalli-Digavakote stream up to Digavakote-Pathacheruvu tank; and the Marasanpalli-Gundedu stream up to Gundedu tank.	9½ miles ..	These are the only 2 important streams on this catchment, and above these terminal tanks there are a large number of small tanks on the small drainages. These terminal tanks are only situated from 4 to 6 miles from the watershed of the Pal-r.
36	Rangasa mudram tank (Madras) catchment.	Adgal stream up to Adgal-Vasantanayakankere tank.	6½ do. ..	The Adgal tank is situated 6 miles from the watershed, and there are numerous tanks in this distance.
VIII	Pal-r river ..	Karigepalli branch stream up to the Karigepalli tank.	4½ do. ..	The Karigepalli tank is only 4 miles from the watershed, and there are some 18 small tanks above it.
		Main stream up to its source.	17½ do. ..	There are 12 Mysore tanks situated on this main stream.
		Do.	10 do. ..	There are about five existing Mysore tanks and one breached tank on this main stream.
		Do.	6½ do. ..	There are four existing Mysore tanks on this main stream.
		Do.	7 do. ..	There are four existing Mysore tanks on this main stream.
		Do.	23 do. ..	There are ten Mysore tanks on this important branch of the Pal-r, the terminal tank being 12½ miles from the frontier.
IX	Pennar* or South Pinakini.	Main stream up to Koppe (or Kuppam tank).	16 do. ..	There are 7½ tanks above the Koppe tank which is only some 12 miles from the watershed.
		Main stream up to Thimmanayakanhalli tank.	21 do. ..	There are 14½ tanks above this terminal tank which is only about 12 miles from the watershed.
		The whole area of catchment in Mysore territory.	..	About 45-40 square miles in area in which there are 63 tanks in existence.
		Main stream up to its source.	36 miles ..	There are ten Mysore tanks on this main stream now in use, most of them of large size.

* Known as the 'Ponniar' in Madras.

SCHEDULE C.

A list of works already in progress, and which are to be allowed to be completed, although they would be barred by the proposed rules for restriction of Mysore operations.

Serial number in schedule A.	Main river drainage.	Serial number of stream or catchment in schedule B.	Name of work in progress.	Date on which work was sanctioned.	Amount of estimate.	Expenditure incurred to end of March 1891.	Descriptive remarks.
I II III IV	Tungabhadra Tunga Bhadra Hagari or Vedavati.	 17	Restoration of the Arakere-Hampalyandurga tank.	May 1889..	4,862	..	No works in progress on these catchments which are affected by the proposed rules submitted to Madras.
V	Ponnar or Northern Pinnani.	17	Restoration of the Arakere-Gujjarapankere tank.	May 1889..	3,582	..	The estimate provides for raising the weir by 1 foot and to increase the capacity from 149 to 186 units. The raising of the weirs by 1 foot will not do more than compensate for the silting up of the bed for years.
			New reservoir (Srinivasaagara) across the river near Kolarahalli.	July 1888..	99,206	66,696	This new masonry dam with earthen bund on flanks is two-thirds completed. No Madras works affected. The capacity of the tank will be 610 units, and it is intended to irrigate 800 or more acres. This work is referred to by Colonel H. Smalley, R.E., in his No. 674, dated 10th June 1890, to the Chief Engineer for Irrigation, Madras.
		28	Restoration and improvement of Myalya tank.	Sep. 1887. Dec. 1889.	(Original estimate) 14,452 (Revised estimate) 17,168	13,180	The capacity was increased from 95 units to 318 units, and the work is nearing completion. This tank is on the Hindupur (Madras) tank catchment, but only has a catchment of 28-80 square miles of its own.

[20th August 1924]

20th August 1924]

28	Raising the weirs of Sep. 1890.	3,165	865	This is a small tank above the Myalya noted above. The estimate provides for increasing the capacity of the tank from 62 to 102 units, the former capacity having proved insufficient to irrigate the 198 acres total catchment above this tank is only 8 square miles increased from 139 to 211 units, but only in order to impound sufficient water to irrigate the tanks original catchment of 360 acres.
28	Restoring the Mani-vala tank.	4,094	2,860	This reservoir is noticed by Colonel H. Smalley, R.E., in his No. 674, dated 10th June 1890, to the Chief Engineer for Irrigation. It is to have a capacity of 1,207 units to irrigate 1,200 acres. The catchment area above the tank is 47-61 square miles.
VI	Chitravati			Weirs of the tank were raised 2 feet increasing the capacity from 105 units to 169 units. It is not intended to increase the area originally irrigated, 268 acres. The capacity of the tank is even now insufficient unless the tank fills 1½ times in the year. Work is nearly completed.
				This work is noticed by Colonel H. Smalley, R.E., in his No. 674, dated 10th June 1890, to the Chief Engineer for Irrigation. The tank will impound 617 units as designed and will perhaps irrigate 760 acres if it fills 1½ times. The catchment above the tank is 61 square miles.
VII	Papaghni river.			This work consists in (1) building a masonry anicut with the usual earth flank bands across the main stream, (2) restoring the old channel therefrom, and stream, from 111 units to 167 units. This project is also noticed also in Colonel Smalley's letter above quoted.
				This is a restoration of an old breached tank 26 miles up the main stream and 2 miles above the Chinamant-Bagenhalli road. The tank is to impound 240 units and irrigates 280 acres as against its original catchment (irrigable area) of 330 acres as per Revenue Survey maps. Work is nearing completion.
				This project consists in the restoration of a tank which breached in 1874, and for increasing its capacity from 26 to 80 units. It is 6 miles from the frontier on the Tippasamudram (Madras) tank catchment.

[20th August 1924]

SCHEDULE C—cont.

Serial number in Schedule A.	Main river drainage.	Serial number of stream or catchment in schedule B.	Name of work in progress.	Date on which work was sanctioned.	Amount of estimate.	Expenditure incurred to end of March 1891.	Descriptive remarks.
VIII	Palar river	37	Restoring the Byatnur Nagavara tank.	Sep. 1888.	14,300	8,102	This is the terminal tank of the series. The capacity being increased from 152 to 320 units, it is only intended to irrigate the original area of 865 acres included in the stobhat.
		37	Restoring Marand-halli tank.	March 1886, revised estimate in July 1888.	5,345	5,214	The project provides for raising the weirs 3 feet and increasing the capacity from 121 to 186 units, to irrigate perhaps 260 acres. Work is nearing completion.
		41	Restoring Jagalkashiti-Dodkere tank.	April 1888, revised estimate in Jan. 1890.	7,246	7,210	Project provides for raising the weirs 3 feet and increasing capacity from 50 to 107 units. Work is nearly completed. No Madras works affected.
IX	Pennar or Southern Pinnaki.	Main stream.	Restoring Bhudram tank.	April 1888.	21,689	15,033	The project provides for raising the weirs of this tank by 3 feet and increasing the capacity from 701 units to 1,235 units. The work to the tank itself is nearly completed and only channels have now to be extended.
		44	Restoration of Sante-halli tank.	Nov. 1889.	7,480	4,076	This tank is in the Masti catchment. The weirs are to be raised 3 feet, and capacity increased from 93 to 154 units. No Madras works are affected.

* Known as the 'Ponnar' in Madras.

20th August 1924]

APPENDIX IV.

[Vide answer to question No. 277 asked by Mr. C. Ramalinga Reddi at the meeting of the Legislative Council held on the 20th August 1924, page 437 supra.]

CLAUSE (I).

Chittoor district.

Officers.	Period.
Mr. H. T. Reilly, I.C.S.	4th April 1921 to 12th May 1923.
" T. H. Hill, I.C.S.	13th May to 20th November 1923.
" C. D. A. Crofton, I.C.S.	21st November 1923 to 7th April 1924.
" U. Rama Rao	8th April 1924.

Guntur district.

Mr. H. S. Shield, I.C.S.	7th June to 25th November 1921.
" A. M. G. C. Galletti, I.C.S.	26th November 1921 to 7th February 1922.
" H. A. B. Vernon, I.C.S.	8th February to 2nd May 1922.
" T. G. Rutherford, I.C.S.	3rd May to 19th October 1922.
" P. L. Moore, I.C.S.	20th October 1922 to 5th January 1923.
" T. G. Rutherford, I.C.S.	10th January to 15th May 1923.
" G. H. Jackson, I.C.S.	16th May to 14th August 1923.
" T. G. Rutherford, I.C.S.	15th August 1923 to 22nd April 1924.
" W. O. Newsam, I.C.S.	23rd April to 1st June 1924.
" A. M. C. Tampoe, I.C.S.	2nd June 1924.

Vizagapatam district.

Mr. J. R. Huggins, I.C.S.	20th April 1920 to 21st October 1921.
" C. A. Henderson, I.C.S.	22nd October 1921 to 24th April 1924.
" T. G. Rutherford, I.C.S.	25th April 1924.

CLAUSE (II).

(1) Director of Public Instruction.

Mr. R. Littlehailes	9th April 1921 to 20th October 1922.
" R. G. Grieve	21st October 1922 to 27th May 1923.
" R. Littlehailes	28th May 1923.

(2) Director of Industries.

Mr. C. W. E. Cotton, C.I.E., I.C.S.	4th April 1921 to 24th November 1922.
" E. F. Thomas, C.I.E., I.C.S.	25th November 1922.

[20th August 1924]

APPENDIX V.

[Vide answer to question No. 278 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 20th August 1924, page 487 supra.]

Letter from the President, Taluk Board, Chendragiri, to the President, District Board, Chittoor, dated the 27th June 1924, R.O.C. No. 1661-Gl. of 1923.

I have the honour to inform you that M.R.Ry. W. Veeraswami Mudaliyar Avargal, one of the members of the then Chendragiri taluk board, suggested the sinking of two wells for depressed classes, one at Ichambadi and the other at Pillarikuppam in 1916. The well work at Ichambadi was taken up out of the special sanitation grants sanctioned during the subsequent years, and the work at Pillarikuppam could not be taken up along with others of a similar nomenclature for want of funds as the Government have stopped the minor sanitary grants. The Labour Commissioner has also been corresponding about the subject and I have called for a fresh estimate for the work and the same has not been received from the District Board Engineer to whom a special urgent reminder has this day been issued. I shall see that the work is sanctioned at an early date.

• 2. On the recommendation of the Deputy Tahsildar, Tiruttani, a well at Cherukunur was sanctioned in 1913-14 out of the special sanitary grant, but subsequently the proposal was dropped on receipt of information from M.R.Ry. W. Veeraswami Mudaliyar Avargal, stating that there is a drinking water source available in the village. But the allotment was utilized in repairing the existing wells as suggested by the Government in subsequent years. It is not therefore true that a well was provided in Cherukunur agrapharam.

20th August 1924]

APPENDIX VI.

[Vide answer to question No. 296 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 20th August 1924, page 444 supra.]

DISTRICT SECONDARY EDUCATION BOARDS.

South Kanara district.

Elected.

Khan Bahadur Haji Abdulla Haji Qasim	Mr. S. A. Fortado.
Sahib Bahadur.	Miss M. Myer.
M.R.Ry. A. Erinivasai Pai.	Sister Isabel.

Nominated.

Rev. Father Leo Proserpio, S.J.	M.R.Ry. Rai Sahib E. C. M. Mascarenhas Avargal.
---------------------------------	---

Malabar district.

Elected.

M.R.Ry. P. Kunhuni Menon.	M.R.Ry. G. Sarvothama Rao Avargal.
" K. T. Chandu Nambiyar Avargal.	" N. R. Ramaswami Ayyar Avargal.
" P. Sankaran Avargal.	" N. Venkatarama Ayyar Avargal.
" Diwan Bahadur G. T. Verghese Avargal.	" V. Kesava Menon Avargal.
Rev. Father C. D. Athanasius.	Rev. J. E. Philips.
M.R.Ry. K. K. Subrahmanya Ayyar Avargal.	Sister M. Leonara.
	" M. Placide.

Nominated.

Mr. A. D. M. Bavotti Sahib Bahadur.	M.R.Ry. Diwan Bahadur M. Krishnan Nayar Avargal.
M.R.Ry. N. R. Parasurama Ayyar Avargal.	
Mrs. C. Chinnamannadieiari.	

Salem district.

Elected.

M.R.Ry. Rao Sahib S. Ellappa Chettiyar Avargal.	M.R.Ry. E. T. Balakrishna Mudaliyar Avargal.
" P. Sundaram Avargal.	

Nominated.

M.R.Ry. S. Kandaswami Kaudar Avargal of Nanjai Edayar, Namakkal taluk.	M.R.Ry. E. Subrahmanya Pillai Avargal.
--	--

[20th August 1924]

DISTRICT SECONDARY EDUCATION BOARDS—cont.

Coimbatore district.

Elected.

M.R.By. C. M. Ramaohandra Chettiyar Avargal.	M.R.By. P. Subbayya Pillai Avargal.
Khan Sahib Saiyid Diwan Abdor Razaq Sahib Bahadur.	" P. J. Devasahayam Avargal.
M.R.By. T. B. Duraiswami Ayyar Avargal.	" A. Periyasayagam Mudaliyar Avargal.

Nominated.

M.R.By. T. S. Venkataramana Ayyar Avargal.	M.R.By. C. V. Venkataramana Ayyangar Avargal.
" Rao Bahadur T. A. Ramalinga Chettiyar Avargal.	

DISTRICT EDUCATIONAL COUNCILS.

South Kanara district.

Elected.

Khan Bahadur Haji Abulla Haji Qasim Sahib Bahadur.	A. S. Karat, Esq.
M.R.By. Rao Bahadur S. Raghunathayya Avargal.	M.R.By. J. Naganna Hegde Avargal.
" M. Ramakrishna Punja Avargal.	" Sooda Nanjappa Shetti Garu.
" M. Shiva Rao Avargal.	" N. Venkat Rao Avargal.
" M. Ramanna Gowda Avargal.	The Rev. Raymond P. C. Mascarenhas.
" Nidumbar Subba Rao Avargal.	" P. Burckhardt.
	M.R.By. A. Balakrishna Shetti Avargal.
	Srimathi H. Manorama Bai.

Nominated.

Miss M. Satyabhama.	M. Muhammad Sahib Bahadur.
Srimathi M. Laxmi Bai.	M.R.By. Kodsilbail Angara Avargal.

Malabar district.

Elected.

M.R.By. K. K. V. Kunhi Raman Nambiyar Avargal.	M.R.By. P. Kunhunni Menon.
" K. T. Chanda Nambiyar Avargal.	" M. K. Parameswara Menon Avargal.
" K. V. Kunhi Krishnan Nayar.	" G. Sarvothama Rao Avargal.
" Changarankumarath Krishnan Avargal.	" A. Achuthan Avargal.
Puthiya Maliyakkal Syed Ahamad Bin.	Mr. E. C. Joseph.
Haseen Atta Koya Thangal Sahib Bahadur.	Rev. Father S. M. Joseph.
M.R.By. P. Achutha Menon Avargal.	M.R.By. Murkot Kumaran Avargal.
" O. M. Narayanan Nambudiripad Avargal.	" Diwan Bahadur G. T. Vargese Avargal.
" K. E. Kochunni Nayar.	The Rev. Father M. F. Barbosa.
" P. Gopala Mannadiyar Avargal.	Mr. Alimuttill Thomas George.
" M. K. Krishna Menon Avargal.	M.R.By. A. K. Sankara Varma Raja Avargal.
" K. Achutha Kurup Avargal.	" V. K. Raman Menon Avargal.
K. Muhi-ud-din Sahib Bahadur.	" V. Kunhiraman Nayanar Avargal.
	" C. K. Kerala Varma Raja Avargal.

Nominated.

Miss D. Frank.	Khan Bahadur P. A. Ammoo Sahib.
Srimathi M. P. Kausalya Amma.	M.R.By. Rao Sahib P. V. Gopalan Avargal, M.L.C.
P. Hussin Kutti Sahib Bahadur.	

20th August 1924]

DISTRICT EDUCATIONAL COUNCILS—cont.

Salem district.

Elected.

M.R.By. U. Kuppuswami Reddiyar Avargal.	M.R.By. Siddi Virappa Chettiyar Avargal.
" B. A. R. Kandaswami Chettiyar Avargal.	" P. Singayya Kavandar Avargal.
The Rev. T. Narasimham.	" Prasanna Chidambara Reddiyar Avargal.
M.R.By. C. Kylan Kavandar Avargal.	" S. V. Subrahmanya Ayyar Avargal.
" P. L. Ramaswami Nayakar Avargal.	" T. B. Balakrishna Chettiyar Avar- gal.
" E. Subrahmanya Pillai Avargal.	The Rev. J. Bruyere.
" Duraiswami Kavandar Avargal.	" W. J. Hatch.
" B. Muniswami Kavandar Avargal.	

Nominated.

Mrs. M. Briant.	M.R.By. Kolar Subrahmanyam Avargal.
Mrs. S. K. Masilamani.	" Bagalur Sonnan Avargal.
Muhammad Habib-ul-lah Sahib Bahadur.	

Coimbatore district.

Elected.

M.R.By. Rao Bahadur M. G. Arogyaswami Pillai Avargal.	M.R.By. V. S. Raja Kavandar Avargal.
" T. S. Sivasubrahmanya Chettiyar Avargal.	" K. Rameswami Ayyar Avargal.
" V. C. Palaniswami Kavandar Avargal.	" Chikka Kempai Gowdar Avargal.
" V. K. Palaniswami Kavandar Avargal.	" G. P. Mallappa Avargal.
" S. Bajarathnam Mudaliyar Avargal.	" C. M. Ramachandra Chettiyar Avargal.
" M. K. Sundaram Chettiyar Avargal.	" T. Srinivasa Mudaliyar Avargal.
" S. K. Karuppanna Tevar Avargal.	" A. R. Subrahmanya Ayyar Avargal.
" K. R. Venkatesa Ayyangar Avargal.	" M. Appavu Pillai Avargal.
" G. P. Venkatesa Ayyar Avargal.	" K. V. Subrahmanya Ayyar Avargal.
	The Rev. A. W. Brough.
	The Very Rev. Father L. Beehu.

Nominated.

Miss Irene Lowe.	Khan Sahib G. A. Ghulam Husain Sahib Bahadur.
Mrs. Laxmi R. Sivan.	Muhammad Kalandar Sahib of Kollegal.
M.R.By. R. Veerian Avargal, M.L.C.	Mr. Isreal Washington.

The Nilgiri district.

Elected.

M.R.By. T. M. Arumugam Pillai Avargal.	Mr. F. W. Haughton.
Sulaiman Sumar Sait Sahib Bahadur.	The Rev. H. A. D. Moorhouse.
Mr. S. J. Gonsalves.	" Father P. Crayasao.
M.R.By. M. Krishnaswami Mudahyar Avargal.	" R. W. Boate.
	Miss C. F. Ling.

Nominated.

Miss Philip Smith.	M.R.By. V. I. Meniswami Pillai Avargal.
Casim Abdullah Sait Bahadur.	

[20th August 1924]

APPENDIX VII.

[Vide answer to question No. 305 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 20th August 1924, page 447 supra.]

[Copy of Board's Proceedings.]

Resolution—R. No. 274-Abkāri, dated 2nd April 1924.

The Board submits the following report on the several points raised in question No. 377 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on 7th February 1924, regarding the distillation of liquor from cashew fruits and other materials.

2. Question, No. 377 (i) and (ii).—Liquors manufactured from various kinds of fruits, flowers and other materials suitable for the production of liquor in India have been analysed by Major Bedford and the results of the analytical tests are embodied in his report on the quality, manufacture and excise control of alcoholic liquors in India. The report does not, however, contain the results of analysis of liquor made from cashew fruits. In the Board's Laboratory, as an experimental measure, liquor was distilled from cashew fruits in 1901 and it was found that one gallon of cashew juice produced about 5.77 oz. of proof-spirit. Liquors produced from jaggery, molasses, coconut toddy, mahua flowers and rice have been analysed in the Board's Laboratory and the results of such tests are given in the enclosed statement.

377 (iii) (a).—It is a fact that cashew fruits and toddy were once largely used for the manufacture of liquor in the South Kanara district. But the distillation of liquor from cashew fruits in licensed stills and distilleries was prohibited so far back as 1890—vide correspondence in G.O. Mis. No. 1612, Revenue, dated 9th March 1891. Local distillation of toddy arrack was also stopped from 1st October 1899 when the excise system was extended throughout the South Kanara district. Since 1st October 1906, coconut toddy arrack has been classed as locally-made foreign liquor with reference to G.O. No. 559, Revenue, dated 18th June 1906, and assessed at a higher rate of duty than country liquor. The distillation of coconut toddy arrack is now restricted to the Chowghat distillery and the sale of such liquor is now only in shops licensed for the sale of foreign liquor.

377 (iii) (b).—The Board has no information as to the popular opinion in respect of coconut toddy, arrack and cashew liquor. Unless the three kinds of liquor, i.e., cashew, toddy and molasses arrack are sold side by side in arrack shops it will not be possible to have any reliable popular opinion in the matter. In regard to cashew liquor, it is stated in paragraph 37 of Major (now Sir) Bedford's Technical Excise Manual that it is not desirable that the spirit should be used for ordinary consumption and that its import into the Bombay Presidency is prohibited.

[20th August 1924]

377 (iv).—No complaints have so far been received from the drinking public of South Kanara about the inferior quality of liquor and mixture of bad water. The liquor supplied to the South Kanara district is good molasses liquor such as is supplied to several other districts in the Presidency. Some of the renters in the Mangalore town recently complained of discoloured liquor which was due to the rust from steel barrels and drums used for the transport of strong O.P. liquor from the Nellikuppam distillery to the Mangalore warehouse. The discoloured liquor was returned to the distillery for redistillation and Messrs. Parry & Co. were instructed to use new barrels and drums or to regalanize the old ones or to use wooden casks. The water used for reduction purposes at the Mangalore warehouse has been analysed in the Board's Laboratory and found to be good and free from impurities.

377 (v).—So far as the South Kanara district is concerned the local products that may be utilized for the manufacture of liquor are toddy and cashew fruits. If liquor manufactured from these bases is supplied to arrack shops there will be a considerable fall in revenue as it will be extremely difficult to differentiate between licit and illicit liquor. It seems impossible to give even a rough estimate of the fall in revenue in view of the fact that cashew liquor has not been sold since 1890 and toddy spirits since 1906 in country liquor shops.

377 (vi).—It is possible to distil liquor of low strength. This can be done only in pot stills but not in patent continuous stills. The purity of liquor decreases the lower the strength at which it is distilled. Further, considering the areas of contract supply of arrack it will put distillers to considerable loss and inconvenience if they are obliged to distil liquor at low strength that is at issuable strengths of 35° u.p., 40° u.p. and 60° u.p. for the supply area. This will increase the cost of transport enormously and consequently enhance the cost price of liquor to the consumer.

Statement showing the results of analyses of liquor manufactured from jaggery, molasses, coconut toddy, mahua flowers and rice.

Particulars of tests.	Jaggery arrack.	Molasses arrack.	Coconut toddy arrack.	Rice arrack.	Mahua arrack.
Hydrometer strength ..	35.4 u.p.	35.4 u.p.	30.4 u.p.	72.9 u.p.	60.1 u.p.
True strength ..	54.8 "	34.9 "	30.0 "	72.5 "	59.8 "
Percentage of obscuration	0.6	0.5	0.4	0.4	0.3
Total solids—grains per gallon—					
Organic ..	15.0	30.0	22.0	34.0	12.0
Inorganic ..	5.0	20.0	6.0	13.0	8.0
Acidity ..	33.6	16.8	84.0	218.4	114.2
Furfural ..	Traces.	Traces.	Nil	1.2	1.2
Colour ..	Nil.	Nil.	Nil.	Nil.	Nil.
Inorganic residue ..	Iron.	Iron.	Iron.	Iron traces.	Iron traces.

[20th August 1924]

APPENDIX VIII.

[Vide answer to question No. 319 asked by Rao Sahib P. V. Gopalan at the meeting of the Legislative Council held on the 20th August 1924, page 454 supra.]

Statement showing the number of tins of the various brands of canned fish in stock on 1st April 1924.

					Tins.
Plain Sardines	...	...	...	7 oz.	9,335
Do.	...	...	...	12 "	2,312
Sardines in oil	...	...	...	7 "	131,332
Do.	...	...	...	12 "	2,361
Boneless in oil	...	...	...	7 "	695
Curried Sardines	...	...	...	7 "	13,473
Do.	...	...	...	12 "	1,470
Plain Mackerel	...	...	...	12 "	6,475
Mackerel in oil	...	...	...	12 "	889
Curried Mackerel	...	...	...	12 "	390
Marinated Mackerel	...	...	...	12 "	119
Whole prawns	...	...	...	9 "	78
Seer (Plain)	...	...	...	12 "	3,344
Seer in oil	...	...	...	12 "	764
Pomfrets	...	...	...	12 "	84
Tamarind fish	...	...	...	12 "	18
Prawn paste	...	...	...	4 "	84
Prawn Savoury	...	...	...	4 "	191
Smoked Mackerel Paste	...	...	...	4 "	5,463
Smoked Fish Paste	...	...	...	4 "	366
Fish Paste	...	...	...	4 "	183

III

DATE AND DURATION OF THE SEPTEMBER MEETING.

The hon. the PRESIDENT:—"As regards the business for next month's meeting, regarding which hon. Members have made some enquiries, I wish to state, for the consideration of the House, that the Government find that it would be convenient for them to have about five days for official business from the 29th of September. That is the date fixed in order to give a certain period of publication to the report of the select committee on the Irrigation Bill. And after that, we shall have two days for non-official business. If hon. Members wish to make any remarks, we may hear them through their Leaders, and I shall be glad to consider their proposals before finally deciding the matter."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I have had the advantage of consultation with the Leader of the Opposition, as I think to-day I can call him (hear, hear and cheers), and he tells me that in all probability about seven days will be required for Government business, having regard to one particular Bill, so that we may have seven days, instead of five days, for Government business and two days for non-official business."

The hon. the PRESIDENT:—"We have not yet decided on the exact date of adjournment after the Council meets on the 29th of September."

20th August 1924]

IV

COMMUNICATIONS TO THE COUNCIL.

(1) The SECRETARY laid on the table copies of * G.O. No. 496, Development, dated 21st March 1924, regarding report on the question of fire protection in the Cuddapah district.

(2) With reference to the hon. the Law Member's reply to question No. 755 given at the last session of the Legislative Council, the SECRETARY laid on the table a † statement regarding the Police Sports at Vellore.

V

DEMAND FOR SUPPLEMENTARY GRANT—GRANT VII.
IRRIGATION—CIVIL OFFICERS—RESERVED.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, on the recommendation of His Excellency the Governor, I desire, with your permission, to move that the Government be granted an additional sum of Rs. 20,000 under 'Irrigation—Civil Officers—Reserved'—for repairs to minor irrigation works in the Ganjam district, damaged by cyclone.

"I may give certain details. The Collector of Ganjam reports that the allotment of Rs. 38,500 sanctioned for the roads in the district is insufficient to meet the cost of repair of the works damaged by the cyclone. The cost of the works is estimated at Rs. 21,594: Chatrapur taluk nearly Rs. 2,000, Berhampur, Rs. 7,774, Chicacole, Rs. 11,250, total Rs. 21,594. He points out that the cyclone has caused damage mainly by breaching the tanks, and if those tanks are not repaired, their entire utility will be destroyed. And as matters are urgent, orders have been issued that expenditure may be met from the ordinary maintenance grant; and, in order to see that efforts are not crippled, I move for a supplementary grant."

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

VI

THE MADRAS CIVIL COURTS ACT (AMENDMENT) BILL.

The hon. the PRESIDENT:—"We have next to take up the business left over from yesterday, and the first item to be taken up, as I announced to the House before adjourning yesterday, will be the Bill to amend and consolidate the Madras Civil Courts Act."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, I feel that in asking for the consideration of this measure and moving that it be read in Council ‡, I am discharging a function in regard to which it might be said that there would be practically no opposition. This Bill has had the good fortune of having the unanimous support of the High Court, of the Madras High Court Vakils' Association and the Bar Association and of the Judicial Retrenchment Committee.

"Now, I may say that there are two objects animating the substantial amendments which are sought to be introduced by this Bill. I leave out of account drafting amendments and amendments for the purpose of putting together all the various subordinate amendments which have been carried in

* Vide Appendix IX on page 527 infra.

† Vide Appendix X on page 564 infra.

‡ Vide Appendix XI on page 564 infra.

[Mr. C. P. Ramaswami Ayyar] [20th August 1924]

the last few years; because there have been four or five Amending Bills to this Act which was passed in 1873 and an attempt has been made to produce a consolidated enactment. But the two important features to which alone I wish, with your leave, Mr. President, to invite the attention of the House are those contained in the provisions making it possible for joint judges to be appointed in the case of Subordinate Courts and Munsifs' Courts. In the Statement of Objects and Reasons it has been detailed, that the appointment, or rather the erection of temporary courts is fraught with many inconveniences, and inconveniences have been felt on the question of buildings, on the question of establishment and on minor questions arising out of the transfer of proceedings, executions and so forth. It is in order to remedy those inconveniences and to produce (as Government confidently hope it will produce) economy and expedition in the disposal of suits and execution proceedings that the attempt has been made to have these joint judges. I may say, Mr. President, that when I was giving evidence before the Civil Delays Committee it was pointed out to me by Mr. Justice Stuart who was one of the Members of that Committee that a system analogous to that sought to be introduced by this Bill has been in existence in the United Provinces and has been very successful indeed. Therefore, fortified with the authority of the chief professional associations in this Presidency and also with the authority of the High Court, I move that the necessary amendments be made in that behalf.

"There is also some provision made with regard to the small cause jurisdiction and the possibility of the increase of jurisdiction of District Munsifs, in cases where the High Court so thinks necessary, to Rs. 4,000.

"These may be said to comprise the main important changes. The others, as I have indicated already, are drafting amendments.

"With these remarks—and no more remarks are really needed from me, because I see that this Bill has generally been received by the public with unanimous support—I move that this Bill be read in Council."

The hon. Mr. R. A. GRAHAM:—"I second the motion."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I support the motion for the introduction of this Bill which, in my opinion, is a consolidating measure. It seeks to remove and to minimise as far as possible difficulties and doubts that have so far been felt and experienced in the matter of executing decrees and orders passed by temporary courts which, after a certain period of time, ceased to exist. So far as that is concerned, there is no objection to the appropriate provisions having been made and inserted in the Bill. But I would like, with your permission, Mr. President, to direct my criticism to one or two clauses of the Bill, and I dare say that these criticisms will receive due consideration at the hands of the hon. the Law Member when this Bill gets—as I have not the smallest doubt that it will get—into the stage of the select committee.

"Turning to clause 8 of the Bill, I should like to make one criticism. It says:

'In the event of the death of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the station in which the Court is held, the senior Subordinate Judge of the district shall, without interruption to his ordinary duties, assume charge

"I should like to know what provision has been made with respect to districts where we have only one Subordinate Judge.

[Mr. R. Srinivasa Ayyangar] 20th August 1924]

"Again, the word senior is a relative term which connotes some idea of relativity and therefore I should like to have either 'subordinate judge' or the 'senior subordinate judge'."

12-15 p.m. The hon. Mr. C. P. RAMASWAMI AYYAR:—"I realize the cogency of the argument; but it seems to me that it is merely a drafting difficulty."

Mr. R. SRINIVASA AYYANGAR:—"The proviso to clause 11 seeks to empower the High Court to authorize by notification certain district munsifs by name to have their jurisdiction extended to four thousand rupees. So far as this is concerned I should like to sound a note of caution. I am inclined to agree with the proviso; I have not the slightest objection to the High Court extending or raising the valuation to four thousand rupees. So far as the valuation for the purpose of court fees is concerned, according to the modern computation, the present four thousand rupees is equal to the old two thousand because, five times the assessment on lands for purposes of valuation has since been raised to ten times. Therefore there can be absolutely no objection to particular munsifs trying land suits whose value may come up to four thousand rupees. But as regards money claims the matter may be left as it is, because I am not for the pecuniary jurisdiction being taken beyond Rs. 3,000. With these observations I support the motion before the House."

Mr. S. SATYAMURTI:—"Mr. President, Sir, this is not one of those measures which seek to consolidate or strengthen the powers of the bureaucracy over the people of this country. Therefore I am not called upon to oppose the Bill. There are certain points which I should like the hon. the Law Member to consider and the select committee to consider also. In the preamble—perhaps it is a drafting omission—the words 'subordinate to the High Court', which occur in the earlier Act of 1873 have been left out. I should like to know the reason why."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The words 'outside the Presidency' are there."

Mr. S. SATYAMURTI:—"In the original Act the general subordination of all these courts to the High Court is specifically mentioned."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That is mentioned both in the Government of India Act and the Letters Patent. It is needless to repeat it here."

Mr. S. SATYAMURTI:—"That is a matter which I think should be considered. With regard to clauses (3) and (4) there is a significant omission and that is this, viz., the number of courts may from time to time be altered by the Local Government. In the original Act there was the provision provided that there should be no increase in these courts without the sanction of the Government of India. I am not anxious that the sanction of the Government of India should be restored; but I am anxious that instead of sanction of the Government of India the sanction of this House should be taken. I know that ultimately before the courts are finally increased they will have to come before this House at budget time for grants to be provided for these additional courts. But it seems to me that when you are enacting a statute of this kind it is but proper that you should give to this House the power to say 'yes' or 'no', when you contemplate the increasing of the number of courts. The same observations apply to section 4. Then with regard to the investing of certain district munsifs with higher pecuniary jurisdiction, I have some

[Mr. S. Satyamurti]

[20th August 1924]

grave doubts. The hon. the Law Member is a distinguished lawyer. The Advocate-General is here. How often have they not seen the judges in the High Court when somebody's judgment comes up before them they begin with a prejudice, and say 'Oh it is so and so's judgment?'

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Such phenomena are not uncommon elsewhere because the judgment of a very learned Lord Chancellor used to begin thus: 'This is an appeal from the judgment of Mr. Justice so and so'. The next sentence makes it clear what was meant and implied."

Mr. S. SATYAMURTI:—"I noted that. It is because of that that I am anxious that the High Court Judges ought not to pick and choose. The High Court should not say: these are the munsifs who in our judgment can try suits up to Rs. 4,000. If they try suits of the valuation of three to four thousand rupees, it would not matter; but, if they try suits of all denominations, the result will be that the judgment of these munsifs will carry an artificial weight. The other munsifs who in the opinion of the High Court are not competent to try higher suits will suffer. It seems to me there is another way of getting out of the difficulty. I think it is not impossible from a study of the figures of filing in the various courts to find out what are the heavy courts. The High Court and the Government, having confidential lists of those courts, may post only specific persons to those courts, their names not being published. It will be understood that in those places the munsifs who go there for the time being will have higher jurisdiction not because they are so named but because they act in the place. Under section 12, if the munsif is able to try suits up to 4,000 Rupees then the appeal goes to the district court and that is also another limitation which has got to be considered in view of this difficulty of personal discrimination. With regard to section 18, I have got one word to say. I am sure the hon. the Law Member has heard, as I have heard, how often meticulous, unnecessary and harassing interferences are made by the district judges in the case of district munsifs and sub-judges in the appointment or control of the small ministerial officers. 'Subject to such rules, the Local Government' occurring in the last two lines of this section seems to me to be unnecessary because section 19 provides for that. If it means more than that, I do not think it ought to be there. The words, 'subject to the control of the district judge' which appear in that line with regard to punishment and even suspension confer very small powers of punishment which might well be left to the actual head of the office without invoking the interference of higher officers. It seems to me that discipline would be much better then. These are the only observations which I want to make this day."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I wish to know whether the deliberations of the Civil Justice Committee will have any bearing upon some of the questions we have under consideration in dealing with this Bill. We are all aware that the Civil Justice Committee intended to deal."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"One of the reasons why, apart from the custom in other Presidencies, I preferred to give evidence in public in the Civil Justice Committee was to get enlightenment on this point. I asked them whether the Bill met with their general approval and they definitely said that they were generally moving on the same lines. You will find it in the published proceedings."

[20th August 1924]

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"The statement made by the hon. the Law Member discloses a new set of facts altogether. The Civil Justice Committee had had its proceedings in a very elaborate manner and in the course of the 20 days that they were in Madras they examined a number of witnesses. It has been said that the hon. the Law Member placed his Bill before them and they seem to have said that their mind was moving in the direction suggested or intended in the Bill. We cannot state exactly what their conclusions will be. After the examination of witnesses in all the provinces and when they deliberate in their calm moments."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"This is a provincial subject. We have a right to legislate. In so far as the recommendations of the Civil Justice Committee are against, I am not bound to follow them."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I view this question from a different standpoint. So far as the committee is concerned this Government is not bound by its recommendations. Let us assume that the Local Government deals with these laws delays, it will be a matter to consider whether all the considerable expense of the Civil Justice Committee for all these months is worth the trouble."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That may be raised after the 3rd September elsewhere."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"If the hon. the Law Member is determined to carry through this Bill irrespective of the decisions of the Civil Justice Committee I do not quarrel. My personal opinion is that these matters can be dealt with by correspondence without any elaborate decision of the committee."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"This is clear from the fact that we are enacting this measure when the Civil Justice Committee is making the enquiry."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"The understanding being that we are not to be called upon to consider the recommendations. I have no objection to this Bill going through."

Rai Bahadur T. M. NARASIMHACHARLU:—"I have got a few observations to make on the principles embodied in the Bill. The first observation is with reference to the appointment of additional sub-judges and additional munsifs. It is true that this will have a very great advantage in the matter of establishment and in the matter of speedy disposal of cases. But it has also got certain disadvantages which I hope will be remedied in the stage of the Select Committee. The first is that when an additional munsif or sub-judge is posted, generally, a gentleman of experience goes to it. If in the place to which he is posted, there is a junior that junior will be the principal sub-judge or district munsif who will exercise the privileges of patronage and punishment of the ministerial officers and will be called superior."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If the hon. Member will scrutinize the language of clause 5 he will notice that only one of them will be called the principal man. So, there is no objection to call the new man the principal man if the exigencies of the case require it."

Rai Bahadur T. M. NARASIMHACHARLU:—"Under clause 16 for purposes of certain things mentioned there one will be immediately subordinate to the other. That is an innovation which ought not to be created. A munsif however senior he may be cannot be called so even for the purposes mentioned."

[Mr. T. M. Narasimhacharlu] [20th August 1924]

in the section. I think that will lead to certain heart burning. Another objection is this. In the matter of appointments and punishments two persons of the same court have to exercise control over the ministerial staff of both."

Mr. T. R. VENKATARAMA SASTRIYAR :—"There is one establishment working under both."

Rai Bahadur T. M. NARASIMHACHARLU :—"I know there is only one working under two people."

"Suppose an additional sub-judge or munsif finds fault with a particular ministerial officer under him, he has simply to report this fact to the principal person in the court. I submit, Sir, that the different positions which are assigned to two persons of co-ordinate rank is not very desirable indeed. It will in course of time lead to administrative difficulties, and perhaps it is as well that these matters are considered before they are finally enacted."

"Another observation is with reference to the pecuniary jurisdiction. I am one of those who have got a very high opinion of district munsifs. On account of the fall in money value I would suggest that all the district munsifs may be given pecuniary jurisdiction to the extent of Rs. 4,000 by raising the jurisdiction from Rs. 3,000 to Rs. 4,000; and, in special cases they may be given jurisdiction up to Rs. 5,000. In the matter of appeal, I would suggest that when the value of the subject-matter of the appeal is over Rs. 7,000, an appeal should lie to the High Court direct from the sub-court, and in all other cases the appeal should lie to the district court."

"Another point which I respectfully submit for the consideration of the hon. the Law Member is this. Take the case of land. In clause 13, the value for the purpose of jurisdiction is said to be the value conferred by clause V of section 7 of the Court Fees Act. If you take ryotwari lands, an acre will have to pay an assessment of Rs. 10 on an average, and ten times that will be Rs. 100. But the market value of an acre will be in several cases, e.g., in the case of wet lands, not less than Rs. 2,000 in many places. Suppose there is a dispute about ten acres of land; then the ten acres might be worth Rs. 20,000, and yet it will be within the jurisdiction of the district munsif. I suppose, Sir, that this is an anomaly, so far as land is concerned, which should be removed. Instead of the market value of the land, you can say 15 times the net profits of the land, irrespective of the fact that the lands are inam or sircar lands, or otherwise. Fifteen times the net profits may be taken not for the purpose of court fees but for the purpose of the jurisdiction. Otherwise, whereas in purely money suits, or in partnership suits, or on pro-note suits, the district munsif cannot have jurisdiction for more than Rs. 4,000 worth of property, in the case of land suits, the district munsif will have jurisdiction to settle the rights and title of the parties where the value of the land might even be Rs. 50,000. Thirty acres of land will pay an assessment of only Rs. 300 but their market value will be Rs. 60,000."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"All these difficulties arise under the present system. To-day anomalies such as those are in existence, and this is a Bill to define and consolidate things with special reference to certain innovations. If hon. Members have new amendments to bring forward and want to reform the procedure, by all means they can do so. But that is a different matter."

20th August 1924]

Rai Bahadur T. M. NARASIMHACHARLU :—"The hon. Member has not understood me, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am very sorry."

Rai Bahadur T. M. NARASIMHACHARLU :—"I refer him to clause 13 which he proposes to pass into law."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Clause 13 exists there. As I have been endeavouring to explain, this Bill keeps intact the Civil Courts Act as it at present is with two or three amendments. That is my point. If the existing law is imperfect for any reason, by all means change it. But that is a separate affair."

Rai Bahadur T. M. NARASIMHACHARLU :—"But when we have a Bill to consolidate and amend the law relating to civil courts and repeal some of the provisions of the existing law, the endeavour should be to remove any existing anomalies."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I do not say that my hon. Friend is precluded from amending the law. I am saying that my object is to make two or three amendments. If the hon. Member wants to bring forward other amendments, it is within his purview and competence."

Rai Bahadur T. M. NARASIMHACHARLU :—"With due deference to my hon. Friend, I may say that I know what my rights are. Because he is consolidating the law, I want that at the time the Select Committee considers these provisions, the anomalies with reference to land should be rectified. Whereas with reference to land a district munsif can try a suit worth even Rs. 50,000, in the case of purely money value suits, he cannot try suits of more than Rs. 3,000 in value, even if it be only a promissory-note suit. But he can try a contested suit where many questions of complicity may arise with reference to land. I thought the hon. the Law Member should have noticed this and would have noticed this, and if he had chosen he would have tried to alter it."

"The next point, I would submit, is with reference to the appointment of district munsifs. The Government wish to take power into their hands to veto any appointment made by the High Court."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It exists."

Rai Bahadur T. M. NARASIMHACHARLU :—"I know it exists. I know also that the Government want to perpetuate it. My point is that the Government ought to leave the power to the High Court, without in any way interfering with it, in the matter of the appointment of district munsifs."

"Fourthly, as regards appointments and punishments, each officer, whether he be a district munsif, a sub-judge, or a district judge, he should be able to appoint his own ministerial officers and punish them without being subject to any control from above. I submit, Sir, that as a matter of administrative efficiency, unless a person has got the power to appoint his own peons and clerks . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"May I merely for the purpose of eliciting information ask the hon. Member whether he suggests that the dismissal of a sarishtadar by a munsif should be final and there should be no appeal to any one?"

Rai Bahadur T. M. NARASIMHACHARLU :—"He has not heard me, Sir, fully."

[20th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"For which the acoustic properties of this Chamber are perhaps again responsible."

Rai Bahadur T. M. NARASIMHACHARLU :—"I am quite audible. But I have not completely said what I wanted to say. In initial appointments and initial punishments there should be no control whatsoever. But both appointments and punishments should be subject to appeal. The parties aggrieved may prefer an appeal. On the other hand, when we come to this question of the power of appeal you will find the phrase 'subject to the control of the High Court', in sections 17 and 18. I submit that there must be a simple rule, applicable in all cases, to the effect, that each officer (munsif, sub-judge, or district judge) must appoint his own ministerial officers and must have the power to punish them subject to a right of appeal to a superior authority."

"Lastly, I would not recommend the retention of clause 24, i.e., 'The District Judge may suspend from office, whenever he sees urgent necessity for so doing, any district munsif under his control'."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Supposing a munsif has taken bribes in trying a case."

Rai Bahadur T. M. NARASIMHACHARLU :—"Quite so. There are the provisions above, viz., sections 22 and 23, under which the Government and the High Court have got power to suspend or even to dismiss a district munsif. I submit that district munsifs ought to be subject only to that condition. Because very often we have very inexperienced district judges and impetuous district judges who without full consideration may be tempted to suspend a district munsif on any report which may reach their ears from either responsible or irresponsible persons. Therefore, it is dangerous to arm the district judge with the power of suspending a district munsif under clause 24. There are several other minor matters which I think may be urged in the select committee. But those are the principles which I would urge for the consideration of the hon. the Law Member."

Mr. YAHYA ALI SAHIB :—"Mr. President, Sir, I am in general agreement with the main principles of this measure, and I not only welcome it but I congratulate, if I may, the hon. the Law Member for having brought up this measure in spite of the fact that there is a committee sitting which is considering how best we can avoid these delays. But, Sir, I think I may bring to the notice of the House one or two points, which I wish to mention with reference to this measure."

"The main point that I submit for the consideration of the hon. the Law Member is with reference to section 7. Sir, very often in this House reference has been made to the way in which the power of patronage has been exercised by the High Court. As a member of the Bar myself, I would not desire to speak anything derogatory of the dignity of that august assembly. But, Sir, the great respect I have got for that august assembly makes me suggest that this power of patronage should be taken away from the hands of that assembly and vested in the hands of the Local Government, as in the case of the higher Judicial appointments. I have no objection to the Public Services Commission being vested with that power, if such a Commission is appointed. As a matter of fact, I would prefer that Commission exercising the power instead of the Local Government. Anyhow, my submission is that the power should not be retained in the hands of the High

[20th August 1924]

[Mr. Yahya Ali Sahib]

Court. For, when any question is asked on the floor of the House with reference to patronage, the hon. the Law Member comes and says, 'The Civil Courts Act is there and all the best I can do is to express lip sympathy with the communities that are not properly represented' . . .

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I have never said that all the best I can do is to express lip sympathy. Without the word 'lip', I say yes."

Mr. YAHYA ALI SAHIB :—"In answer to an interpellation by my hon. Friend, Mr. Moosa Sait, who asked whether the hon. the Law Member would not be able to do anything more than expressing lip sympathy, the hon. the Law Member replied that that was the only thing he could do under the present provisions of the Act."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I omitted the word 'lip'."

Mr. YAHYA ALI SAHIB :—"I stand corrected, Sir. I submit, therefore, that this opportunity of consolidating and amending the measure may be availed of to see that the grievances of those communities that have not been properly represented in the subordinate judiciary may be redressed. Because, if it is not attended to now, it will be too late hereafter."

"The only other observation I wish to make is to refer to what my hon. Friend, Mr. Narasimhacharlu, just mentioned with reference to clause 24. It seems to me that the power vested in the District Judge to suspend from office, in case of urgent necessity, a district munsif is a power calculated to impair the efficiency and impartial administration of justice. I believe in these days of telegraphic communications, which are so speedy, that there ought to be no difficulty in Government exercising these extraordinary powers. I think in the interests of efficient administration of justice, the District Judges should not exercise that power at all. I know that the power exists at present and that it is practically a dead letter. I do not say that that power has not been exercised at all, but what I do submit is that it was not exercised to an appreciable extent or at all events as much as it might be, and that if it comes to be exercised to the maximum extent, the position of the subordinate judiciary will be similar to that of the sub-magistrates and all the evils consequent upon the combination of executive and judicial functions will probably come into existence with reference to the civil judiciary. I therefore quite agree with my hon. Friend, Mr. Narasimhacharlu, that the district judge should not be vested with such extraordinary powers. These are the only observations I wanted to make at this stage. I hope, Sir, that my main observations with regard to the power of patronage will be considered in the select committee stage."

Mr. J. A. SALDANHA :—"Mr. President, Sir, while supporting the main principles of this Bill, I would venture to make some suggestions which are calculated to raise the status, dignity and efficiency of judicial officers. First of all, let me say that I entirely agree with the suggestions made by my hon. Friend, Mr. Yahya Ali, that the appointment of all judicial officers, including the district munsif, should be in the hands of the Local Government, subject to the recommendation of the High Court or of the Public Services Commission that will be appointed hereafter. I think that it will add to the dignity of the judicial officers if they are appointed by the highest local authority in the province. This is probably the only province where a district munsif is appointed by the

[Mr. J. A. Saldanha]

[20th August 1924]

High Court. In Bombay the appointment of every judicial officer is made by the Government, of course on the recommendation of the High Court. The High Court is consulted constantly and there is hardly an instance in which the recommendations of the High Court are over-ruled by the Local Government. Besides, Sir, we have to bear in mind that even the last grade magistrate, the third-class magistrate, is appointed by the Government under the Criminal Procedure Code and it stands to reason that the interests and dignity of a judicial officer require that even a district munsif should be appointed by the Local Government.

"Then as regards the jurisdiction, I would raise the jurisdiction of a district munsif up to Rs. 5,000. The corresponding clause in the Bombay Civil Courts Act may be adopted and the jurisdiction of the district munsif should be extended so as to raise his jurisdiction to all original suits of a civil nature where the subject matter of the suit does not exceed Rs. 5,000. That language, if adopted, raises no difficulty of interpretation. In Bombay where the district munsif was paid less than a district munsif here, he was vested with a higher jurisdiction, and there should be no difficulty in doing so in this Presidency.

"Then with regard to the names, I have got some objection to the term 'subordinate' being used for a judge with vast powers. In our school-days we thought very much about the word 'subordinate'; but when I was actually raised to the post of a sub-judge, I thought that that was a title derogatory to the position of a sub-judge, a subordinate to the district judge. He is a judge with large independent jurisdiction and with high powers. I think we should revert to the old title 'Sadhar Amin'. It is a more dignified term which is a well understood name . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Perhaps hon. Members of the districts where these terms are still lingering may understand the term. But if you go to the Tamil districts and the Telugu districts I do not think they understand the term."

Diwan Bahadur M. KRISHNAN NAYAR:—"In Malabar, Sir, even now the term is very well understood."

Mr. ABBAS ALI KHAN:—"In Madura too, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am now getting enlightenment."

Mr. J. A. SALDANHA:—"If you are not satisfied with that term put some better name and there should be no difficulty for doing that."

"Next, I would introduce another class of judicial officers in this Presidency. It has been usefully introduced in the Bombay Presidency. They are the assistant judges. An I.C.S. or any other official before he comes as a district judge should have had training as an assistant judge. In Bombay an officer whether he is an Indian Civil Service Officer or otherwise cannot become a district judge unless he becomes an assistant judge. It affords a very good training ground before one is appointed to that place. The practice in this Presidency is when any officer in the Indian Civil Service is found not quite up to the mark or quite fit in an executive appointment he is sent to the judicial department so that the judicial department has almost become a pinjrapole for incompetent Indian Civil Service men. So it would be better that an Indian Civil Service man before he is posted as a district judge has training as an assistant judge. As to his qualification when he is

20th August 1924]

[Mr. J. A. Saldanha]

appointed as a district munsif he should be a LL. B. of the Bombay University and should have practised at the court for some years. There is no such provision in this Presidency."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is."

Mr. J. A. SALDANHA:—"Yes, but it is not in the Act. I would make it a provision that Indian Civil Service officers also should have a qualification. I would insist that before any officer becomes a district judge he should qualify himself, either before he is appointed I.C.S. or afterwards, in England or elsewhere by taking a legal degree and by practising at a Bar if possible. That would add to the dignity and efficiency of a judicial officer. At present I do not disguise the fact that there is some sort of contempt with which we treat a judicial officer if not legally qualified. Any other suggestions may be made in the select committee."

Mr. K. KOTI REDDI:—"Mr. President, Sir, I do not know whether I should really oppose or support this Bill. The difficulty is this. The hon. the Law Member says that if we have some objections to some of the provisions already existing in the Acts, this is only an amendment to the consolidated Act and that his main idea in bringing this Bill is for the purpose of facilitating the introduction of . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am afraid I have been misunderstood. I said that my object was to consolidate the various enactments relating to civil judicature. But I said, as this is a consolidating measure, it will be open to Members of this House to press amendments. Only, I said, that, I had thought it necessary to bring forward some amendments at this stage."

Mr. K. KOTI REDDI:—"In that case, Sir, I feel bound to oppose this Bill. My main reason for doing so is this. I am opposed to the present conditions of administration of justice in this country more in the interests of the litigant public though not so much in the interests of the lawyers. The time has come when a different system of the constitution of courts for the administration of civil justice ought to be adopted in this country. I feel, Sir, that, in ninety cases out of one hundred, the administration of justice is more a matter of chance than real justice. It is not because of the administration itself but it is because of the conditions that prevail in this country and the system of administration. To come to the point directly, I am interested in the introduction of a system by which appeals which are now allowed under the present Civil Courts Act and which are included in this Bill ought to be put an end to and a different system altogether adopted. I would suggest that instead of having appeals from the judgment of the district munsif and from the district judge to the High Court I would adopt a system which used to exist in olden days in a modified way, a sort of combination of the present English system and the old Roman system. I would suggest that a court of three district munsifs ought to decide questions of fact in every case of importance and their decision should be final. I believe that most cases of appeal from the district munsifs to the district judges at present are mere questions of facts. In very many cases the judgment of the district munsif, who hears the witnesses, who has often a much better experience, under the present conditions, of the nature of the witnesses and who is therefore much better fitted to come to a proper conclusion as to facts than the

[Mr. K. Koti Reddi]

[20th August 1924]

ther will be more correct. I really believe therefore in the advantage of having such a court of three munsifs and making their decision final with regard to question of fact. It is time that this House and the officers responsible consider the utility of this suggestion. With regard to any difference of opinion on questions of fact it seems to me that a correct decision ought not to be more a matter of chance rather than a matter of judgment.

"It seems to me that the clients in this Presidency are gambling in appeals. There is always a spirit amongst the clients to try their luck in the higher courts. Sometimes even when lawyers advise them not to appeal, they still insist saying that they would try their luck. There is a spirit amongst them to try their luck, though their luck often proves a failure, with the result that they are ruined. So I would rather suggest that a court of three district munsifs ought to be constituted in every district, and, so far as facts are concerned, their decisions ought to be made final. The difficulty may be with regard to suits of very high value. In such cases, probably, an appeal may be allowed to the High Court. But, so far as ordinary suits are concerned, the method I suggest would give satisfaction to the clients, because there is a finality with regard to the facts and they do not think of appealing. The decision of three district munsifs would be much better than that of a single district judge. It is because I believe that such a system is much better than the one now in force that I am in fairness bound to oppose this Bill. With regard to the jurisdiction also I entertain the same doubt as Mr. Narasimhachari entertains. It is a fact that the value of the land is much increased. The district munsif should not have jurisdiction over higher values of land."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Mr. President, I welcome this Bill in so far as it is an improvement on the previous Acts. But I have a complaint to make that it does not go sufficiently far. We had, three and a half years ago, bitter controversies in this House as regards recruitment to the judicial services. In fact, so early in the life of the Reformed Council as the 1st April 1921 and the following day, we had this discussion as to the various recruitments that were being made, and I find that I had to my credit two resolutions bearing on this subject, based not on my own chimerical ideas but upon the recommendations of the Public Services Commission. The first resolution was with reference to the recruitment of munsifs and subordinate judges. It ran as follows:

"That this Council recommends to the Government that the power of making appointments to offices of district munsifs now vested in the High Court be taken into the hands of Government, such power being exercised with the advice of the High Court."

"I then moved another resolution relating to other branches of judicial services. In that discussion strong feelings were expressed on both sides and the then Leader of the House, Sir Lionel Davidson, realized the situation and he said: 'I hold out an olive branch and I ask you to accept it; we will forward the discussion to the High Court and we will cause an examination to be made.' So we accepted that offer. So far as we are concerned, we do not know what has been the result of that examination. Nothing, so far as I am aware, has been communicated to the House and so far as we have seen during the last three and a half years it cannot be said that the complaint to which expression was given at that time has been attended to adequately.

20th August 1924]

[Mr. O. Tanikachala Chettiyar]

Under these circumstances, while I accept the Bill as now presented to us, I would suggest modifications before it is finally accepted by the House.

"Section 7 of this Bill says:

'The Local Government, whenever the office of a district judge or a subordinate judge is vacant, and the High Court whenever the office of a district munsif is vacant, shall appoint to the office a duly qualified person.'

"Thus the two higher judicial appointments are to be filled up by the Government and the third by the High Court. Explanation (2) of that section says:

'A person appointed to the office of a district munsif shall possess the qualifications as required by the rules now in force or which the High Court may with the previous sanction of the Local Government hereafter make.'

Thus a distinction is made as to the authorities who have to appoint the different kinds of officers. One will ask the question 'Why should there be this distinction?' It is stated that in the matter of the appointment of district munsifs, the High Court will have a better means of finding out the qualifications of the persons appointed. Then, we will have to ask, the qualifications of the persons appointed. Then, we will have to ask, 'What is the superior qualification which Government possess in the matter of appointment of district and subordinate judges?' When the Government possesses information with regard to the higher grades of officers, I do not see any reason why it should not possess similar information with regard to the other grade. I do not propose to reiterate all the arguments that have been urged. I would like to refer to the recommendation made by the Public Services Commission in 1916. It was a Commission appointed in 1912, long before any controversy between the non-Brahman and the Brahman arose. That Commission in their report recommended that the power of making appointments of the munsifs also must be taken out of the hands of the High Court and reserved by the Government. They made recommendations as to the appointments to the executive branches of the Government service as well as the judicial. With reference to the executive branches, they recommended that there should be a selection board consisting of three officials, and two non-officials, preferably Indians. We know that at the beginning of this year, Government have put into effect this recommendation with reference to the executive branch. If they have found it necessary to adopt the recommendation made by that Commission with reference to the executive branch, why should they not have adopted the recommendation made with regard to recruitment to the judicial branch? They said it was unnecessary to have a selection board in this respect but that the board's function might well be performed by the High Court in making recommendations to the Government. In these days when we have got such an amount of responsibility in the Government, this recommendation is more desirable than it might have been at that time. We are to provide money for the carrying on of the administration of every department and have a right to call upon the representatives of the Government who are in charge of the department to account for the proper administration, including the appointments in this branch. Under these circumstances, I would like to have an amendment made in that section vesting in the Government the power of appointing district munsifs also. Subject to this modification, I

[Mr. O. Tanikachala Chettiyar] [20th August 1924]

accept this Bill. In fact, I sat on the Judicial Retrenchment Committee and some of the recommendations made by that Committee have been incorporated in this Bill. Not only are we now giving additional judges and munsifs but we are also giving them sufficient establishment. To this extent we welcome this measure. Therefore, subject to the power of recruitment of all grades of officers being in the hands of the Government, if necessary with the advice or recommendation of the High Court, I support this Bill."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I associate myself with my hon. Friend Mr. Tanikachala Chettiyar. Ever since we came into this Council we have been fighting for that principle. There is a feeling that justice is not done to many a practitioner, I mean the non-Brahman practitioner. However well he is qualified, he is not given the district munsif's post. So we have been asking that the power of appointing district munsifs should be transferred to the Government. Even recently I sent notice of some questions regarding this subject to the Secretary and I received the answer that Government would not allow those questions because the power of appointment of these officers was not in the hands of the Government. With this amendment that Government should have the power of appointing the district munsifs instead of the High Court, the Bill may be accepted. Even then I request the Government to see that these appointments are properly distributed to all the communities. I think that among the district munsifs there should be at least 16 Brahmans, 16 Muhammadans, 16 Indian Christians and about 80 non-Brahman Hindus of which not less than 20 should belong to the depressed classes."

Mr. ABBAS ALI :—"May I know whether the proportion of Muhammadans and the Brahmans to the other communities is only 16?"

Rao Bahadur C. NATESA MUDALIYAR :—"I say that that should be the minimum. Therefore, I am very glad that my hon. Friend, Mr. Tanikachala Chettiyar, reminded me of this point to-day. With these few words, and with a request to the hon. the Law Member to see that this amendment is made in the Bill, I support the Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"At the outset I am thankful to the hon. Members of this House for the support that has been accorded to the main provisions of this Bill. Indeed, I can claim that, no serious objection has been taken to the amendments that have been introduced by the Government. I do not keep out of my mind the suggestion—somewhat original, and if you will allow me to use that expression, daring—made by my hon. Friend, Mr. Koti Reddi, with regard to the elimination of all second appeals altogether, and the erection of a series of courts composed of three district munsifs whose decisions on questions of facts should be final."

Mr. K. KOTI REDDI :—"I did not say that there should be no second appeals. I said that the decision of three district munsifs could be made final on questions of fact in almost all cases. That does not mean that there should be no second appeal in all cases."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I so utterly differ from my hon. Friend as to the expediency of making three district munsifs a final appellate authority on questions of facts, that I must confess that on that point there is a clear cut issue between him and me. I must say that the other suggestions that have been embodied in this Bill have not met with opposition."

1-15 p.m.

20th August 1924] [Mr. C. P. Ramaswami Ayyar]

"The hon. Member from Cuddapah, Mr. Narasimhachari, has made certain suggestions which according to me are impracticable; but these are matters which will have to be considered and deliberated upon in the select committee, and we shall hope to have the advantage of hearing more convincing arguments from the hon. Member from Cuddapah in the select committee."

"Now there were two or three points that were urged with regard to the question of recruitment, as to which I should say just a few words. As I stated at first, the object of the Government in putting forward this project of law is to consolidate the Civil Courts Act and introduce such amendments as have from administrative reasons appeared to be necessary or called for. Two hon. Members of this House, my enthusiastic and hon. Friend Mr. Natesa Mudaliyar whose adherence to a cause which he espouses is keen and continuous, and my hon. Friend Mr. Tanikachala Chettiyar who in the matter of recruitment has been consistently putting forward a theory which has found expression in his remarks to-day, have both objected to my not incorporating a provision taking away from the High Court the power of recruitment to appointments of district munsifs. I think the hon. Member, Mr. Saldanha, in somewhat picturesque language stated that district munsifs should not owe their appointments to any other authority than the highest authority, viz., the Government. Now this is a consolidating enactment, and it is open to Members to bring forward amendments. I think I would not be doing justice to myself or to the people whom this Act affects, if I did not assert that I look forward with confidence to a time when neither the High Court as such nor the Government will have the patronage in these matters but a Public Service Commission, an impartial tribunal, which will be vested with authority to recruit for all appointments in the State. I look forward to that day as a very not distant date, and that is my own personal conviction."

Mr. J. A. SALDANHA :—"I said that appointments should finally be made by Government. Of course a Selection Board or any other board might make the suggestion or selection, but nominations should be made by the Government and gazetted by the Government."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"As I was saying, that is my own personal belief; but, in answer to one or two observations which have emanated from certain members who have taken part in the debate, I may say that I trust, and confidently trust, that there has been no ground for suspicion that in the administration of the judicial department, in so far as it lay with the Government, or with the High Court, there has been the slightest possibility of suspicion that they have not been actuated by the sole and animating desire to do justice to every single community. I make this observation; but the actual amendments will be before the select committee, and I leave the matter at that. I do not think I need say anything more and I move that the Bill be read in Council."

The hon. Sir ARTHUR KNAPP :—"I second the Motion, Sir."

The Motion that the Bill to amend the Madras Civil Courts Act be read in Council was put and carried.

The Secretary then read the title of the Bill.

[20th August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I now move that the Bill be referred to a select committee consisting of the following gentlemen as Members :—

- | | |
|---|--|
| 1. The Advocate-General. | 11. Diwan Bahadur M. Krishna Nayar. |
| 2. Rao Bahadur C. V. S. Narasimha Raju. | 12. Mr. C. V. Venkataranga Ayyangar. |
| 3. Mr. P. N. Marthandam Pillai. | 13. Rao Bahadur O. Tanikachala Chettiyar. |
| 4. " B. Muniswami Nayudu. | 14. Mr. S. Satyamurti. |
| 5. " Yahya Ali Sahib. | 15. Dr. P. Subbarayan. |
| 6. " E. Veerian. | 16. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 7. " P. W. Partridge. | 17. Rai Bahadur T. M. Narasimhaachari, |
| 8. " J. A. Saldanha. | and |
| 9. Rao Bahadur A. S. Krishna Rao Pantulu. | 18. the Mover. |
| 10. " T. A. Ramalinga Chettiyar. | |

The hon. Sir ARTHUR KNAPP :—"I second the Motion."

The Motion that the Bill be referred to a select committee consisting of the abovementioned hon. members was put to the House and carried.

The hon. the PRESIDENT :—"Under Standing Order 40 (3), I appoint the hon. the Law Member as Chairman of the committee."

VII

A BILL FOR THE REGISTRATION OF NURSES AND MIDWIVES IN THE PRESIDENCY OF MADRAS.

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, my hon. Colleague, the First Minister, who I trust will participate in this debate, may be from one point of view a more appropriate authority for moving that this Bill* be taken into consideration because the object of the Bill is to prescribe certain minimum qualifications for nurses and midwives and to see that those qualifications are insisted upon, and advantage is taken of them. But it so happens that all these qualifications, etc., belong administratively to the Reserved Department and are in my charge. Therefore, though from one point of view the question of the registration of the nurses and midwives in the Presidency of Madras affects vitally the department over which my hon. Friend, the Chief Minister, exercises control, the Bill itself has to be moved by me.

"I now move the Bill, and, in so doing, I shall only make a few observations, confident as I am that my deficiencies in the matter of technical equipment as to the qualifications that exist or ought to exist for nurses and midwives will be supplied by the hon. the Surgeon-General who has been nominated as an expert Member for the purpose of this Bill. It may be said that the root idea of the Bill may be analysed under three headings. In the first place, the Bill asks for the establishment of a council which will be in charge of the registration of midwives and nurses. Clause (5) of the Bill prescribes certain qualifications firstly in regard to nurses and nextly in regard to midwives. Clause 5 (c) safeguards the rights and obligations of those who are already practising and it reads thus :

"that nurses and midwives already in practice in the Presidency of Madras at the commencement of this Act and not entitled under clauses (a) or (b) subject to such conditions and restrictions as may be prescribed respectively therefor are eligible for registration."

* Vide Appendix XII on page 572 infra.

[20th August 1924]

Mr. S. SATYAMURTI :—"May I ask the hon. the Law Member to give us an idea of those conditions?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I must honestly confess that I have a very vague idea of those conditions, but the vagueness of these ideas and their nebulousness will be rectified by the hon. the Surgeon-General who I confidently hope, will follow me in this debate. Provision is made in the Bill also for appeals being made by such nurses and midwives to a prescribed tribunal in order that their qualifications might be adequately scrutinized.

"Clause 9 of the Bill is one on which attention should be concentrated. It does not impose a penalty upon persons practising as nurses or midwives excepting to this extent that institutions maintained or financed out of public funds shall be entitled to employ only such nurses and midwives as possess the requisite qualifications under this Act. Clause (9) reads thus :

"No woman shall, after the expiry of one year from the commencement of this Act, be competent to hold any appointment as nurse or midwife in any dispensary, hospital, or public company unless she is registered as such under this Act."

"It has been stated that a penalty is imposed upon the practice of present midwives and nurses. I do not think it is correct. It is only a limitation upon the employment of such persons in institutions aided or subsidized or financed with public funds that this Bill seeks to introduce."

Rao Sahib U. RAMA RAO :—"Is it only Government institutions or private institutions also?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Institutions in regard to which State aid is given. Supposing in regard to institutions under private management State aid is given, then clause (9) will undoubtedly apply.

"These are the main provisions of the Bill. To recapitulate what I said, certain minimum qualifications are prescribed; attempts are made to see that these qualifications are insisted on from the midwives and nurses; any injustice which might be done to them is met by a proper tribunal; and public or State-aided institutions are required to entertain only such nurses and midwives as possess the requisite qualifications under this Act. That is the object of the Bill and I move that the Bill be read in Council."

Major-General T. H. SYMONS :—"Mr. President, I beg to second the motion. In doing so, I should, in the first place, explain how this Bill came up before the Council. At a meeting in the Surgeon-General's office last year at which the late Surgeon-General was present, it was decided, among other things, that it was necessary to bring forward a Bill of the kind now under consideration for improving the position of nurses and midwives in the Madras Presidency and the Surgeon-General was asked to do so."

Mr. S. SATYAMURTI :—"Sir, I wish to ask one question of the hon. the Surgeon-General, whether at that meeting any of the nurses or midwives contemplated in clause (c) of section 5 were present."

Major-General T. H. SYMONS :—"The answer is, 'No'. As to our object in bringing forward this Bill we cannot state it better than by reading a letter which we have received from the Honorary Secretary of the Madras Nurses' Association, which has been in existence for the last three or four

[Major-General T. H. Symons] [20th August 1924]

years. Two years ago, it had on its books 22 qualified nurses, and, now, it has got nearly 100 members, and this proves the popularity of the association. The Honorary Secretary wrote:

'On behalf of the members of the Nurses' Association, I beg leave to write to you for your kind consideration the following needs and drawbacks of the trained and qualified nurses and midwives of the Madras Presidency:

1. Nurses and midwives, both Indian and domiciled community of this Presidency, are a very large body and fill a very important place in the maternity and child welfare of the Presidency.

2. In the absence of any Act to protect the interests of trained and qualified nurses, there is nothing to prevent any person from practising as a nurse.

"At the present moment I may say, there is nothing to prevent any woman from calling herself a nurse. For instance, when a mother who had been a nurse dies, there is nothing to prevent her daughter from plying her trade with the goodwill of her mother's practice and calling herself a qualified nurse.

3. Registration and authorization of the nurses and midwives would be of utility to the public and enable them to have properly trained nurses and not quack nurses.

4. The period of training of nurses is four years and that of the midwives is one year in recognised hospitals.

5. Nurses and midwives so trained in India are enabled to practice in India, but if they proceed to England, they are not allowed to practice inasmuch as you are aware that in England they have a Nurse Registration Act which was passed in the year 1919.

"It may seem to you strange that in a country like England there was no such Act till 1919. But, I may tell you that there was a movement in that direction long before the commencement of the war and that just when it was about to be passed in 1913-14 war broke out and it had to be postponed. Subsequently, it was passed in 1919 as soon as possible after the armistice. No Presidency in India has got such an Act and I hope that Madras, though dubbed as a benighted presidency, will set an example by passing the first Nurses Registration Act in India. I may also say that by so doing, I hope, we shall have a lever for asking the Government of India to pass an All-India Nurses Registration Act. That is what we want.

"I am given to understand that there are a number of questions as regards this Act being premature. All I can say to that is that at the meeting I have referred to certain resolutions were passed and forwarded to the Government, and it is as a result of a promise we gave to them that we have brought forward this Bill. We have since had a large number of applications from nurses, and we have in the hospitals a waiting list of nurses. During the last three years, 176 European midwives and 268 Indian midwives have passed out of the Maternity Hospital. The General Hospital has 131 nurses during the last five years and at present there are, on their staff, 20 staff nurses and 89 probationers.

"The legal and medical men have got their Registration Acts, and I am here to-day to make the nurses and midwives of this Presidency also register themselves under an Act. They belong to an honourable profession, a profession which requires very great skill. They are very jealous of their profession and they wish to be registered as members of an honourable and most worthy profession. At the present moment, persons who do not belong to this profession are carrying on the duties belonging to it and are mostly quacks. If you pass this Bill to-day, they will not be allowed to do that. There is nothing to prevent the general public from calling in the aid of any nurse, but it will be at their risk.

20th August 1924] [Major-General T. H. Symons]

"Sub-section (c) of section 5 reads:

'Nurses and midwives already in practice in the Presidency of Madras at the commencement of this Act and not entitled under clauses (a) or (b) subject to such conditions and restrictions as may be prescribed respectively therefor.'

"This safeguards the interests of those already in practice. With these few words I second the motion."

Mr. ABBAS ALI:—"Sir, I beg to move that the consideration of this Bill be adjourned for a period of three months from this day. Since we have had no time to study and digest the provisions of the Bill, I pray that the consideration of this measure be postponed for about three months."

Mr. J. A. SALDANHA:—"I second the Motion, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, as I said in my opening remarks, though the subject 'Qualifications of various persons' is within my portfolio, the subject-matter itself is within the portfolio of my hon. Colleague, the first Minister. I consulted him about this matter and he said that he had no objection to its adjournment, and, unless hon. Members wish to speak on the matter, it may be postponed."

The motion that the consideration of the Bill be adjourned for a period of three months from this day was put to the House and carried.

The House then adjourned for lunch at 1-40 p.m.

After Lunch (2-35 p.m.).

VIII

A BILL FURTHER TO AMEND THE MADRAS CITY MUNICIPAL ACT INTRODUCED BY MR. SAMI VENKATACHALAM CHETTIYAR.

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, it is my privilege, as a member of the Madras Corporation, to ask on its behalf the leave of this House to move an amendment to the Madras City Municipal Act IV of 1919. The amendment is entirely non-controversial and it is intended to afford increased water convenience to the poor population of the City of Madras. Under the provisions of the Madras City Municipal Act, it is the duty of the Corporation to supply wholesome drinking water to its inhabitants. It is also the duty of the Corporation to see that the owners of houses of a particular value furnish water-supply within the houses themselves or within a reasonable distance from the houses before such houses are let for occupation. This rental value is fixed at Rs. 120 per annum. Houses which are below that value are not permitted to have private water service except by special exemption of the Standing Committee. There are about 20,000 houses of this description. It is a known fact that in these houses a large number of labourers and depressed classes live. More than any section of the population, the poorer classes require water both for drinking purposes and for purposes of sanitation. By denying to these houses the convenience of having private water service we are not encouraging sanitary habits among the poor classes. There is no meaning in limiting water service to any one particular class of houses. Water is a commodity which all require, be they rich or poor; perhaps in large quantities it is also used as a substitute for food. This restriction is not placed on account of lack of water even granting that the restriction can be justified on that ground. However, when owners of houses below the value of Rs. 120 require water

[Mr. Sami Venkatachalam Chettiyar] [20th August 1924]

service they apply for an increase of assessment of these houses and get water service. Such applications for enhancement of assessment unmistakably show the necessity which the residents of these houses feel for water. Most of the owners of such houses are very poor. They cannot afford to get the annual valuation enhanced and incur extra taxation for water service. Though the Standing Committee has got the power of granting exemptions, there are two obstacles in the way of getting this exemption. Firstly, there is no rule under which the Commissioner is obliged to place the applications for exemption before the Standing Committee; and secondly, if the Standing Committee, perhaps rightly, feel that if they should grant exemption in each case, there would hardly be any difference between one instance and another, and they will not be exercising any power. They can as well ask the Commissioner to deal with these applications as if he would deal with houses whose annual value is Rs. 120 or more. In fact, my hon. Friend, Rao Bahadur Tanikachala Chettiyar, moved in the Council of the Madras Corporation that to all applicants for the supply of water, whether assessed at Rs. 120 or below, the Standing Committee and the Commissioner do give the supply, unless for special reasons to be recorded in writing they think fit to refuse, and this motion was accepted by the Council. By the amendment which I am just proposing I am only seeking to dispense with the intervention of the Standing Committee and vest the Commissioner with the power of granting water service to applicants with houses whose annual value may be less than Rs. 120 but more than Rs. 60.

"It may however be questioned why any annual valuation should be set at all and why all houses of whatever value should not enjoy this privilege. I should have gladly done so but for a provision in the Municipal Act which may work hardship upon poor owners of houses whose valuation is below Rs. 60. Under sub-section (3) of section 169, it will be within the power of the Commissioner to ask the owner of any house to obtain a certificate that there is provided within, or within a reasonable distance of the house, such a supply of wholesome water as in the opinion of the Commissioner would be sufficient for domestic consumption and use of the inmates of the house. Many of the houses which fall below the valuation of Rs. 60 are merely sheds or huts and it will be cruel to ask the owners of these miserable abodes to provide water supply before they are occupied. I have therefore limited my proposal to houses whose annual valuation is not below Rs. 60. I hope the Government will see the necessity for the amendment, and I appeal to them that leave me be granted to introduce this amendment."

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

Mr. P. L. MOORE :—"Mr. President, Sir, I was unfortunately not here during the early part of the remarks of the hon. Mover. However, I hear enough from his later remarks to give me the very distinct impression that he does not realize the results which will follow from the passing of this amendment. He gives us no idea of the increased expenditure of water which is likely to follow from the granting of house connexions to houses down to the value of just over Rs. 60. I have got a few figures here which will give the House some idea of what the result will be. As the House is aware, at present house connexions could be given to houses of the value of Rs. 120 or more. The position is this the full capacity of the Red Hills tank is just over two thousand million cubic feet. It draws in the year just over one thousand

20th August 1924] [Mr. P. L. Moore]

million for its water-supply; nearly 364 millions is drawn off for irrigation and 150 is lost on preparation. 450 millions is too low to be available for supply. The net result of these figures is this, that the whole supply of the tank is exhausted in one year. That means if there is one failure of the monsoon the position will be precarious. If there are two successive failures, there will be water famine. That is, broadly speaking, the position. The House will therefore understand that if they are embarking on any course which will mean extra expenditure of water, they should consider the matter very carefully.

"For many years past the necessity for checking the waste and restricting the consumption has been thoroughly realized by the Government. It has been continually brought to the notice of the Corporation, and the executive of the Corporation has been, I know, thoroughly alive to the fact. But the Commissioners have expressed various views on this matter at

2-45 p.m.

different times, and I am sorry to say that they have not helped the executive sufficiently in the matter of checking waste.

"Then there is the very important question of metring the houses. The Corporation has persistently failed to insist on what we think is absolutely necessary, namely, the metring of houses. The number of house connexions which are granted without metres is at present enormous. I have not got the figures at present before me. Experience shows that these works were designed for a population of 600,000, with an allowance of 25 million gallons a day. It may be easily assumed what will be the average for the present population in hot weather. I am just giving the House an idea of the state of things to show that we are to be careful and that we are not talking without a knowledge of facts. We are now consuming the ultimate average supply designed by Mr. Madeley. Now, this question of extending the connexions to houses below an annual assessment of Rs. 120 involves this point. If extension is to be made from houses of the rental value of Rs. 120 to those of Rs. 60, it will mean 5,950 more houses. The average consumption of an inmate of a house which has a connexion is 50 to 60 gallons. The average consumption of an individual who lives in a small house or hut where there is no water connexion and who gets water from the taps is 5 to 6 gallons per day. Of course, there is no doubt that this man gets too little water and that it is not a fair allowance for a man. On the other hand, a man who lives in a house with a connexion is surely getting more than we can afford to give him. In such a case, if we are to give connexions to 5,950 or, roughly speaking, 6,000 houses, we have got to give, taking five persons as the average number of occupants of a house, to 30,000 people, an average of another 50 gallons a day for a person. So that, calculating even at 40 gallons a day for a man, we have to give another 1,200,000 gallons of water. That is what is going to happen if we accept this motion. I think it is perfectly clear from the figures I have given you—of course more detailed figures can be made available—that the Corporation will not be in a position to give sufficient water if house connexions are extended. Even as it is, to give what we are endeavouring to do is to strictly economize waste, to metre certain divisions and sections, and, if possible, to equalize consumption and supply, so that the man in the street—I am using the word in the limited sense of the term that is, the poor man who has now to go to the street taps for water—is better treated and the waste of the house-owner is reduced. But the result, if we accept this motion, will be exactly opposite."

[20th August 1924]

The hon. the PRESIDENT :—" Standing Order No. 37 says that if a motion for leave to introduce a Bill is opposed, the President, after permitting, if he thinks fit, a brief explanatory statement from a Member who moves and from a Member who opposes the motion, may without further debate put the question thereon. I shall now put the question."

At this stage the hon. the Raja of Panagal rose to speak.

The hon. the PRESIDENT :—" Does the hon. the Raja of Panagal wish to speak? If so, some Member opposing him may have to be allowed to speak also."

The hon. the RAJA OF PANAGAL :—" I only want to say that this is a matter which is more or less the concern of the Corporation. If hon. Members want that the Bill should be introduced, the Government need not oppose it. It has been pointed out by Mr. Moore that there are some difficulties and as a matter of fact I am afraid the poorer tenants will be exposed to greater hardships. The moment the house connexions are allowed, the owners of the houses will charge higher rents; whereas without them water will be available to them at the street taps. I would however leave the matter to the sense of the House."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, I cannot understand how the Raja of Panagal says that it will affect the poor."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" On a point of order, Sir, may I know if discussion is allowable at the stage of leave being asked to introduce a Bill? I thought the provision was that the Mover has to explain briefly and a Member opposing to make a brief statement. I thought that after that no discussion can be allowed under the rules and Standing Orders."

The hon. the PRESIDENT :—" If the hon. Member refers to Standing Order No. 37, he will find it stated there that the President may without further debate put the question. Since the hon. the Raja of Panagal was allowed to speak on the question, I think an hon. Member on the Opposition side also should have the right to speak."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, I thank you very much for the ruling, but I only want to say that it has been a grievance for many years that poor people are not allowed water. That was the complaint, and as the hon. Member, Mr. Moore, told us if they metre all the gardens in Madras, we will not have water to supply to all these poor people. We give the vote to all who pay a rent of Rs. 5, but we do not give them water. I cannot understand how the Raja of Panagal says that this Bill will tax the poor man. What we have been trying to do is only to give water to the poor man. Now taps are allowed to those people who pay a rent of Rs. 10, and we now want only to allow taps to those people who pay Rs. 5. It will assist the poor people to keep themselves clean and save them from going into the streets for water. In my division, a Muhammadan division, I know what difficulty the poor people feel to get water. Muhammadan women have to go about to get water from the street pipes. They take the opportunity of doing that only after ten o'clock at night. So, this will be a great boon and I am glad that the hon. the Raja of Panagal leaves the discretion to the Council. Once the Corporation referred the matter to the Government, but

20th August 1924]

[Mr. C. Natesa Mudaliyar]

the Government refused to accede to their request. Now at least the hon. the Raja gives this encouraging answer, and I will see that the Corporation renews the request, and I hope that he will now grant it."

The motion that leave be granted to introduce the Bill was then put to the House and carried.

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Mr. President, Sir, I do not know if I would be in order if I request you to allow it not to be referred to a select committee."

The hon. the PRESIDENT :—" The hon. Member has not introduced his Bill yet. At the stage of introduction, he can make the request."

IX

THE MALABAR TENANCY BILL.

Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, I beg to introduce the Malabar Tenancy Bill* and move that it be read in Council.
3 p.m.

I am afraid, Sir, that I have to ask your indulgence and the indulgence of the House if I tax your patience and the patience of my hon. Colleagues. The subject is a very vast one and I will try to condense my remarks as much as possible. I shall now go straight to the subject.

" When I made my motion in this Council for leave to introduce the Malabar Tenancy Bill, with the permission of the hon. the President, I made a brief explanatory statement regarding the Bill. In that statement, I referred to the exceptional circumstances under which lands are held in the district of Malabar. Almost all the lands in the district, whether forest or waste, agricultural or residential, are claimed by the janmis as their absolute property. Even the smallest parcels of land for cultivation or houses have therefore to be obtained from the janmis and held under them on terms of their own. The janmis form only a small proportion of the total population of the district. Small in number and homogeneous in respect of ideas and traditions, they are, as a class, close monopolists of land. The natural and economic processes which tend to disintegrate or relax a land monopoly and to bring about a distribution or diffusion of landed property among the people in general are extraordinarily inoperative in the district of Malabar. Sale of land is one of the natural and economic processes which make it available to others. But the janmis are rich and have no need to sell their lands. They have, besides, a strong traditional aversion to sell land. It is with them a point of honour not to sell land, not even a waste or a jungle land. Partition of landed property among the members of a family is another process by which lands are distributed or diffused among the people. But this process too is inoperative in Malabar owing to the existence of the law of impartibility. The Marumakkattayam system of law, which governs the Raja and Nayar janmis, recognizes no individual share in family properties, and impartibility is an integral and essential part of the system. Though the Marumakkattayam system does not govern the Nambudri janmis, the law of impartibility is equally applicable to them. A stringent and systematic monopoly of land, which ties up land in the hands of a few, thus exists in Malabar and is well fortified by laws on all sides. Though the janmis thus monopolize the land, they fulfil no useful

* Vide Appendix XIII on page 578 infra.

[Mr. M. Krishnan Nayar]

[20th August 1924]

duty in respect of it. They themselves are not cultivators. They get their lands cultivated by others who are either kanam demisees or verumpattam holders (simple lessees). Nor are the janmis capitalists benefitting the land. They simply collect rent which they spend in their own ways which seldom benefit the land or the cultivator. While the janmi monopolists of land are few in number, a large portion of the population of the district consists of agriculturists who depend entirely on land for their subsistence and who include the hardy, industrious, thrifty and, sometimes, fanatical Mappillas. These agriculturists who have become tied up to Malabar by residence therein from time immemorial do not generally emigrate to and find employment in foreign countries. They are also unable to engage themselves in other occupations, for there are no industries worth mentioning in Malabar except agriculture. It is practically impossible for the cultivating classes to obtain land with any security against arbitrary eviction or against arbitrary increase of rent which ultimately leads to eviction. It is also extremely difficult for any one, whether he be an agricultural labourer, or an artisan, a public servant or a professional man, to obtain permanent sites for dwelling houses. Every holder of land, every owner of a house, every occupant of a cottage has, in the words of Sir Madhava Rao, the eminent Indian Statesman who knew the conditions of the West Coast intimately, the sword of Damocles hanging over his head. None can hope to become the individual and independent proprietor of cultivating land or of planting land or of building land. None can extricate himself from his state of dependence on the janmi and elevate himself to a state of independence and fearlessness. It would be difficult to imagine a more unsatisfactory state of affairs. The several facts referred to and their cumulative effect should be fully comprehended and weighed by those who deprecate State interference and are opposed to tenancy legislation for Malabar. The cheerless state of things mentioned above considerably weakens the motives for industry, thrift, independence and good behaviour whether towards the janmis themselves or the Government. Instances of such evils causing serious difficulties or embarrassments to powerful Governments are not wanting. The evils are real and great and demand a remedy. The longer the remedy is delayed, the more difficult it must become. It has been already very long delayed.

"Mr. Logan who was the Collector of Malabar for a long time traced the history of the land tenures in Malabar by the light of authentic documents and other papers collected from various sources. These ancient documents were executed in the 8th, 9th and subsequent centuries A.D. The conclusions to which he came after an examination of these deeds and papers were that, prior to British rule, there were three classes connected with the land, namely, the janmi, the kanakkar and the actual cultivator, that the janmi did not own the land but held only an office or sthanam, that the kanakkars were the Nayars or the hereditary 'protectors' of the nad or country, and that according to the customary law which prevailed at the time, the produce of the land was divided equally among these three classes, each taking one-third share. Thus the proprietary right to the land which the janmis now own did not then exist. The janmis in those days had no higher claim to the land than the kanomdars or the actual cultivators. The documents that were collected by Mr. Logan were also examined by Sir William Robinson who too was in Malabar for a long time

20th August 1924]

[Mr. M. Krishnan Nayar]

In the note that Sir William Robinson recorded after this examination, he differs in some respects from Mr. Logan and even strongly criticizes him. But with reference to the nature of the kanam right on the land, his views are clear and emphatic. Sir William Robinson asserts and repeats the assertion in several parts of his note that the kanakkar was an ordinary landholder and that kanam like kaniachi, mirasi or muli of the other districts denoted ownership, the ancient ryotwari proprietorship in land, of South India. Kanam right, according to him, was an ancient, immemorial, indefeasible and complete hereditary right of property, which was recognized and affirmed alike by the common law of the land and popular consensus of ages and which had stood severer tests and been defended no less earnestly than the best titles of England. The kanakkars, in his opinion, were a body of influential and peaceful inhabitants, the proprietors and landholders of the country, persons interested in having the common law of the land, the agrarian law of property, the *Kana-jenma Maryada* maintained and enforced. They often exercised great strength and independence. A mere fugitive right and possession with menace of forfeiture and eviction at will was never a characteristic of the tenure known as kanam. The kanakkars did not belong to the category of 'Intermediaries' and 'Speculators,' to which it has now become the fashion in some quarters to relegate them. They were neither mortgagees nor tenants who tolerated change or ouster. The conclusions of Sir William Robinson regarding the ancient land tenures of Malabar are corroborated by the statements of Sir Thomas Munro, Mr. Ellis and other earlier authorities as to the ryotwari character of all landed property throughout the West Coast, and more especially in Malabar. These conclusions which were based on documents collected by Mr. Logan could have been further strengthened by important deeds in the possession of big janmis, if they could have been made available for inspection. But these janmis would not produce their documents for inspection. Sir William Robinson says 'the archives of these dethroned rulers and zamindars are rich in treasures of historical and agrarian testimony; but it has been the consistent policy of this great janmi race—from our earliest connexion with Malabar—to foster and trade on the ignorance and misapprehension (possibly too on the apprehensions) of the local officers of the Government—if not to deceive them (Despatch of the Court of Directors 1821). . . . Reticence has been, and must continue, their profitable policy. As readily expect a Bengal permanent settlement zamindar to aid enquiry into the prescriptive tenures and rights of the ryots they have sacrificed or into ancient fixed purgunmah rates as expect a Malabar janmi to expose his unhistorical pretensions, or advance an enquiry which might suggest a challenge of their destructive aggressions Thus, both Mr. Logan who commenced his enquiry under the impression that kanakkaran had no permanent right of occupancy and Sir William Robinson have exposed the hollowness of the claim of the janmis that they were the absolute owners of the lands in Malabar. Both these authorities agree in thinking that the word janm expressed formerly only a dignity or stanam, family and hereditary rights and titles, irrespective of ownership of land and that the use of the term as expressing a tenure of land is inaccurate and comparatively recent.

"Though the kanakkaran was thus the real owner of the land prior to the commencement of the British rule, he has now fallen from his original high position. He is now regarded as a tenant

8-15 p.m.

[Mr. M. Krishnan Nayar]

[20th August 1924]

and his tenure has become precarious. This is due to the mistakes committed by the early English enquirers and by British Courts of justice. Malabar came under the British sway in 1792. Eleven years after, in 1803, Mr. Rickards, the second of the Principal Collectors, made an enquiry for revenue purposes. In this enquiry he unfortunately consulted only the janmis and not the kanakkars. The natural consequence of this was that in the arrangements made at that time the right of the kanakkars was ignored. Their position, says Mr. Logan, does not seem to have received any consideration. The alacrity with which the janmis signed the paper which they were asked to sign and which evidently surprised Mr. Rickards himself, is intelligible only when it is remembered that the arrangements agreed upon were very favourable to the janmis and shut out the kanakkaran altogether from his recognized position. Mr. Farmer, one of the joint Commissioners of 1793, who had made a previous enquiry for revenue purposes, also makes certain statements against the kanakkaran. But Farmer adds that he derived his information from janmis, that they seemed much interested in his enquiries, that they differed very much and that few told the truth. The early enquirers who were thus misled saw in the janmi a landlord and invested him with all the powers which a feudal-born English land law has bestowed on an English land-owner. In the kanam they thought they saw a species of lease or mortgage and they attached to it all the English ideas connected with a lease or mortgage. They made the janmi sole owner with full power of ouster. They made the kanakkar his lease-holder or mortgagee. This did not matter much at first. For, the land revenue assessments were so heavy at the time that but little of the produce was left over after satisfying the Government demands, and the kanakkaran, being in immediate possession and frequently holding heavy money claims against the janmi, was able to make his own terms with the janmi. The crisis, for various reasons, did not arise at once. But as soon as the price of produce began to rise and hold out tempting baits to cupidity, the crisis became inevitable.

"That the opinions of the early English enquirers who derived their information solely from the janmis were clearly wrong is amply proved by Mr. Logan who had exceptional opportunities of investigating these matters. These opinions have also been shown to be incorrect by Sir William Robinson. Their unreliability was pointed out as early as 1821 by the Court of Directors. A Committee of 1884 presided over by Sir Madhava Rao has also stated that no reliance can be placed on the opinions of these early writers. The Committee stated, amongst other things, that the enquiry of the early writers was mainly directed rather to the best mode of collecting a land revenue for the company than to ascertaining accurately the rights of the people *inter se*, and that they (the early enquirers) approached the latter subject from a wholly English point of view. Sir Sankaran Nayar has also shown these opinions to be incorrect. Why the opinions of the early writers who made their enquiries immediately after the commencement of British rule and probably before the confusion and disorder caused by the Mysorean invasions had completely subsided should be preferred to the opinions of the Court of Directors, Mr. Logan, Sir William Robinson, Sir Madhava Rao's Committee and Sir Sankaran Nayar is not clear. Madhava Rao's Committee has also stated that no janmi could turn out a kudian or tenant against the wishes of the *kuttam* of the *tara* or of the people of the village. The state

[20th August 1924]

[Mr. M. Krishnan Nayar]

of society vividly depicted by Sir William Robinson and the nature of the people referred to by him support the statement of the Committee. A janmi attempting to turn out an old tenant must have ultimately relied upon force for execution of his order. On whom could he rely for execution of his order? When an endeavour was made by a janmi to turn out a tenant living in the midst of his own tribe or clan the members of which were connected with one another in various ways and had the same interest and apprehensions, it is not possible to believe that they would have viewed with unconcern or indifference any harsh treatment to one of their own body to which, it was possible, they themselves might at any time be subjected.

"It may be assumed for the sake of argument that the statements of some of these early enquirers that the janmis had in theory the right of eviction are correct. In practice, however, the right was never exercised. These statements themselves shew this. For instance, Mr. Rickards observed that it was not usual to turn out a tenant. Dr. Buchanan, in his journal, dated December 1800, states that the right was rarely exercised by the Nambudiris and that it was seen from the deeds that the same family, for many generations, had continued to be in possession of estates. Mr. Warden, in his report, dated 19th March 1801, says that eviction had been seldom known to occur. The Board of Revenue in their Proceedings, dated 16th January 1815, observe, 'It seems evident that the janm property is not now so much in the land as in the income derived from it; the land is much more the property of the kanakkar or cultivator than that of the janmkar, for the Board have not been able to discover that the proprietor has the power to raise the *pattom* or janmkar's income. Again, the minute of the Board of Revenue, dated 5th January 1818, contains the following statement:

'This redeemable, but in fact nearly, permanent transfer of the greater portion of the landlords' rights to the kanakkars, which had commenced long before the Mussalman invasion of the country, and which the introduction of a land tax by that Government materially increased, was further promoted by the extraordinary edict of Tippu for the forcible conversion of the inhabitants of the country to the Mussalman faith.'

"These statements are in accordance with the general characteristic or tendency of Indian life and feeling, which, as distinguished from the strictness or rigidity of British Courts, is elasticity. The Indians formerly were not in the habit of strictly exercising rights or enforcing obligations. They acted in adaptation to the exigency or convenience of the moment. Till the Sadur Court, by its ruling in 1852 that kanam was only a redeemable mortgage lasting for a period of twelve years, unintentionally revolutionized the customary law of Malabar, tenants were allowed to be in undisturbed possession of their holdings, from generation to generation. For the first sixty years of British rule in Malabar, from 1792 till 1852, there were no decisions of Courts in suits for eviction between janmi and kanakkaran. Prior to the date of the ruling of 1852, though there might have been a theory of the janmi's right, in practice the janmi and tenant got on with each other amicably. In former times there were many such instances of the reconciliation of the apparently irreconcilable theory and practice. Even now, such instances are not wanting. For example, in theory Government have the right of dispensing with the services of a public servant whenever they like. But in practice, Government retain the public servants, so long as they perform their duties fairly well. This practice of

[Mr. M. Krishnan Nayar]

[20th August 1924]

retaining public servants is strong enough to raise the expectation of continuance in them. Similarly, prior to the date of the Sadur Court's ruling, though the janmi might have had in theory the right of evicting the tenant, in practice he allowed him to continue in possession, so long as he discharged his duty of paying his rents. This practice was strong enough to raise the expectation of continuance in tenants. Only, the tenant had to get his documents renewed from time to time. This system of renewal or *Polich Eshuthu* is supposed to have had its origin in the practice which prevailed at the Mahamakam ceremony which took place at the installation of the Perumal or Emperor. It appears to have been usual to take out fresh grants from each Perumal on payment of a small fee. After the departure of the last Perumal to Arabia, the janmis who were holders of dignities or stanams apparently began to get kanamdars to take out fresh deeds on the death of the *Stani* and this is the origin of Purushantharam. Graem's Glossary correctly describes Purushantharam as an official exaction—a *naserana* in short, known throughout India from earliest times—which was collected by all sorts of official superiors on the occurrence of successions to positions of local authority and trust and even to property. But Purushantharam or renewal constituted no break in the continuity of title. It had no more to do with titles to property in Malabar than succession duties have to do with titles or inheritances in England. The period of renewal which depended on the life of the janmi originally was uncertain. The courts, sometimes, between 1825 and 1840, it has not been possible to trace the exact date, wanted in the interests of the kanam tenant, to make the period for renewal certain. Searching about for precedents, they seized hold of the well-known period of twelve years for which the kuzhikanam tenure, a sort of improving lease, lasts and adopted that as the period for renewal.

“Thus the period for kanam renewal which was the period of average succession before, was reduced to a hard and fast period of twelve years. At each renewal, the janmi got some special payments and presents which were very welcome to him. It was thus to the interest of the janmi to grant a renewal and it was never refused. The practice was one of repeated renewal of the deed. What I wish to emphasize is this, that the janmi neither claimed nor exercised the right to evict a kanam tenant on the expiry of any definite period. The expectation of the tenant, which was sanctioned by long usage, to be continued in possession was so strong that he built his plan of life thereon. In former times, continuity was the general rule of life and change was the exception. Even the most temporary arrangements had a tendency to continue and to become hereditary. Any number of instances in proof of this tendency could be cited. Offices, salaries, allowances, pensions, services, privileges and other benefits were continued and became hereditary. In view of this tendency to continue benefits and to allow them to become hereditary, the kanam tenure became continuable and hereditary in Malabar. The janmi in those days had every inducement to continue the kanam tenant and no inducement to turn him out. The practice that still exists in old and honourable janmi families of allowing their kanam tenants to continue, also supports this view. The ruling of the Sadur Court in 1852, instead of declaring that kanam was a tenure renewable at the end of every twelve years, declared that it was terminable. This was a mistake and it caused an enormous change. The rigidity of British Courts referred to

[20th August 1924]

[Mr. M. Krishnan Nayar]

already began to operate after this ruling. The courts, following this decision, commenced to define rights and obligations sharply and to give effect to them strictly. A continued process of sharply defining rights and obligations, of repeated recognition of the ascertained or defined rights and obligations and of constant enforcement of them, with all the power of the State, has necessarily deprived the tenants of their former rights. But for the ruling of the Sadur Courts, the janmis would have gone on renewing the kanam deed as had been their practice before. In the forcible language of Sir Madhava Rao from whom I have freely quoted, the Sadur Court's ruling

‘Shook the foundations of kanam properties which had been held from generation to generation, which had been greatly improved, which had been built upon and on which thousands of poor and industrious families had formed their plans of life. The earth, which had for ages been deemed firm, was subjected to a periodical earthquake! the period being twelve years.’

“I shall refer to some more circumstances which clearly show that it was not the practice formerly to evict kanam tenants. Ancient families in Malabar have often built their tarwad or family houses on kanam lands and given the names of these lands to the tarwads themselves. The family deities are also located and worshipped in these houses. It is not always possible to remove these family deities. A tarwad would be represented by its name in all legal and other transactions. A tarwad cannot shift his residence in a day. If these families ever expected to be turned out of their houses within a few years after they were built, surely, they would not have given the names of the kanam lands to their tarwads. Again, old kanam deeds specified no time for redemption and contained no provision for surrender.

“As has been observed already, it has become the fashion in some quarters to speak of kanam as a mortgage and of kanamdars as mortgagees, investors of money or middlemen. As a matter of fact, most of the kanamdars are now actual cultivators and are not middlemen in any sense of the term. Even the few kanamdars who are not themselves cultivating the land are no more middlemen than the janmis themselves who, standing in the middle between the Government and the kanamdars, get the land revenue from the kanamdars and pay it to the Government. In one sense, all the officers of Government are middlemen, for they stand between the people and Government. Kanam is not a mortgage in the sense in which this term is used and understood by English text-book writers and courts of law. A janmi who grants a kanam demise is not regarded as a debtor of the kanam tenant by any body nor is the kanam tenant regarded as a creditor of the janmi. A janmi would consider it a disgrace to mortgage his land and if he does so, he immediately loses his credit and falls in the estimation of other janmis and the people in general. No janmi would think of mortgaging his land, unless compelled to do so by necessity. On the other hand, it is considered a great honour for a janmi to have a large number of kanam tenants. The larger the number of kanam tenants a janmi has, the greater is his status and prestige. In a large majority of cases, kanam amounts to a small, ranging, say, between rupees ten and one hundred or so. In many of such cases, janmis are persons owning extensive properties in several taluks and paying many thousands and, in a few cases, even lakhs of rupees as land assessment to Government. No body would regard these immensely rich janmis as the debtors of these poor kanamdars. A debtor is generally at the mercy of his creditor and cannot afford to offend him. He has often to live in dread of him. But look at the relative positions of the janmi and

[Mr. M. Krishnan Nayar] [20th August 1924]

the kanamdar. The kanamdar has to live in perpetual fear of the janmi. He has always to humble himself and stand before the janmi, suppressing his self-respect and manliness. He cannot in any way afford to offend the janmi lest he may be turned out of his residential house. He has in short pawned his life to the janmi and has no hope of redeeming it. This is not the relation of the creditor to a debtor. Again, a janmi demands at the time of renewal large sums of money as renewal fees and presents from the kanamdars. Besides, the karyasthans or agents and relatives of the janmi have also to be propitiated by the kanamdars at the time of renewal. A kanam tenant has to pay all the public dues on the land and has also to make large presents to the janmi on occasions both of joy and sorrow such as births, marriages and deaths. Mortgages exist all over the world, but these are not incidents attached to a mortgage. Again, a mortgagee can generally demand his money and, in case of non-payment by the mortgagor, can sue for his mortgage amount and bring the mortgaged property to sale. But this right is denied to a kanamdar. The fact is that kanam is not a mortgage and in spite of all the attempts of courts and janmis to convert it into a mortgage, it still retains many incidents of a tenure.

"The old verumpattakaran or simple lessee also had occupancy right in his holding. Reference has already been made to the investigation of Mr. Logan, which led him to the conclusion that the actual cultivator had a right to one-third share of the produce of the land. Sir William Robinson was of opinion that verumpattakaran was a hereditary occupant. Sir Madhava Rao's Committee was also of opinion that, so far as the security of tenure was concerned, there was not much difference between the old verumpattakaran and the kanamdar. Even Sir Charles Turner who was probably the strongest advocate of the janmis stated:

'I have no doubt that there existed many garden cultivators who were allowed to remain for years in possession of the gardens which they or their fathers had created and that similarly the kanakars who cultivated land themselves or with their slaves, occupied for generations the same piece of land or at least remained in dependence on the same janmis. Although then a right of occupancy was generally unknown to the law of Malabar it practically to some extent existed, and we should be doing no violence to the popular sentiment if in the case of actual cultivator we accorded to it a legal recognition'.

"Sir Sankaran Nayar also stated that in the case of old verumpattakars the janmi had no power of eviction. In many cases, the right of a verumpattam tenant to hold for twelve years even now, is distinctly recognized by the courts. The verumpattam leases under the kovilakams or Rajas are of this class. In some cases, courts have gone so far as to hold that a verumpattam tenant is entitled to hold for ever even at present. But it is unnecessary to labour the point further, for my friend Mr. Prabhakaran Tampan, the janmi representative admitted in this Council when my motion for leave to introduce this Bill came for discussion that he had no objection to the grant of occupancy right to cultivating tenants.

"An ill-advised enquiry recommended by Mr. Graeme into actual 'rents' as the basis for settling a revenue assessment on wet lands, which began in 1823 and continued in one shape or another till 1843 had the effect of setting all the classes by the ears. It was during this period that the Mappilla tenants began the outrages which have since given them an evil name and which have brought much misery on the country generally. The eviction of Mappilla widows and orphans, and more

20th August 1924] [Mr. M. Krishnan Nayar]

especially of Mappilla widows left with young families has been a constant and serious source of complaint. In the words of Mr Logan, whatever else they are, or are not, there is no denying that the poorer Mappillas are an industrious and frugal class, labouring late and early, to provide a sufficiency of food for their wives and children to whom they are much attached. The death of the bread-winner before his family has grown up, entails, as a necessary consequence, the ruin of the family and the confiscation of all its properties; for there is always some one near at hand and ready to take advantage of the widow's helplessness. A few rupees are given to the janmi or better still, to the janmi's karyasthan or agent, and the widow finds herself embarked on litigation in the courts. The result is always the same. Eviction follows as a matter of course; and the costs usually eat up a large portion of the whole of the claims she has on the lands. The injustice thus occasioned is one of the most powerful incentives of the Mappilla outrages. There is a constant undercurrent of wrongs to be redressed, wrongs for which, no doubt, the Mappillas hold the Government, through the court, mainly responsible. According to Mr. Logan, a janmi who, with the aid of the courts, evicted, whether fraudulently or otherwise, a tenant, was deemed to have merited death, and it was considered a religious virtue, not a fault, to have killed such a man and to have afterwards died in fighting against an infidel Government which sanctioned such injustice. The first Mappilla outbreak took place in 1836. Between that date and 1908, there were about 35 outbreaks, or on an average, one outbreak in two years. In the outbreaks of 1837 and 1841, Brahman janmis were killed. In 1851 an influential Warriar janmi was dragged out of his house and hacked to pieces. In 1852, there was a rising against the principal Hindu janmis in an amsam or village known as Mattanur. In the same year, Mr. Strange was appointed as a special Commissioner to deal with these outrages and to report on their causes and remedies. His view was that they were the result of pure fanaticism and not of agrarian discontent, or Mappilla destitution. He mistook the symptoms of the disease for the disease itself. Accordingly he recommended repressive measures. Acts XXIII and XXIV of 1854 were therefore passed. The first of these empowered the authorities to fine the Mappilla population and to take measures against suspected persons and the second rendered possession of the war knife illegal. These measures, no doubt, were admirably adopted in sternly repressing isolated outrages. But experience has shown that they have not been successful in making the people happy and contented. They have not removed the real causes of the outbreaks and have not effected a permanent cure. These observations are supported by the facts that 13 out of the 35 outbreaks took place after these measures were passed and that the collection and confiscation of a large number of knives, the disarming of several taluks and the collection of large amounts of fine on various occasions had no effect in preventing the occurrence of these outbreaks. In September 1880, a murder was committed. Mr. McWatters, the then Collector of Malabar, was of opinion that it was primarily due not to religious fanaticism, but to agrarian discontent, and this view was accepted by Government.

"In the next month the Government received an anonymous petition purporting to come from 'certain Mussalmans, Nayars, Thiyyas and men of other castes inhabiting Malabar', which predicted that 'a terrible outbreak was going to occur', and ascribed it mainly to the existing bad relations between landlord and

3-45 p.m.

[Mr. M. Krishnan Nayar] [20th August 1924]

tenant. This petition was referred by Government to Mr. Wigram, the then Judge of South Malabar, and to Mr. Logan, the Collector. These officers agreed in ascribing the occurrence of such outbreaks to agrarian discontent which, they considered, undoubtedly existed and they added that Mr. Strange 'had given too little weight to agrarian discontent as the cause of these outbreaks'. The Government forwarded this opinion to Mr. Macgregor, who was then British Resident in Travancore and Cochin, and who had been for a long time the Collector of Malabar. He reported: 'as to the essential nature of the Malabar Mappilla outrages, I am perfectly satisfied that they are agrarian. Fanaticism is merely the instrument through which the terrorism of the landed classes is aimed at'. Messrs. Innes and Evans have also expressed their opinion in their District Gazetteer, 1903, that poverty and agrarian discontent are some of the causes of the Mappilla outbreaks. That agrarian discontent and not fanaticism is the real cause of the Mappilla outrages is amply borne out by the following facts. As has been stated already, the first Mappilla outbreak took place only in 1836 and not before. If fanaticism was the real cause of these outbreaks, they must have occurred before that year also. There were Mappillas in Malabar from the earliest times. For centuries before the birth of the Founder of the Muhammadan religion, there were commercial communications between Arabia and the Malabar Coast. Cheramah Perumal, the last Perumal or Emperor of Derala, is said to have been converted to Muhammadanism. The Mappillas were among the most loyal, trusted and law abiding subjects of the Zamorin. We never heard of fanaticism in those days. Fanaticism cannot be the growth of a single day. If fanaticism was the real cause of these outrages, there must have been numerous outbreaks in the long centuries that preceded the British rule. As a matter of fact, it was only after the recognition by the British Government of the janmi as absolute owner of the soil and the commencement of the scramble between the janmis and kudiya (tenants) regarding the margin of the net profits of lands, which began to increase on account of the rise in the price of the foodstuffs and other agricultural produce about the year 1832, that the first Mappilla outbreak took place, as we have seen, in 1836. Again, most of the outbreaks took place in South Malabar where the Mappillas are generally agriculturists, and only very few took place in North Malabar where they are generally traders. When my friend, Sir K. Venkataraddi Nayudu visited the Bellary jail in 1922, where the Mappilla prisoners convicted in connexion with the last rebellion were imprisoned, what struck him more than anything else was the fact that with the exception of a dozen or two all the five thousand prisoners that were there were either kudiya or agricultural labourers. From this, he draws the conclusion that the rebellion was the outcome of agrarian and economic distress. The rebellion of 1921 with the terrible events of which hon. Members of this Council are familiar was the last of these outrages. This was not one of the thirty-five outbreaks mentioned before. Agrarian discontent was one of the causes of this outbreak also.

"In consequence of their extraordinary power, the janmis, particularly Nambudiri Brahman janmis, are able to wield enormous social influence over the tenants, especially the Hindu tenants. This power is generally exercised to oppress the tenants. These Nambudiri janmis usually use their religious sanctity also as a weapon to subdue their tenants and exact gifts and presents from them. Mr. Logan says that, while he was doing duty as Special Commissioner, the Hindu tenants way laid him when he was riding,

20th August 1924] [Mr. M. Krishnan Nayar]

walking or driving, and gave him long tales of oppressions and wrongs, but comparatively very few of them accepted his invitation to go to office and put the various facts on record. They had before their eyes the fear of caste censure, fines and excommunication, and were slow to avail themselves of their opportunities. The tenants who incur the displeasure of their Nambudiri janmis are subjected to what is called desa virodham, i.e., the enmity of all residents of the desam or hamlet and swajana virodham, i.e., the enmity of their own caste people. This excommunication entails many serious, unjust and unpleasant consequences. The excommunicated are not able to get the services of barbers, and their women are deprived of the help required for purification after confinement. Their presence in the temples is stopped, and they are not allowed to touch the water of bathing tanks. They are prevented from taking water from drinking wells, and others are prohibited from giving it to them. People dare not help them in their domestic ceremonies. All who do them service or give them aid or even sometimes are seen speaking to them are either themselves excommunicated or fined. The smallest show of independence is resented as a personal affront. It is only those that are subjected to this kind of treatment that can fully realize its results. Life in these circumstances becomes a burden. In parts of the district, tenants have to get even now permission from their Nambudiri janmis for erecting gate-houses, tiling buildings, and white-washing houses. The necessity for getting permission for tiling buildings existed formerly even in towns, as is shown by the following extract:—'It was not till A.D. 1759, that is, till the Honourable Company had been settled for nearly a century on the Coast, that they obtained leave from the Zamorin to tile their factory at Calicut. The agreement is short and may be here conveniently entered: "*Translation of the Zamorin's grant for covering the factory at Calicut*: I permit you to cover your factory at Calicut with tiles this 24th October 935, Malabar style (A.D. 1759), which done, carry on your contracts in the best manner, and I hope you will assist me at any time I may have occasion for it."—From the diary of the Tellicherry factory dated 14th December 1759.' With reference to this, when I moved for leave to introduce this Bill, my Friend, Mr. Prabhakaran Tampan, said: 'Then, Sir, much was sought to be made out of the janmi oppression, oppression against white-washing, tiling of buildings, etc. The whole thing is silly and should be treated with contempt. There may be, I concede, bad janmis even as there are bad people amongst all classes. I ask, are there not bad vakils, bad merchants, bad doctors? I think, Sir, to proceed from stray instances of that kind to a general conclusion that entire janmis are a bad and oppressive lot, is again silly.'

"Mr. Prabhakaran Tampan concedes in this passage that there are bad janmis and that there are stray instances of the kind of oppression that I refer to. Such a concession coming from such a quarter means, I submit, a great deal. I agree with my friend in thinking that there are good janmis and bad janmis. The point of my complaint is that no janmi, whether good or bad, should have the power in the year of Grace 1924, to prevent a tenant from tiling or white-washing his house.

"To improve the condition of tenants and alleviate their distress, the Government of Madras undertook various measures from time to time. Reference has already been made incidentally to the opinions and reports of some of the committees and commissions appointed by the Government.

[Mr. M. Krishnan Nayar]

[20th August 1924]

In the year 1881, the Government by their G.O. No. 170, dated 25th January 1881, appointed Mr. Logan, the then Collector of Malabar, as Special Commissioner to conduct a thorough investigation of the general question of the tenure of land and of tenant right in Malabar. He made an extensive tour throughout the district, consulted and examined many persons, inspected a large number of documents and ancient records, and submitted a detailed report. His main conclusions were that 'the landlords' power of *ouster* must, in the public interests, be curtailed' and that a law should be passed, granting occupancy right to actual cultivators holding 25 acres or less of wet or dry grain land and 5 acres or less of garden land. His report was submitted to the Government in June 1882, and it was circulated during 1883 for the opinions of several official and non-official gentlemen. Before any action was taken on this report, a special commission was appointed in January 1884 to consider the whole question and advise the Government as to the lines on which legislative action should proceed. The Commission consisted of Raja Sir T. Madhava Rao as President and Messrs. Logan, Wigram, who was for a long time the District Judge of South Malabar, C. Sankaran Nayar (now Sir C. Sankaran Nayar) and P. Karunakara Menon, who was an experienced Deputy Collector. This commission also, after a careful inquiry, submitted a report in July 1884. The report stated, amongst other things, that *kanam* was a contribution levied by the ancient *rajas* on extraordinary occasions as a loan, that the theory of the courts that the *janm* was a proprietary interest in the soil, *kanam* a usufructuary mortgage thereof and *verumpattam* a simple lease, was erroneous, that during the time of Hyder Ali's invasion in 1765 there were only two classes interested in the soil, namely, the *janmi*, a limited aristocratic non-cultivating body, and the *kudiyar*, who was the actual cultivator, cultivating by means of slaves or hired labour, that one-third of the gross produce went to the *janmi* and two-thirds to the *kudiyar* (*kanamdhar*), that a *kudiyar* could be evicted only for certain specified reasons mentioned in the report and not at the mere arbitrary desire of the *janmi*, that when a refractory *kudiyar* had to be got rid of, the *janmi* brought his case before the *kuttam* of the *thara* or the assembly of the elders who sanctioned the eviction, that there was no original material difference between *kanam* and *verumpattam* tenure though the former was regarded as of greater permanency and that under neither could the *kudiyar* be removed except for cause shown. The Commission also stated, 'the political necessity (for tenant prevailing among the agricultural classes regarding the growing insecurity of their tenures; in the fact that, among one class of community, agrarian discontent, fanned by fanaticism, is ready to develop at any moment practised by some *janmis* and apprehended from others.' The Commission also forwarded four draft Bills to the Government, two of which are irrelevant for our present purpose, the other two being, one a 'stay of execution Bill,' intended as a temporary measure and designed to maintain the existing relations between landlord and tenant pending the passing of a permanent law by the legislature, and the other a tenancy Bill, the main object of which was to confer occupancy right on *kanam* tenants. After the submission of this Commission's report, Mr. Logan prepared an alternative scheme and forwarded it through Sir Madhava Rao, the President of the Commission, with an explanatory note to Government in August 1884. The main

20th August 1924]

[Mr. M. Krishnan Nayar]

provision in this scheme was the one relating to the grant of occupancy right to all actual cultivators, irrespective of the extent of their holdings. The original and the alternative schemes of Mr. Logan and his report and the report of the Commission together with its draft Bills were sent to the High Court for their opinion. Sir Charles Turner, the then Chief Justice, recorded an elaborate minute on these and strongly criticized the views of Mr. Logan and the Commission in adverse terms. In all probability, he would not have done so, if Mr. Logan and the Commission had not attacked the work of courts. The whole of Chapter I and several portions in other chapters of Sir Charles Turner's minute are devoted to a defence of the courts and their decisions. It is not possible here to refer to all or even the main arguments of Sir Charles Turner, to show how unsubstantial they are. Reference may, however, be made to one or two of them. The most important portion of his minute is Chapter III, which deals with 'Land tenures', and the most important portion in Chapter III is the part wherein he discusses the *kanam* tenure. His conclusion is that *kanam* is only security for rent taken from the tenant and that originally the *kanam* tenure was a tenure with a payment of rent in advance. He builds a number of theories upon this conclusion, and practically the whole of his minute hinges upon this conclusion. What he tries to establish is that, *kanam* being only

an advance payment of rent, the *kanam* tenure had no fixity at any time and that the *kanam* tenant is not therefore entitled to occupancy right. The main argument in support of his conclusion that *kanam* is only security for payment of rent, is based upon the name of the *kanam* deed which he says is 'Abhayapattam Abhaya Pattola Karnam or simply Pattola Karnam'. These are his own words: 'The term Abhaya (literally without fear) means an assurance of safety, security, thus Abhaya patra is a safe conduct, and Pattola Karnam is a written deed of lease. From these names we may, I think, form a pretty accurate opinion both of the antiquity and of the nature of the tenure.' Again he says, 'it may well be imagined that in Malabar where the central authority was certainly for many centuries weak, and each division of the country from time to time involved in a war with the other, the landlord felt it necessary to obtain some security from his tenant. A tenant could escape without much difficulty into a neighbouring jurisdiction where it would be difficult, if not impossible, for the landlord to follow him and exact his dues . . .'. With reference to this elaborate argument, all that I have to say is that no tenure is known by the name of Abhayapattam and that no Malayali has ever heard of an Abhayapattam deed. Probably, he was thinking of Ubhayapattam, a name sometimes applied to *kanam*, which has quite a different meaning and which will not in any way support his conclusion. Again, Sir Charles Turner says in Chapter III of his minute that a *verumpattam* tenure which specifies no term, endures for a single year. This says Sankaran Nayar, is against the decision in S. A. No. 636 of 1884 which recognizes the existence of some *verumpattam* tenures which last for twelve years, and in which, strange to say, Sir Charles Turner himself took part. Sir Charles Turner's idea of a *melkanam* is that it 'entitles the grantee to pay off the *kanamkkar* on the expiry of the *kanam* term, and thereafter to hold the land as a *kanamkkar* on a higher *kanam*'. Every one who understands anything of the Malabar land tenures knows that this conception of a *melkanam* is incorrect. A *melkanam* may be for the same amount as the *kanam* itself or it may be for

[Mr. M. Krishnan Nayar] [20th August 1924]

a higher amount. Usually it is for the same amount. Sir Charles Turner thinks that it must necessarily be for a higher amount. There are many incorrect statements like this in his minute. I refer to these only for the purpose of showing that his knowledge of Malabar law was quite defective and in many respects radically unsound and that his criticism cannot therefore carry weight. Sir Sankaran Nayar has in a well reasoned and considered note referred to the important arguments of Sir Charles Turner and exposed their hollowness. Sir Charles Turner, however, makes certain admissions which, coming as they do from such a strong advocate of the janmis, materially strengthen the tenants' cause. For instance, in one part of his minute, he says that the janmi's power of resumption was rarely exercised in former times. In another portion, he states, as mentioned above, that though a right of occupancy was generally unknown to the law of Malabar, it practically to some extent existed. Finally he winds up with a suggestion that occupancy right should be granted to actual cultivators, whether kanamdars or simple leasees, who have been in possession for fifteen years. No action was, however, taken on the reports of Mr. Logan or of the Commission or the minute of Sir Charles Turner. By G.O. No. 650, dated 17th September 1885, the Government appointed another committee consisting of the hon. Mr. Master as President, Sir Madhava Rao, Sir Muttuswami Ayyar, Mr. H. H. Shephard, Sir Subrahmanya Ayyar, Mr. H. T. Ross, Mr. Sankaran Nayar, Mr. Stokes and others as members."

Mr. K. PRABHAKARAN TAMPAN :—" May I know whether there was one janmi in that committee ? "

Diwan Bahadur M. KRISHNAN NAYAR :—" There were five or six janmis."

Mr. K. PRABHAKARAN TAMPAN :—" I am asking about Madhava Rao's Committee."

Diwan Bahadur M. KRISHNAN NAYAR :—" I am not sure whether there was any janmi on it. My hon. Friend may take it that there was no janmi."

Mr. K. PRABHAKARAN TAMPAN :—" As a matter of fact, there was none."

Diwan Bahadur M. KRISHNAN NAYAR :—" If my hon. Friend knows it, I shall take it from him."

Mr. C. RAMALINGA REDDI :—" May I ask whether Mr. Krishnan Nayar is a janmi ? "

Diwan Bahadur M. KRISHNAN NAYAR :—" Since my hon. Friend Mr. Ramalinga Reddi asks it, I owe it to him to say that I am a janmi. I am greatly indebted to him; he has even assisted me in the drafting of this Bill. I know there are blemishes in this Bill. But for the blemishes, I am entirely responsible ('hear, hear' and laughter). My hon. Friend has reminded me of my position in the social organism of Malabar. There are janmis who also hold kanam land. But I do not possess an inch of kanam land or verumpattam land."

Mr. K. PRABHAKARAN TAMPAN :—" May I know also whether he has no kanamdars under him ? "

Diwan Bahadur M. KRISHNAN NAYAR :—" My hon. Friend will be curious to know several things, but I am not prepared to oblige him (laughter). I was speaking of the Madhava Rao's Committee. At a meeting

20th August 1924] [Mr. M. Krishnan Nayar]

of this Committee held on the 27th March 1886, Sir Muttuswami Ayyar moved, and Mr. Shephard seconded, the following resolution: 'That it is just and equitable to protect ancient tenants and kanamdars against capricious eviction, so long as they are ready and willing to fulfil their customary obligations to their janmis.' This resolution was carried by a majority of six against one. Again, on another occasion, a substantial majority of the Committee affirmed the general proposition that a Bill providing for payment of compensation for improvements to tenants would not be a sufficient check against eviction and that, therefore, further legislation was expedient. The Committee also drafted four Bills which they forwarded to the Government, two of which provided for grant of occupancy right to tenants. But curiously enough in their final report, dated 22nd February 1887, the Committee recommended that no legislation other than a Bill for compensation for tenants' improvements and another which they forwarded with their report and which conferred no right on tenants was necessary. Thus, by the beginning of 1887, there were five distinct proposals before Government, four for conferring occupancy rights in one form or another upon tenants, and one for regulating the award of the value of improvements to tenants. The Government accepted only the last of these proposals and accordingly the Malabar Tenants' Compensation for Improvements Act, I of 1887, was passed. The object of this enactment was to secure to evicted tenants the full market value of their improvements, and by doing so to put what, it was believed, would be a check on the growing practice of eviction. Different courts began to interpret this Act in different ways and this led to a great deal of confusion. To avoid this confusion and to set right the ambiguities in the language of the Act, the Government considered it necessary to amend the Act and deputed in 1895 Mr. R. S. Benson (afterwards Sir B. Benson), the then District Judge of South Malabar, for the purpose. Mr. Benson accordingly drafted a Bill. Subsequently Government considered that further legislation was required to amend the whole law of landlord and tenant in Malabar, and in 1896 Mr. Ross, who was at one time District Judge in South Malabar and was a Member of Mr. Master's Committee, was placed on special duty with instruction to incorporate the subject of Tenants' Improvements in the Malabar Tenancy Bill which he was to draft. But the sad and unexpected death of Mr. Ross prevented the completion of his work. The next attempt at legislative interference for curtailing the powers of the janmis was made in 1899 by Mr. Dance when he was the Collector of Malabar. He drafted 'the Malabar Melcharth Bill', with a view to restricting under certain circumstances the power of granting melcharths (melkanams) possessed by the janmis. The Government refused to act upon this. Act I of 1887 was subsequently amended and Act I of 1900 passed, which is the existing law on the subject of Tenants' Improvements. When the Bill which ultimately became Act I of 1900 was under discussion in the Legislative Council, the information was elicited that the Government had throughout intended to treat the question of compensation to Malabar tenants as part of the general tenancy legislation. It would have been better if the Government, instead of confining their attention then to improvements alone, had taken up the entire question of Malabar Tenancy and solved it. The last Act of the Government in connexion with this matter was to call for a report from Mr. Innes in 1915 or so when he was the Collector of Malabar. He is believed to have reported that it is necessary to

[Mr. M. Krishnan Nayar] [20th August 1924]

confer occupancy right on tenants. This is a very brief account of the activities of the Government in the field of the Malabar tenancy. Like the proverbial mountain and the mouse, the only result of these activities has been the passing of the Improvements Act I of 1900. This has not touched even the fringe of the problem.

"A brief reference to the increasing number of eviction suits, the economic condition of the tenants and the new methods of harassing them adopted by the janmis will not be out of place here. The hope that was entertained at the time of passing the Improvements Acts of 1887 and 1900, that they would impose a check on the arbitrary exercise of the power of eviction, has not been realized. On the other hand, the number of eviction suits is steadily on the increase. A very large percentage of the suits instituted in the Civil Courts of Malabar consists of eviction suits. This could be easily proved if the Government would call for statistics. The abnormally large number of Munsifs' Courts that exist in Malabar would not be necessary but for these eviction suits. Almost any ground is made a pretext for instituting eviction suits. Refusal to contribute to the expenses of weddings and other ceremonies in the janmi's family, presenting only a small nazzar like one rupee for asking permission to celebrate a wedding and even building a comfortable house are causes for eviction. At the time of renewal, kanam tenants are compelled to insert in the renewal deeds a provision to the effect that they will surrender their holdings on demand by the janmis. The object of this provision is to get rid of the period of twelve years, which forms an incident of the kanam tenure. If the kanam tenants own any jenm property, they are required to include it in the kanam document and thus give up their jenm right. They are also asked to convert their kanam holdings to karipanyams, or ordinary mortgages with possession, so that they may, without regard to any term, be redeemed at any time. If the holdings contain, in addition to paddy lands, dwelling houses or other buildings or groves or plantations of trees, the tenants are asked to separate the paddy lands from the other properties and execute separate documents for them, so that the paddy lands, for which there is always demand, may be recovered easily without having to pay compensation for buildings and trees. These are all modern devices adopted by the janmis to draw the rope tightly round the necks of tenants. On refusal to comply with any of these demands, eviction follows as a matter of course. At the time of renewals, the amounts demanded as renewal fee are, in many cases, outrageous. To pay these amounts, the tenants have to borrow money at exorbitant rates of interest by mortgaging their holdings and other properties if they have any. Very often they are not able to repay these amounts by the time the next renewal comes round, for which they have to borrow again. The result is that the load of debt gradually becomes heavier and heavier till at length they sink under its intolerable weight. Even after payment of renewal fees, tenants are often not able to get renewal documents executed. To get the documents, they have to bribe the hungry and unscrupulous karyasthans or agents of janmis who generally have considerable influence over their masters. The tenants do not always get receipts for payment of renewal fees or michavaram or rent. To ask for receipt is to incur the ire of the janmi or, what is more serious, the ire of his karyasthan. The consequences of not getting receipts are serious. When suits for eviction are instituted, tenants, for want of receipts, are not able to prove payment of rent. Arrears

4-15 p.m.

4-15 p.m. follows as a matter of course. At the time of renewals, the amounts demanded as renewal fee are, in many cases, outrageous. To pay these amounts, the tenants have to borrow money at exorbitant rates of interest by mortgaging their holdings and other properties if they have any. Very often they are not able to repay these amounts by the time the next renewal comes round, for which they have to borrow again. The result is that the load of debt gradually becomes heavier and heavier till at length they sink under its intolerable weight. Even after payment of renewal fees, tenants are often not able to get renewal documents executed. To get the documents, they have to bribe the hungry and unscrupulous karyasthans or agents of janmis who generally have considerable influence over their masters. The tenants do not always get receipts for payment of renewal fees or michavaram or rent. To ask for receipt is to incur the ire of the janmi or, what is more serious, the ire of his karyasthan. The consequences of not getting receipts are serious. When suits for eviction are instituted, tenants, for want of receipts, are not able to prove payment of rent. Arrears

[Mr. M. Krishnan Nayar] [20th August 1924]

of rent are therefore set off against the value of improvements and thus they lose even the value of improvements which they would otherwise get. On the whole, dependence, misery and grinding poverty are the lot of the Malabar tenants.

"We hear a great deal nowadays about the introduction of improved methods of cultivation and the use of superior ploughs and artificial manure. But a cultivator who knows that his tenure is precarious and that he may be turned out of his holding at any moment is not likely to spend his money and labour in improving the soil. Unless he has a reasonable certainty that he will be able to reap the fruits of his own labour, a tenant will have no inducement to introduce improved methods of cultivation. Mr. H. C. Sampson of the Agricultural department refers to this aspect of the question in one of his notes and attributes the poor yield of coconuts in many parts of Malabar to what he calls the twelve-year lease of coconut gardens (kanam). There is hardly any limit to the amount of capital which can be profitably sunk in the soil by an agriculturist. But when high cultivation is resorted to, the time of waiting for the profits to arrive becomes more and more extended, and hence an agriculturist holding land for a limited time is precluded from doing many things which, if his tenure were more secure, he would certainly do. The loss of produce due to the lack of security of the Malabar tenures is thus very great to the tenant, the landlord and the State. 'Give a man the secure possession of a bleak rock and he will turn it into a garden; give him a nine years' lease of a garden and he will convert it into a desert. The magic of property is potent enough to turn sand into gold.

"Statutes containing provisions more or less similar to those contained in the present Bill have been passed in other parts of India. The Indian States of Travancore and Cochin, where conditions are similar to those in Malabar, have solved the tenancy problem, so far as it relates to kanamdars. The language, the system of inheritance, the land tenures and the social habits of the people in Travancore, Cochin and Malabar are the same. Many janmis possess lands in all these three States. Janmis residing in these places are also related to one another by marriage. The Travancore Government by a Proclamation, dated 1042 M.E. (1867) conferred occupancy right on kanam tenants. The provisions of this proclamation were amended and amplified by the Janmi and Kudian Regulation, Regulation V of 1071 (1896). By the Cochin Tenancy Regulation, Regulation II of 1090 (1914), the Cochin Government also granted occupancy right to the kanam tenants of the State. Many British Indian Provinces have also enacted laws providing for occupancy right to tenants. The Punjab Tenancy Act, XVI of 1887, granted occupancy right to tenants. Under the North-West Provinces Tenancy Act, II of 1901, the tenants of that Province obtained occupancy right. Under the Central Provinces Tenancy Act, I of 1920, occupancy right was conferred on the tenants of that Province. The zamindari tenants of the Madras Presidency got occupancy right under the Madras Estates Land Act, Act I of 1908. The Bengal Tenancy Act, No. VIII of 1885, granted occupancy right to the tenants of Bengal. The conditions of tenants of Bengal and Malabar are in many respects analogous. 'The Bengalis, like the Irish,' says Mr. Justice Field of the Calcutta High Court, 'are a peculiarly home-keeping race, unwilling to leave their native villages and submitting to any exaction rather than do so.' So are the Malayalis. Both in Bengal and Malabar, tenants

[Mr. M. Krishnan Nayar]

[20th August 1924]

had substantial rights formerly. At the time of the permanent settlement in Bengal in 1793, the Government made the zamindars 'Proprietors', using a term which seemed to convey the absolute disposing power of an English landlord. The system of Land-law which grew up in England under the peculiar circumstances of that country was introduced in Bengal and maintained by the power of the rulers. So also in Malabar, at first the Bombay Government made the janmi a landlord in the English sense of the term and kudian his lessee or mortgagee. At the time of the permanent settlement in Bengal the Government looked only to their revenue and did not pay heed to the rights of the ryots. Similarly, the early English officers in Malabar who made enquiries for purpose of revenue recognized the janmis as absolute proprietors of the soil and did not pay attention to the rights of the kudians. The result has been confusion and misery in both countries. The Bengal Rent Commission of 1879 after referring to the state of affairs which existed in that country, before it came under British sway, make the following statements in their report: 'Such was the condition of affairs to which the East India Company succeeded; and one of the first problems presented to the New English Government for solution was the settlement and definition of the rights of this middle class. How this question was debated; how it was determined by declaring the zamindars who composed this class to be proprietors; and how the wisdom of this determination has ever since been questioned—are now portions of the constitutional history of the Anglo-Indian Empire. . . . The terms of the settlement and the influence of the English ideas worked, however, some important changes. . . . The zamindars being declared to be 'Proprietors of the soil,' 'landholders,' 'land-owners,' it followed as a natural consequence from this and from the introduction of the English ideas that the ryots have come to be looked upon as their tenants; the payments made to them by the ryots in kind or in money came to be regarded as rent; and the payments made by the zamindars to the Government were termed revenue. When the governing race, with whom rested the executive power and the administration of justice, approached the subject of the relation of the zamindars and ryots with those ideas of the English law of landlord and tenant formulated in the regulations and present to their minds, the result almost inevitable was that the former state of things underwent considerable change.' This looks almost like the language of Mr. Logan in his report on Malabar land tenures. The confusion and misery that were created in Bengal by recognizing the zamindars as proprietors of the soil in 1793, were removed to some extent by Act X of 1859 and materially by the Tenancy Act VIII of 1885. Will it be too much to hope that the confusion and misery which were created in Malabar by the mistaken notions of early English officers and courts of justice will be removed to some extent by this Council by passing the present measure?

"Before leaving this part of the subject, I may say one word about the freedom of contract. Sir Charles Turner and others are advocates of the freedom of contract and deprecate State interference in matters like this. It is all very well to speak of freedom of contract when the contracting parties are of equal strength. But when the will of one party is able to dominate the will of the other party, there is no meaning in speaking of freedom of contract. As between a Malabar janmi and his kudian, freedom of contract means freedom for the strong to oppress the weak. Sir Charles Turner

[Mr. M. Krishnan Nayar]

[20th August 1924]

himself recommends interference of the legislature in favour of actual cultivators who have been in possession for fifteen years. Legislature has often interfered with freedom of contract and such interference has, on the whole, been beneficial. The grant of occupancy rights under the several statutes mentioned above is an interference with the freedom of contract. In addition to the general interference with the freedom of contract implied in the grant of occupancy rights, there are specific sections in these statutes expressly laying down that particular contracts shall be invalid. There is a similar provision in the Malabar Tenants' Compensation for Improvements Act. Statutes passed by the legislature often interfere with individual will and freedom of contract. In the words of Justin McCarthy quoted in the statement of objects and reasons to the present Bill, there is nothing so sacred in the property right of the landlord as to exempt him from that legislative control which is always interfering with the property right of the mine-owner, the mill-owner, the railway company, the factory owner, the shop-keeper, the right of the master over his apprentice, the mistress over the hire and treatment of servants, the theatrical manager over the conditions under which his theatre is held.

"I shall now briefly refer to the main provisions of the Bill. Though in ancient times the kanamdars and verumpattam holders had indefeasible rights in their properties, no attempt is made in the present Bill to re-establish their old rights. As far as possible, rights established by judicial decisions are recognized and endeavours are made to prevent only arbitrary and capricious evictions. The Bill is divided into four chapters. The first chapter contains definitions, the second deals with kanam tenure, the third with verumpattam or simple leases and the fourth with certain miscellaneous provisions applicable both to kanam and verumpattam tenures. Kanam and verumpattam are the most important of the tenures prevalent in Malabar. Most of the landed properties in the district are held under one or the other of these tenures. There are some tenures known as *Anudhavam*, *Atima*, *Karankari* and by other names. The properties held under these tenures are enjoyed in perpetuity by the holders thereof. The incidents of these tenures are more or less well known and established by judicial decisions. Besides, the extent of the properties held under these tenures is small. They are not therefore dealt with in this Bill. A kanam tenure generally lasts for a period of twelve years. In exceptional cases, it is granted for longer terms also. The period of kanam is not therefore mentioned either in the definitions or the other portions of the Bill. Kanams are renewable on the expiry of their terms on payment to the janmi by the kanamdar of an amount known as renewal fees. Good janmis even now renew the kanams on the expiry of their terms on receipt of renewal fees and do not evict the tenants. The Bill provides for grant of occupancy right to all kanam tenants. They are bound to pay renewal fees on the expiry of their term and get their documents renewed. The janmis are also bound to grant renewal to kanam tenants on the expiry of their terms. The rate of renewal fees is fixed in the Bill. Under certain circumstances the janmi is given the power of resuming the land from his kanam tenant. For instance, when the janmi wants to build a house for himself or for the members of his family or where he wants to cultivate the land himself or effect agricultural improvements thereon, which the tenant is either unwilling or unable to undertake, he is empowered to recover the land on the expiry of the kanam demise. In such cases, provision is made in the Bill for protecting the interests of kanam

[Mr. M. Krishnan Nayar]

[20th August 1924]

tenants if the janmi makes use of the building of houses or the cultivation or improvement of the land as a mere pretext for eviction. Again, if a kanam tenant neglects or refuses to pay renewal fees and take a renewal within one year from the date of expiry of the kanam demise, or if the kanam tenant refuses to pay additional kanam amount within certain limits, or if he leaves his michavaram (rent) in arrears for three years consecutively, or if he wilfully denies the janmi's title or wilfully and intentionally commits material acts of waste, the janmi is authorized to evict him. If the tenant has incurred forfeiture by his act or omission as mentioned above and if the janmi institutes a suit for eviction, the tenant is relieved from forfeiture, on payment into court of the janmi's dues and interest thereon and costs. Provision is also made in the Bill for revision of michavaram (rent) at the time of renewals. For instance, if the area of the holding actually under cultivation is in excess of the area on which the michavaram was previously fixed, or the yielding capacity of the land has increased from causes not merely temporary or casual, or the number of trees on which the michavaram is assessable has increased or, if, where michavaram is payable in money and not in kind, there has been a substantial increase in the prices of the produce of the holding, the janmi is entitled to enhancement

4-30 p.m.

of michavaram. On the other hand, if there is a diminution in the area of the holding owing to causes beyond the control of the tenant, or if the soil has become permanently deteriorated without any fault on the part of the tenant, or if there has been a substantial fall in the prices of the produce of the holding, or the number of assessable trees has diminished by causes beyond the tenant's control, the tenant is entitled to a reduction of michavaram. If, at the time of renewal, the janmi and the kanamdar cannot agree as to the amount of michavaram or additional kanam to be paid or other terms of renewal, either party may institute a suit in the proper court. The particulars to be entered in a kanam demise or its renewal deed are given in the Bill. Every tenant is entitled to a receipt for payment of michavaram. The particulars to be entered in a michavaram receipt are also shown in the Bill. Melcharths or documents by which janmis, instead of evicting the tenants themselves, authorize others to do so, are prohibited. Kanam tenants of shops, warehouses and other building do not get occupancy right. Similarly, forest lands which are demised for felling timber or for fugitive cultivation or for both are exempted from the operation of the Bill. Arrears of michavaram and renewal fees are made a first charge on the holding, subject, of course, to the prior claim of Government for arrears of revenue. Similar provisions are also made, mutatis mutandis, in respect of verumpattams or leases. Ordinarily, no term is fixed for a lease. So, every lessee who has uninterruptedly held his holding for a period of not less than six years, is granted occupancy right. Renewals and payment of renewal fees are customary only in some cases of leases. In such cases, renewal is made compulsory on payment of renewal fees on the expiry of the term of the lease. The rent payable by a lessee before the Bill becomes law shall be the rent payable by him until such rent is revised. Revision of rent is to take place at the time of renewal when renewal is customary and in other cases on the expiry of twelve years. All customs and customary rights not inconsistent with the provisions of the Bill of 1900 are made applicable. With a view to enable landlords to recover their dues promptly, provision is made for the making of rules enabling

20th August 1924]

[Mr. M. Krishnan Nayar]

courts to try summarily suits for recovery of michavaram, rent and renewal fees. In addition to these main provisions there are some minor provisions. These and all the details have not been referred to here. The provisions in this Bill are based on the provisions of the several Tenancy Acts mentioned above and particularly on the Travancore and Cochin Regulations. I may, in this connexion, say one word, in all humility, to the janmis. This Bill is not conceived in any spirit hostile to them. I possess many valued friends amongst the janmis, both inside and outside this Council. As we have seen, the Bill contains sufficient safeguards to protect the interests of janmis. They will continue to receive all the dues to which they are now entitled and they will be able to recover them more promptly than at present. I am willing to make all reasonable alterations in the details of the Bill. I do not hope to be able to convince the dichards among the janmis. But the moderate among them will, I venture to hope, see the need for a change in the existing law. It is not desirable, in their own interests, to further drive the tenants to desperation.

"The condition of the tenants in other parts of the Presidency is not like the condition of the tenants in Malabar. The facts that there has been no demand for legislation in the interests of the tenants in other districts and that there has been no necessity for the Government to appoint committees and commissions to enquire into their conditions, afford ample proof of this statement. There is, again, no land monopoly in other districts as there is in Malabar. In the other districts, the lands are not tied up in the hands of a few as they are in Malabar. The Laws of Marumakkattayam and Impartibility which prevent the disruption and distribution of property, do not operate in the other districts. In the ryotwari tracts of the other districts, the ryots hold lands on pattas and are not liable to be evicted by any body. In the zamindari tracts, ryots enjoy occupancy right. But in Malabar, lands are held under the janmis, but the holders of these lands do not enjoy occupancy rights and are liable to be evicted. Then again, kanam is a tenure peculiar to the Malabar district. There is nothing like it in any other part of the Presidency. All these indicate the difference between the tenants in Malabar and the tenants in other districts.

"There is, thus, a stringent and systematic monopoly of land in Malabar which ties up land in the hands of a few and which is well-fortified by laws on all sides. While the janmi monopolists of land are few in number, a large portion of the population of the district consists of agriculturists who depend entirely on land for subsistence and are therefore practically at the mercy of the janmis. Formerly, the janmis were only holders of stanam or dignity and not proprietors of the soil as they are now. The proprietary right in the soil belonged to the kanakkars who were a body of law-abiding, self-respecting and independent people. The use of the term janmi as expressing a tenure of land is inaccurate and modern. On account of the mistakes committed by the early English enquirers and officers who made their enquiries for the purpose of revenue and derived their information solely from the janmis and the importation of English notions of landlord and tenant into the customary land-law of Malabar, janmis came to be regarded as owners of the soil and kanamdars as their lessees or mortgagees. Even according to the statements of these early English enquirers, it was not usual for the janmis to turn out tenants in those days, and the latter practically enjoyed occupancy right in their holdings. For the

[Mr. M. Krishnan Nayar]

[20th August 1924]

first sixty years of the British rule in Malabar, from 1792 till 1852, there were no decisions for eviction by courts of law in favour of janmis against tenants. It was the decision of the Sadur court in 1852 that kanam is only a redeemable mortgage lasting for a period of twelve years, that revolutionized the customary law of Malabar and it is from that year that eviction suits began. Kanam is not a mortgage in the sense in which the term is understood by English lawyers, and kanamdars are not middlemen. Vernmpattakars or simple lessees had also occupancy right in their holdings. Mappilla outbreaks are really the result of agrarian discontent and not of fanaticism. The repressive laws of 1854 have not been successful in quelling these outbreaks. The power of eviction is a powerful weapon in the hands of the Nambudiri janmis in some parts of the district for social oppression of the Hindu tenants. The miserable condition of the tenants attracted the attention of Government and they appointed several committees and commissions from time to time to enquire into the grievances of tenants and report on them. But nothing was done as the result of the reports of these committees and commissions except the passing of the Improvements Acts of 1887 and 1900. These Acts themselves have not materially improved the condition of the tenants. The hope that was entertained at the time of passing these enactments that they would act as a check on arbitrary evictions, has not been realized. On the other hand, the number of eviction suits is steadily increasing. The janmis are devising new methods of harassing tenants and the tenants are growing poorer every day. The tenure of the holdings being precarious, the tenants have no inducement to improve the soil and increase its productive capacity. This is a loss, not only to the tenants and the janmis, but also to the State. Statutes conferring occupancy right on the kanam tenants have been passed in the neighbouring States of Travancore and Cochin where the conditions are exactly the same as in British Malabar. Tenancy laws granting occupancy rights have been passed in many provinces of India also. The law of personal freedom of contract is generally not applicable to relations of landlord and tenant and particularly when one party is strong and the other weak. There is no similarity between the conditions of the tenants in Malabar and those of the tenants in other parts of the Presidency. The Bill does not harm the janmis except in sentiment, does not deprive them of their legitimate dues and enables them to recover these dues more promptly than at present. No doubt, it deprives them of the power of arbitrary eviction, but this is necessary in the larger interests of the country.

"The practical question before this Council is whether the evils complained of exist, and if so, what is the remedy for them. It matters little how the evils exactly arose. It matters little what the historical origin and development of land tenures in Malabar have been. That the evils do really exist can admit of no doubt. Mr. Logan, Sir Madhava Rao's Committee and Mr. Master's Committee found them to exist. Mr. Dance and Sir Henry Winterbotham found that they existed. The Governments of Travancore and Cochin found that they existed and took measures to remedy them. Eminent sons of the soil like Sir Sankaran Nayar and Dr. Nayar knew that they existed and wanted to get rid of them. The latter even prepared a Bill on the subject, but his untimely death prevented its introduction in the Council. It is within the knowledge and experience of all who live in Malabar that the evils exist. The best and most efficacious remedy for these

[20th August 1924]

[Mr. M. Krishnan Nayar]

evils is the granting of occupancy right. No doubt, the janmis deny the existence of the evils. They also oppose the remedy. But nothing good in this world was done without opposition. Slavery was not abolished without opposition. Sati was not abolished without opposition. The Bengal Tenancy Act and the other Tenancy Acts were not passed without opposition. Rebellions of the Belly, says Bacon, are the worst. I appeal to the hon. Members of this Council to prevent the occurrence of such rebellions in Malabar. The Malabar tenants, though they are driven to desperation, have not yet become revolutionaries. They are even now a set of peaceful and law-abiding people. They have abundant faith in the wisdom of this Council. I appeal to this Council to prevent them from becoming revolutionaries. The state of the members of a Malabar tarwad, when evicted from their ancient family home, is sad to contemplate. The tarwad very often consists, not of two or three members, who may easily sustain themselves by their labour, but often of a large number. When they are ejected from their tarwad house and deprived of their means of livelihood, the ties of affection which bind them are often broken and the tarwad circle is abandoned. The males swell the rank of criminals, and the females are left to lead a life of misery and shame, which my hon. Colleagues will not contemplate without pain. About seventeen lakhs of people in Malabar who depend on land for their subsistence look to the Members of this Council for succour and cry to them for help. I feel confident that the cry will be heard and that help will be granted.

"With these words, I introduce the Malabar Tenancy Bill and move that it be read in Council."

Mr. O. GOPALA MENON :—"Sir, I rise to second the motion which has been so ably and exhaustively dealt with by my hon. Friend, Diwan Bahadur Krishnan Nayar, for the first reading of the Malabar Tenancy Bill. The tenancy question has figured prominently in the political and social history of Malabar for the past century. It has settled itself in all other regions in this Presidency, nay, I should say, in India itself. It has found a solution in Travancore and Cochin, in the Tamil and Telugu-speaking districts including the zamindaris; but in British Malabar the tenancy problem is beset with so many difficulties—bed-rock facts there are, so veiled over by complex and adventitious growths that it is difficult to see the proper and original outline of the Malabar land question and the conditions of the poor ryot. Any one glancing at the vast and expansive fields of paddy land going further up from Podanur is struck with the panorama of the country, but what the conditions of the agricultural workers, how they live, what their relations are to the land and the land-owners—these are obscure, not easily seen and are difficult to get information about. Any casual visitor who goes to Malabar only comes into touch with the landlord, probably remains as his guest. He does not come into close touch with the villager. Perhaps these visitors take a drive in motor cars with one of the janmis of the place and thus gets a chance to see a rural hamlet from the distance of the road; sees only a cluster of thatched or mud-walled dwellings. But these can hardly ever set their eyes on the ryot's actual state of affairs or his abject and deplorable condition.

"Malabar has, from time immemorial, remained in comparative geographical isolation. In Malabar the territorial unit of organization is the tara or tarwad. Each tarwad consists of the mother and her children. The

524

THE MALABAR TENANCY BILL

[Mr. C. Gopala Menon]

[20th August 1924]

chief male member, who is called the karnavan, conducts the affairs of the tarwad. All the karnavans of each tarwad, prior to British advent, met and placed before their meeting matters of local importance. According to the number of the houses, the Assembly was called the three hundred, the five hundred or the six hundred. From a record of the diary of the Telli-cherry factory, 1746, 'the function of these six hundreds composed of Nayers is of a political nature; they not only served the Rajas in times of war against foreign aggression but also played an important part in the history of the country as bulwarks against the tyranny and oppression of the Rajas. These Nayers being heads of the Calicut people resemble a parliament, and do not obey the king's dictates in all things, but chastise his ministers when they do unwarrantable things.' Once in twelve years the Nayers of Kerala used to meet on the banks of the Bharata river at a place called Thirunavazhi. In this parliament (mahamakham) every dispute concerning land, taxation and military affairs not settled was discussed and settled. This mahamakham was convened as were also the assemblies of the nadus both at the instance of the Raja and the people. The significance of the meeting was to protect them from the oppression of their rulers. This system seems to have retained its efficiency down to the advent of the British. So until the occupation of Malabar by the British, one of the functions appertaining to the six hundred appears to have been that of giving the land in trust to the proper workers in the body politic and receiving from them in due course the shares of the produce and distribute it equitably. This only shows that the administration of Malabar was of a republican character. There were practically no landlords at all in Malabar. Land belonged to the people and the produce was shared by them in proportion. All these facts go to prove that the land never belonged to the janmis prior to the British period. But the early British administrators, according to Mr. Logan, once Collector of Malabar, than whom no higher authority can be cited, did not perceive the position of a Malabar janmi before his advent, and the British administrator regarded janmam as equivalent in all respects to the *dominium* of the Romans. Logan says: 'The essential difference between a Roman *dominus* and a Malayali janmi was unfortunately not perceived or not understood at the commencement of the British administration.' The janmi, i.e., the old landholder has, Logan continues, by the action of the civil courts, been virtually converted into a *dominus* and the effect on the worker, the cultivator, has been, and is, very deplorable.

"What was the result? In Malabar, land is claimed by janmis as theirs exclusively: I shall quote another instance from the records, from the Diary of the Second Malabar Commission, dated 12th October 1796, which reads thus: 'Although complaints were preferred by sundry persons to the hon. the Governor, Mr. Duncan, against certain naduvazhis and Rajas being considered as janmakars and to pay to them the negudi due on their janmams, the Commissioners ordained that all these sundry petitioners do hereby drop and for ever renounce all pretence to independency, and that all disputes that have hitherto existed are for ever to be buried in oblivion and they do further agree to pay up all arrears due to the naduvazhis and the Rajas on account of negudi, and in the event of their falling into arrears in future they are perfectly content that they (the naduvazhis and the Rajas) shall take hold of the land themselves.' Sir, this is only an instance to prove how the land-owning class, by proclamations of this kind which almost amounted to a series of confiscations, has been completely deprived of their

20th August 1924]

[Mr. C. Gopala Menon]

ownership and reduced to the status of tenants paying rent to an overlord. In fact, the old Malabar land-owner was degraded in caste to the position of a rent-paying tenant.

"Now, coming to the question of kanamdars, I maintain and uphold that they were neither mortgagees nor middlemen nor kudiyaans but they were the sole proprietors of the lands in Malabar before the era of the Zamorin and the British. There were no landlords in the real sense of the term. As I stated already, Malabar was under a sort of a republican Government. Wealthy Nayers, aided by Brahmans, conducted the administration. Owing to a difference of opinion in the administration, they went to Chera and brought a Kshatriya from the royal family as king. On the expiry of every twelve years, the then reigning king would be sent back and another man brought in. The last Cheraman reigned for 36 years. When every new king came in, the people, mostly cultivators, went to the Raja and paid a certain amount of money or produce as *kazcha*. The name kanam was deduced from this word. The Raja visited North Malabar once in six years and the cultivators used to pay their *kazcha* at that time. In this way, tenure of kanam in South Malabar came to be twelve years and in the North Malabar six years. In the district of North Malabar, kanam lands are very few. According to this custom, the Rajas, the naduvazhis and the lesser landlords began to collect kanam or renewal fees once in twelve years in South Malabar and six years in North Malabar.

"When the Zamorin, the then military commander of the last Cheraman, received sword and small portion of land called kokkozhikod and chullikad, he sought the assistance of powerful Nayers and naduvazhis to help him in conquering more territories and he made them pay to him *rajabhogam*. These *stanis* had no proprietary rights whatever over the soil, but were entitled only to *rajabhogam* from the subjects, or, in other words, it was the fee paid to the king as their supreme ruler. So, the old history will prove that *miclavaram* or *rajabhogam* was the only thing that was paid to the reigning king and *stanis* or naduvazhis. So, the old Malabar landlord had only the right to receive kanam.

"Then came the Mysore invasion of Malabar led by Tipu which disorganized conditions in Malabar and all classes of people, including the Brahmans, *stanis* or naduvazhis, fled to Travancore and it was only after the British annexed Malabar that the refugees returned to the country, when they found that the British administrators had taken a wrong view of the land tenure which existed till then in Malabar. In 1793, when the first land settlement under Sir Thomas Munro was carried out, these chieftains represented to the early officers of the East India Company that they were the absolute proprietors of the land and secured their proprietary rights over land. Here I must mention that the British administrators knew nothing of the history of the land question that prevailed in Malabar prior to their advent and they being imbued with the British feudal ideas, accepted the version of the Rajas and *stanis* as put to them. Such, in brief, is the history of the so-called absolute right of the janmis who now say that land is their own. Ever since then agitation was carried on by people to get their rights established. Several commissions were appointed but through the powerful influence of the landlords no reform could be effected. It could be observed from Sir T. Madhava Rao's report in 1884 that there never was any eviction till 1842.

[Mr. C. Gopala Menon] [20th August 1924]

Prior to that the Rajas and stanis were suing only for rent and for a decree to sell the kanamdar's rights and that is also another strong circumstance to show that land never belonged to the janmis. According to this report kanamdars had, before the British courts gave their decision, permanent rights of occupancy.

"The custom which existed for centuries together was uprooted by the Chief Justice Sir Charles Turner in his Minute on Malabar Land tenure without recognizing or understanding the nature of the system prevalent in Malabar till then. Sir Charles understood Malabar Land tenure and custom in the light of the Irish Tenancy Law where there are no kanamdars. He converted kanam into panniyam (mortgage). He made out that the kanamdar was a kudian. The etymology of the two words have different meanings. Kanamdar is only one who pays a *kazcha*, possessing complete right over the property he held, whereas a kudian is one who built a house on the land and lived in it, but he has no right over the property but only to live in it. So kanamdar is not a kudiyan. On the other hand, kanamdars were the first tillers of the soil and were the sole proprietors of the lands. The landlord has no right to evict the kanamdar but to receive only his original *kazcha* fee otherwise known as renewal fee. There was not a single instance of any eviction in Malabar prior to Justice Turner's perverted Minute on Malabar Land tenure although he had then before him the elaborate report of Mr. Logan, a Collector who worked in Malabar longer than any of his confreres and the report of Sir T. Madhava Rao's Commission. It was this absolutely erratic opinion of Sir Charles Turner that unfortunately influenced the judiciary of the district to base their decisions upon that erratic opinion out of respect probably due to His Lordship the Chief Justice. This has become Malabar's Pandora's box of evil and it is to set aside this perverted judicial decisions that have been based upon Sir Charles's erroneous view that a fresh and rational legislation based upon the rights and usages of the people prevalent from time immemorial has become an indispensable necessity of the times, a fortiori after the disaster and distress from floods at present prevailing in Malabar."

The hon. the DEPUTY PRESIDENT:—"The House will now adjourn and the hon. Member, Mr. Gopala Menon, may continue his speech to-morrow."

The House then (5 p.m.) adjourned to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

20th August 1924]

APPENDIX IX

[Vide item IV (1) Communications to the Council on page 479 supra]

G.O. No. 496, Development, dated 21st March 1924.

READ—the following papers:—

I

G.O. No. 1079, Revenue (Special), dated 8th June 1920.

II

Memorandum No. 1178-1/20-1, Revenue (Special), dated 10th September 1920.

The Chief Conservator of Forests is requested to expedite the submission to Government of the proposals referred to in paragraph 2 of G.O. No. 1079, Revenue (Special), dated 8th June 1920, on the question of fire protection in the Cuddapah district.

(By order)

K. NAGESWARA RAO,
Under Secretary to Government.

To the Chief Conservator of Forests, Madras.

III

Reference No. 969/20-1, dated 15th September 1920.

The Conservator of Forests, Central Circle, is requested to expedite the submission of the report on the question of fire protection in the Cuddapah district called for in Chief Conservator's Proceedings No. 51, Press, dated 21st June 1920. A copy of Government Memorandum No. 1178-1/20-1, dated 10th September 1920, calling for an early submission of the report is enclosed.

S. Cox,
Chief Conservator of Forests.

To the Conservator of Forests, Central Circle.

IV

Reference No. 969/20-2, dated 15th September 1920.

In reply to Government Memorandum No. 1178-1/20-1, dated 10th September 1920, I have the honour to state that the Conservator of Forests, Central Circle, is being reminded to expedite the proposals referred to in paragraph 2 of G.O. No. 1079, Revenue (Special), dated 8th June 1920, on the question of fire protection in the Cuddapah district.

S. Cox,
Chief Conservator of Forests.

To the Secretary to Government, Revenue (Special) Department.

V

[20th August 1924]

Letter from H. C. BENNETT, Esq., Acting Conservator of Forests, Central Circle, to the Chief Conservator of Forests, Chepauk, Madras, dated the 1st October 1920, No. C. 2718/19.

With reference to your Reference No. 969/20-1, dated 15th September 1920, I have the honour to inform you that the District Forest Officers of the three Cuddapah divisions have been instructed to meet as often as necessary and discuss the fire-protection problem in Cuddapah and if possible arrive at some general lines on which proposals should be based. If general lines are agreed to, each District Forest Officer is to report these to me with any modifications required to suit special tracts in his division. If a general policy cannot be followed, the senior District Forest Officer is to report to this effect and state his or other District Forest Officer's reasons for disagreeing that a general policy can be followed for the whole Cuddapah district.

2. I am at present awaiting the District Forest Officers' reports. When they have been received, I shall have to discuss the question with the Collector and the District Forest Officers and possibly also have to tour in Cuddapah district. It will therefore take some time before the report called for by Government can be submitted.

VI

Reference No. 969/20-3, dated 13th October 1920.

In continuation of my letter No. 969/20-2, dated 15th September 1920, I have the honour to state that the Conservator of Forests, Central Circle, reports that he has instructed the District Forest Officers of the three Cuddapah divisions to discuss the fire-protection problem among themselves and agree to some general principles for a common basis of action and that on receipt of these reports, he will discuss the question with the Collector and the District Forest Officers and, if necessary, tour in the district. The Conservator thinks that it will take some time before the report called for by Government can be submitted.

S. Cox,
Chief Conservator of Forests.

To the Secretary to Government, Revenue (Special) Department.

VII

Letter from C. E. C. FISCHER, Esq., Acting Conservator of Forests, Third Circle, to the Chief Conservator of Forests, Madras, dated the 17th April 1921, No. C. 1135/20.

I beg to submit herewith Mr. J. S. Scot's proposals for the reorganization of the South Cuddapah division with special regard to protection against fire, together with the Collector's forwarding endorsement and a copy of a note prepared by Mr. Jackson.

20th August 1924]

I detained the report for a few weeks as I wished to visit the Seshachalam hills before forwarding it as the Cuddapah district was entirely unknown to me prior to my recent tour.

I have discussed the difficult problem reported on by Mr. Scot with the Collector and the Divisional Forest Officers and have come to the following general conclusions:—

(1) So long as the villagers living near the forests find themselves benefited by the burning of the forests, until they have been educated into an understanding of the real facts, and this will take generations, they will insist on setting fire to them.

(2) When the people are determined that the forests shall burn no practicable measures will prevent forest fires. Individual conflagrations may be limited by interior fire traces but fresh fires will be started within the areas saved.

(3) Wherever grazing or the cutting of grass is allowed burning is directly and immediately beneficial to the people, if not essential, for it is difficult for the cattle to graze and for grass cutters to cut the useful grass when the old dried culms are not burnt off.

(4) For fire lines to be reasonably effective they must be burnt early, i.e., before the grass in the forest generally becomes dry and inflammable. Many of the fires, I am convinced, are directly due to the fire tracing operations. Two that burnt over extensive areas in the Seshachalam last month originated in this way without doubt. It is very difficult to ensure burning before the grass and undergrowth becomes dangerously dry. Last month just at the time when the staff was finding it still difficult to get the fire lines to burn at all, fires swept over wide areas.

I do not like to lay stress again on a suggestion made elsewhere with regard to flame throwers, but I think the suggestion deserves trial. I have been trying to obtain a blow lamp for experiments on a small scale, but have not yet succeeded.

Another way is by cutting over the full width of the fire line very early, instead of clearing only guide lines, the cut material should then be ready long before the standing growth is ready to burn. This will enhance the cost of fire protection. This increased cost can be met in part by restricting fire lines to the frontier lines (Chittoor district) to prevent fires from coming in from outside and abandoning the ordinary interior lines since they are not very effective, as stated above, where the people wish to burn. Roads and tracks may still be fire traced to prevent accidental fires.

During the past year the District Forest Officer has been experimenting with grubbing up grass on fire lines. It is too soon to judge of the effectiveness of this method; from what I saw, however, I am inclined to doubt its efficiency.

[20th August 1924]

(5) I do not think that any practicable width of line will ensure the arrest of a fire if there is a high wind and very strong winds blow in these hills during the fire season.

On one occasion, though there was no strong wind blowing I observed dead leaves being caught up and whirled to a height of at least 100 feet by a 'wind devil' and then swirled away to considerable distances.

From the above observations I conclude that the successful prevention of fire would involve the complete closure of the forests to grazing and removal of grass, and even that would not stop fires for the first few years. I fear, however, that this drastic measure does not come within practical politics and so we must do our best without that help.

Grazing should be reduced to a minimum, however. Though he does not seem to have put his opinion on record Mr. Gharpurey, till recently the Collector of Cuddapah, shares with me the contention laid down above, at any rate with regard to grazing. That gentleman told me that he considers that the necessary minimum number of cattle should be fixed for each village and that number of ordinary permits only should be issued, i.e., at annas 8 per cow unit. Any excess cattle should be admitted only at a prohibitive rate so that unless they can maintain them outside the forest the owners will get rid of them soon. The District Forest Officer feels sure that he can work out these figures and is already engaged upon them. I recommend the adoption of this suggestion, the fee for the surplus cattle being Re. 1—in the first year with a rising scale—of say, annas 8 for each year thereafter. This might be combined with a scheme of rebates if forests are not burnt.

Turning to Mr. Scot's recommendations it will be noted that in his opinion the fire question is bound up with reorganization and it is in the latter direction that his suggestions lie.

Mr. Jackson has summarised the proposals and so I need not do so again.

I agree generally with Mr. Scot's scheme and I recommend its adoption tentatively in one part of the division only (as suggested by the Collector). After consulting the District Forest Officer I propose that it should be introduced in the Rajampet range first and given a thorough trial there.

Mr. Master considers that the subordinates can be induced to reside on the hills provided that the hill allowance proposed by Mr. Scot are sanctioned. These allowances and good dwellings and a good water-supply are essential to the scheme. It has been argued that an individual when he seeks service in the Forest Department

20th August 1924]

must expect to have to live in 'jungly' localities and that therefore there is no good reason for granting special allowances. This is true but it is inevitable then that a man will only seek employment in the Forest Department when he has failed to secure it elsewhere. The result has been that it is the refuse of other departments, the undesirables, that usually seek employment in the Forest Department where there is any risk of being located in unfavourable localities.

I have also suggested to the District Forest Officer that he should allow the men stationed in the hills to come down to the plains periodically being replaced by others so that no one should remain for too long a stretch in the uncongenial surroundings.

Eventually, if and when the scheme is extended to the whole range of hills, I think that a junior Extra Assistant Conservator should be posted (with hill allowance), say at Papanasam, during the fire season.

I also support Mr. Scot's proposals to reopen some of the pentas for penning. This should be done for the whole of the Seshachalams, otherwise there will be great difficulty in preventing cattle from other ranges coming in to the Rajampet section. It is not proposed to reopen all the pentas but only certain selected ones where the least harm will be done and they will be closed if the privilege is abused or if fires occur.

Early burning will be carried out here under supervision. The presence of the cattle in itself will not be likely to lead to fires for it is only after the rains have brought up new grass that the cattle are driven in and they are removed again about January.

The area intentionally burnt should be restricted. I do not think that such fires will be altogether harmful as I consider that it is due to fires that the valuable red sanders so greatly predominates in many localities. That species seems to be extraordinarily resistant to fire and young plants burnt back to ground level throw up fresh shoots with great vigour. They are more vigorous and grow faster than other regrowth and the shoots thus stand a far better chance of becoming established than in the absence of fire and special tending.

On the other hand where favourable conditions, or the absence of unfavourable ones, gives a chance to the associates of the red sanders, the latter seems to surrender with hardly a struggle. Of course repeated fires do very seriously injure red sanders and the unsoundness of a large proportion of the bigger stems of that species is due, without doubt, to fires.

[20th August 1924]

Cattle should not be admitted to the grazing areas until the new grass has come up well. If they are admitted too early the young grass will be eaten off rapidly and trampled down so that a full crop will not be obtained.

I also support the proposal to charge a fee for the removal of grass by the issue of season permits to regular grass cutters at As. 8 to Re. 1 per head. This measure should be introduced for the whole range of hills and not for one range alone.

Proper buildings for housing the staff are essential. They must be located where there is a supply of good water or where such can be provided. It is better that the staff should have to walk an extra mile or two rather than that they should have a bad water-supply.

I am not in favour of pumps being fitted to the wells. The people do not like them and if they get out of order in these remote places it will be difficult to get them repaired and it will take time.

The wells should be draw wells invariably so that neither man nor beast can get into them. Existing wells, e.g., that at Bodeddubhavi, should be built up so as to prevent direct access and be furnished with pulley and supports.

Troughs may be provided alongside so that water may be stored for watering animals and for washing purposes.

A definite scheme of communication has been drawn out in the Conservator's Inspection Note of 1915. Work on it has been going on and should be pushed on as rapidly as circumstances permit till the whole net-work is constructed. The District Forest Officer is alive to the importance of such communications and is pushing on the work. Such tracks are essential in these hills; without them very much time and energy is wasted in reaching the remoter tracts when time is an all-important factor in successful protective and remedial steps in fire protection.

It is not claimed that these proposals are to usher in the millennium and they will require much amending and improving as experience is gained. They are the best that have been suggested so far, however, and I would strongly recommend a thorough trial in the Rajampet range.

Schemes on the same lines have been submitted quite recently by the District Forest Officers of the North and West Cuddapah divisions. I have not yet had time to go through them but I propose, in any event, to postpone submitting them till I have had a similar opportunity of discussing them with those officers in the field.

20th August 1924]

ENCLOSURES

(1)

Letter from J. S. Scott, Esq., Deputy Conservator of Forests (on special duty), to the Chief Conservator of Forests (through the Conservator of Forests, Central Circle, and the Collector of Cuddapah), dated Madras, the 13th January 1921, No. C. 1135/1920.

With reference to your Proceedings No. 297, dated 19th June 1920, I have the honour to state that before I handed over charge of the Central Circle and was placed on special duty I visited Cuddapah and discussed the question of fire protection with the Collector and three District Forest Officers. I camped at Kodur and on the Seshachalams and in accordance with instructions I issued to him Mr. Master drew up a scheme for improving fire protection in South Cuddapah. This was considered at a conference attended by the District Forest Officers, North, South and West Cuddapah, and by the Deputy Collector of Rajampet. A copy of the proceedings of this conference is appended in enclosure 2. The prescriptions of the scheme for fire protection considered at the conference are set forth in enclosure 3. Statement A which follows shows the subdivision into sections, the establishment with cost required for each section, and the works required to give effect to the scheme.

2. As I spent nearly all my service from 1896 to 1904 in Cuddapah district and for some months held charge as Range officer of what now forms Cuddapah South, I have considerable experience of the forests of all three divisions under consideration and I believe the scheme now sent up for South Cuddapah to be prepared on the right lines and to be workable. Similar schemes are being prepared by the District Forest Officers, North and West Cuddapah, and I think matters have reached a stage at which I can at least usefully report progress.

3. The question of fire protection apart from fire prevention in all three Cuddapahs is very largely one of reorganizing the range establishment and of making such arrangements that the subordinates may be induced to stay on the hills.

4. What struck me most during my recent visit was that, while additional foresters have been sanctioned from time to time for special duties, they have been retained on such special duties, e.g., supervision of timber improvement or fuel-felling operations, instead of the range establishment being reorganized from time to time so that these duties can be undertaken by the ordinary establishment into which the special duty foresters should be absorbed. In Cuddapah range, for instance, there are eight foresters and only seven forest guards—two of the foresters are on special duty in charge of road or building works, four are on special duty in charge of felling series and only two are in charge of beats working directly under the forest guards in the range are in charge of beats working directly under the Range officer. In the three Cuddapah districts together there are 14 ranges, 91 foresters, 204 forest guards and 27 forest watchers. Apart from the fact that many of the foresters are not in section charge the proportion of forest guards to foresters, less than 2½ to 1, is out of all proportion too low. In the case of Cuddapah South which I have gone into in detail the proportion of forest guards to foresters should be increased by reducing the

number of foresters and increasing the number of forest guards without adding to the total expenditure in pay. The proportion of forest guards to foresters for the whole Presidency under the reorganization scheme of establishment is 2,722 to 813 or $3\frac{2}{3}$ to 1.

5. I consider that all reserves in every range should be divided into a suitable number of sections, each in charge of a forester as section officer who should be responsible to the Range officer for protection and all works within the section unless a special officer has been deputed to supervise any road or building construction within it. In my opinion the section in charge of the section officer should be the minimum protective unit, the forest guards attached to the section should work directly under the orders of the section officer and have no territorial jurisdiction. Whenever it is feasible, I consider that it is best that the whole section establishment be stationed with the forester at a centrally situated headquarters within the section. This is particularly desirable in the case of the hill sections of Cuddapah and in my opinion should do much to assist us in overcoming the reluctance of subordinates to live on the hills.

6. The area of reserves in South Cuddapah is 462 square miles—this I propose to divide into 23 sections averaging about 20 square miles each. The section boundaries are as far as possible natural features such as stream beds suitable for fire lines and when this is not possible such natural lines will be joined up by an artificial boundary consisting of a wide fire-line. The boundaries with two exceptions either coincide with the boundaries of existing or proposed felling series or include entire felling series so that each felling series as a unit is entirely included in one section or in another. The exceptions are Rommupodagu improvement felling series which falls partly in section V and partly in section VI and Chivvavaram fuel felling series which falls partly in section XXII and partly in section XXIII.

7. A forester will be in charge of each section having three to eight forest guards working under him according to the importance of the section and the nature of work to be carried out in it. The subdivision of the reserve into sections with establishment required for each, etc., is detailed in the statement A enclosed, and illustrated by the sketch. The pay of establishment existing and now proposed is compared in statement B, the former amounts to Rs. 2,938-8-0 and the latter to Rs 2,939, so there is practically no extra expenditure in this direction. The establishment now proposed is in my opinion and that of Mr. Master sufficient, provided the subordinates can be made content to live at the headquarters assigned to them on the hills. Allowing for the whole district of 4 rangers, 4 foresters and 14 forest guards to fill leave vacancies or for special duties, I propose 27 foresters in place of 40 and 112 forest guards in place of 74 on the current year's basis. Four foresters and 6 forest guards in addition to the present existing cadre were sanctioned for employment for next year. So the new proposals actually involve less expenditure in pay than those sanctioned for next year.

8. The problem we have now to consider, and it is the crux of the question, is how the not-unnatural reluctance of subordinates to live on the hills under present conditions can be overcome; to analyze the causes and eliminate them so far as possible. In my opinion the system of stationing all section establishment with headquarters at the same forest settlement should do much to assist in this. Each section headquarters will be within a very

few miles of the most remote point in the section which can be reached from it in a few hours. When necessary in order to be near their work, subordinates can camp in temporary huts as I have myself often done in the Cuddapah hills, but they should be assured some companionship at their permanent headquarters.

9. I quote the following from a recent inspection note of the Chief Conservator on Fire Protection in Cuddapah: "Neither rangers nor the protective establishment will live on the hills unless they are compelled to. The carriage of tents and saman by head-loads or pack-bullocks is probably prohibitively expensive for low-paid officers, the water-supply is very bad and polluted by cattle, and there are no buildings to make existence endurable in the heat of a Cuddapah fire season. A few patrols are stationed here and there but in the absence of supervision they are of little use." I should like to add that if the establishment can be made to stay only by direct compulsion we cannot expect to get the best of work from them and that extra expense is often involved by the fact most subordinates have dependents whom they find it impossible to bring with them to live on the hills under present conditions. These remarks summarize most of the disabilities of living on the hills and I will now consider them in turn.

10. (i) The extra expense is admitted and unless the subordinates stationed on the hills are to be penalized it can only be met by the grant of special local allowances. The statement A shows the local allowances, in some cases 25, in other 33½ per cent proposed for each of the 16 hill sections. These will be distributed among 16 foresters and 67 forest guards and are estimated to cost approximately Rs. 540 per mensem or *Rs. 6,480 additional expenditure per annum.*

(ii) In addition to lines now in existence we must provide new accommodation to house 78 subordinates within the sections to which they will be attached. This accommodation I propose should consist of a substantial wooden frame work erected on an earthen basement, frame work and basement should last for a considerable number of years without requiring repairs or renewal. The roof should be thickly thatched and the walls constructed of daub and wattle, bamboo tatts, earth covered may be best and they might be double for the sake of coolness. Materials are available *in situ* or not far distant and, though I have not yet had a detailed estimate prepared, I am sure that suitable huts or lines of huts of this type could be constructed at not more than Rs. 60 per head. For 78 subordinates this will involve a *capital expenditure* of Rs. 4,680. It will be necessary to take special measures to protect settlements so constructed from fire and annual repairs may be necessary, but the subordinates should be able to carry them out, at little or no cost to Government, by themselves or with the help of a few coolies. Accommodation of the nature suggested is cooler to live in and without increase of cost can be made more commodious than stone and tile which is I think too much relied on for subordinates' lines and inspection sheds. The selection of the sites for the huts at each settlement will have to be carefully considered by the District Forest Officer on the spot. They should be on elevated ground open to every breeze and not too near still water or settlements of coolies.

(iii) It is not at all easy to frame an estimate of the cost of a supply of good water for cooking and drinking at each of the 16 hill stations. At some there is water-supply in wells or pools available, already but I think it

[20th August 1924]

probable that about Rs. 10,000 capital expenditure may be required to secure a sufficient supply of good water at all centres where it will be required. Whatever expenditure is required in this connexion must be met and apart from the present proposals will add very considerably to the value of the Forest estate. The District Forest Officer must report on the matter in the case of each settlement selected and submit estimates.

(iv) There are two other additional items of expenditure connected with the present scheme still to be considered first, the clearing of new fire lines to connect natural lines and form a complete fire line round the boundary of each section. This is estimated to cost—vide Statement A, approximately Rs. 750 capital. Secondly revised estimates are being prepared for improved fire protection and should be brought into force from next fire season; the estimated expenditure under these will be Rs. 10,000 against the present estimate amounting to Rs. 6,880 an *annually recurring increase of Rs. 3,120*. The increase is however partly due to the general increase in labour which necessitates increased pay for fire patrols and has nothing to do with the present scheme.

11. I have now summed up all the items of additional expenditure involved in the present proposals. On pay of establishment as compared with the current year's expenditure there is an increase of only Rs. 12 per annum while if compared with the full establishment sanctioned for introduction next year there would be a considerable saving. It must be remembered that in the expenditure now proposed is included additional accommodation for subordinates, improvement of water-supply, etc., which might well be classed as ordinary expenditure on development of the district apart from any special scheme of fire protection. It is money put back which will increase the value of the Forest estate. The following is a summary of items of expenditure referred to in paragraph 9 as immediately necessary:—

	Capital lump sum.	Annually recurring.
	RS.	RS.
Vide paragraph 9 (i) Hill allowances	..	6,480
" (ii) Section settlement huts. ..	4,680	..
" (iii) Improvement of water-supply	10,000	..
" (iv) Clearing new fire lines to complete section boundaries	750	..
" (v) Revised fire protection estimate Rupees 10,000 less present estimate Rs. 6,880.	..	3,120
Total	15,430	9,600

12. It will, I think, be possible to get back some at least of this additional expenditure. It was proposed at the first Kodur conference to give up all revenue from sales of minor forest produce except in the case of honey and wax. I think it will prove possible, by establishing depots at each section settlement, to collect all minor forest produce departmentally and this may prove lucrative. Throughout all three Cuddapahs as matters now stand any

20th August 1924]

person can wander at will in reserved forests armed with a sickle but without permit or licence on the plea that he is availing himself of a general order permitting the free removal of grass from reserves. This must be regulated; I am suggesting the issue on payment of a nominal fee of permits authorizing the holder to collect as many head-loads of fodder grass as he wishes during the season in which the reserves will be open to removals provided he takes with him to the reserve the permit in question. Though the individual fee will be nominal the total revenue derived will be considerable. It may also be necessary to increase the grazing fees to check the steadily rising incidence of over-grazing.

13. I have in paragraph 9 only in part, so far as it concerns expenditure on hill allowances, water-supply and housing, dealt with the problem of making life in section settlements on the hills more attractive. I believe isolation is among the least attractive of its features and for that reason among others propose to station all the permanent establishment, foresters and forest guards together with headquarters at the same settlement in each section. Improved accommodation on suitably selected sites and improved water-supply should do much to reduce the unhealthiness of feverish localities and if conditions can be made such that the subordinates can bring their wives, families or dependents contentedly to live with them at the hill settlements the objections to living on the hills will in a great measure be overcome. A subordinate of the class of forest guard or forester is just a subject to nostalgia as any one else and improved social conditions will probably be the most powerful factor towards the success of our efforts to overcome reluctance to live on the hills. I consider—

(i) that if subordinates require additional accommodation for their family or dependents they should, on application, be given free grants of produce from the reserved forest for its construction by themselves;

(ii) that each subordinate stationed within reserved forest should be allowed free grazing for two milch cows or buffaloes;

(iii) whenever there is suitable land available near the settlements, subordinates should each be allotted a small area for cultivation free of assessment;

(iv) approved service for a reasonable period in a hill settlement should be regarded as a necessary stepping stone to promotion to the higher grade posts;

(v) those serving on the hills should be recognized as having the first claim to leave if they require it and if they wish it and it can be arranged for; they may during their period of service on the hills be temporarily transferred to work on the plains when work on the hills is comparatively slack.

It is already within the power of District Forest Officers to see that these and similar privileges are the recognized perquisites of subordinates stationed in localities now shunned and they should so use their powers as to make it clear that service in the hills is on no case banishment to a penal settlement but a step towards promotion and special consideration.

14. I will now deal as far as I can at present with the very difficult problem of fire prevention. What I have to say on this subject as yet amounts rather to a statement of existing facts and to suggestions in regard to them than to any proposals finally put forward. To the proceedings of

[10th August 1924]

the conference held at Kodur on 22nd December 1920 is appended, a list of questions and the answers to them of some of the ryots then examined. District Forest Officers have been asked to collect replies to these questions from respectable ryots in different parts of the district and the Collector has been requested to have the same done through Revenue officials. I believe that much of value can be learnt from such inquiries not only in regard to the normal requirements and customs of the district but also in regard to any local deviations in exceptional localities. It is essential to the success of any policy of fire prevention that established custom should as far as in any way possible be respected and that when it is clearly necessary that it be interfered with the changes necessary be brought about gradually and with as little friction as possible.

15. I understand from past experience in Cuddapah district and more recent inquiries the normal conditions to be as indicated below :—

There is a heavy and increasing demand for forest grazing which is already excessive, considering the limited possibility of the outer slopes near the villages. The number of cow units licensed to graze in South Cuddapah Seshachellams rose from 12,045 in 1915-16 to 16,694 in 1919-20. It is similarly rising in the other divisions in spite of the fact that foreign cattle brought from a distance have been of late years excluded owing to the closure of pentas. In the case of the Seshachellams it is estimated, that the average number of animals licensed represents 4 acres of the area resorted to for grazing per cow unit. This will be reduced to 3.6 acres when the total area to be closed under existing working plans is worked up to. It is essential to check further increase in forest grazing and most desirable if not absolutely necessary to reduce the existing demand. I suggested some years ago that this might be done with least hardship to the villagers and to the improvement in class of stock if the rates for other animals being left as they stood or only slightly raised a really substantial fee were levied on every entire bull capable of breeding at the same time facilities might be given for breeding by selected Government stock bulls. This system, as far as I know, has never been tried and might perhaps be impracticable. The system generally adopted is to raise the rates all round per cow unit irrespective of sex or condition. I think the time has now come to at least check further increase in forest grazing by raising the fee which is still only 3 annas per cow unit.

16. The cattle kept by the ryots include a certain number of domestic cattle mostly milch buffaloes, the better class of agricultural cattle some of which are required all the year round for well irrigation and other work and a very large number—how many per acre of cultivation it is not at present possible even roughly to estimate is kept primarily at least for the value of their manure. All cattle when on the plains appear to be penned or tied up in or near the villages at night and twice or thrice in each year the manure from these places is collected and spread on the fields. The poorer classes also collect scattered droppings for sale and it appears that some who have no lands keep cattle whose manure they sell to ryots. Between harvest and the rains when cultural operations begin all cattle are kept on the plains; they then graze on the ryots fields while there is any grazing on them and they are also sent to the outer slopes of the reserve to graze on permit. Fodder obtained from field crops is largely supplemented by grass brought

[20th August 1924]

from reserved forest either by the ryots' own dependents or purchased from those who collect it.

From the time cultivation begins after the rains till the fields are again clear after harvest the great majority of cattle, that is those kept for the value of their manure, used to be sent to the pentas on the hills for forest grazing in the interior of the reserve. As I understand matters this was done partly if not entirely because during that season the tank beds being full and the fields under crops there is no space for them on the plains.

17. Now, while I entirely agree with the exclusion of foreign cattle or cattle from distant parts of the district from cattle pentas within these reserves, I am inclined to think that there is a good deal to be said in favour of allowing a limited number of local cattle to be penned in the old pentas a selected area round each being demarcated off by a wide fire line and the interior treated purely as a grazing area. From the fire line surrounding this area I would as soon as possible each year burn inwards the whole of the interior. In South Cuddapah there are nine such pentas. The area around these pentas has in the past so far deteriorated through constant fires and grazing that except from the very rich soil in the actual penning places themselves it is of comparatively small value as forest land. The burning of the area around the pentas would prevent the possibility of fires spreading from within the fire line outwards and if any area were deliberately burnt outside this line in its vicinity the penta would be closed for the year.

18. My reasons for favouring the re-opening of pentas for the penning of a limited number of purely local cattle are these.

I believe that the ryots do find a real difficulty in providing for their cattle during the rains and that they regard it as a great grievance that they are no longer permitted to use the pentas at this season.

Now that we have enforced closure of pentas to all cattle for a number of years local villagers would regard it as a real concession if pentas were re-opened exclusively for their cattle. This concession they would be anxious not to lose and they could be made to understand that they would do so if deliberate fires were lit beyond the limits of the penta fire lines.

I do not think we would lose much valuable forest by granting the concession I propose. I believe we would get much more than we are likely to lose since we would gain a powerful influence over the local ryots. The less we concede the less we have to withdraw and in case of non-co-operation, if we have conceded nothing we can only retaliate by purely punitive measures in response to which retaliation in the form of deliberate incendiarism is so simple and effective. The closure of pentas does not seem to have had any effect in preventing deliberate incendiarism. It is quite possible fires have been started deliberately to prove that it would not. If foreign cattle were excluded and I think the villagers would help to differentiate between these and their own cattle the opening of pentas to local cattle might go far to gain the co-operation of local villagers.

The opening of pentas for four months in each year would to some extent relieve the incidence of grazing on the outer and lower slopes.

19. Mr. Wood as Conservator as recently as 1919 made a tour throughout South Cuddapah. I quote the following from his inspection

20th August 1924.

notes disposed of in Board's Proceedings Mis. No. 264, dated 13th May 1919, but unfortunately not printed:—

"There is a large area in the upland forest to the west of the areas under working-plans. It is too remote to be of use for daily grazing and penning is forbidden. This was correct before our present concentrated working was established, but I do not think that it is reasonable now. Under the Forest Village Grazing Scheme it has to be determined which forest is required for timber, fuel, etc., working and which can be spared for legitimate and controlled grazing.

"Penning should be allowed at definite watering places . . . If we do not allow a legitimate amount of grazing in these hills now that we have set aside and are closing to grazing the areas of concentrated working complaints will greatly increase and rightly so. . . I am told that these forests burn to the same extent as ever and with the gradual closing down of the areas now open to grazing fires are not likely to diminish whereas if we provide for controlled grazing in the uplands there is the chance of fires diminishing in time with co-operation.

As I have already pointed out fires are not apt to get less as we go on closing areas to grazing and do not permit controlled grazing on the uplands which we are not working and cannot, through lack of labour for one reason, work. If we permit penning under a judiciously arranged scheme, in the areas not taken up for concentrated working we could disallow penning for a period if the forests were burnt. As the villagers are very anxious to be allowed to pen it might have some effect in time on incendiarism."

Mr. Wood spent some years of his early service as Assistant and as District Forest Officer of what now forms the three Cuddapah districts. I also did so for a considerable number of years. Our conclusions in regard to penning of local cattle seem to be almost identical and at the time I formed mine I was not aware how strongly Mr. Wood had already advocated the same policy.

20. While I was in Cuddapah free removal of grass was permitted during a season of scarcity and there was great protest when it was withdrawn after conditions became normal. As far as I can remember when I left the district about 1903 I had introduced or was trying to introduce a system of issuing permits at nominal rates valid for a month or some other period and entitling the holder to remove as many head-loads as he liked during the period. I have not investigated how the present state of affairs came about but as they exist not only is no charge made for removal of grass from reserved forest but anybody without anything to show who he is or what he is there for can wander into the reserve with the ostensible object of cutting grass. If he is a genuine grass-cutter he certainly used to and probably still does hack down the straightest sapling he can find to bind his grass round into a nice long head-load, 6'—7' long, but he often was not a genuine grass-cutter. The timber thief can wander gaily into the reserve with a sickle in his hand. He is an innocent villager out to cut grass till he extracts his axe from a hollow tree and onto what timber he wants replaces the axe and starts for home. If he scents

20th August 1924]

danger of detection on the way the timber can be thrown into the nearest long grass the sickle taken from his loin cloth and there again is the innocent villager out to cut grass. Even the genuine grass cutter would be glad to be able to collect his load of green grass for as long a season as possible. If he burns the old dead stuff he gets an earlier crop of green re-growth and it is far easier to collect young green grass when the dry grass is burnt away than to pick the green out from among the dry.

21. I know of no reason other than custom, which seems to have become established, why the Cuddapahs in particular should enjoy the privilege of free removal of grass from reserved forests. Removal of anything except thatch grass should be prohibited altogether from the time the grass begins to get dry and grass cutters are tempted to burn it till the next crop springs up say for the period from 15th January to 15th July. I am not quite sure if my dates quite correctly fit in with the Cuddapah season but the principle should be followed. Again, we cannot have anybody wandering about at will in reserved forest armed with a cutting instrument but with no evidence of who he is or authority other than a general district order permitting him to be there. Grass cutting should only be allowed under cover of individual permit. I don't think we need go so far as to demand that a permit be taken out for each head-load removed. Non-transferable permits might be issued at a nominal rate say As. 8 or Re. 1 for the season during which reserves are open to grass cutting permitting the holder, named on the permit, to remove a head-load of grass at any time provided he has the permit with him when he enters the reserve to do so. In this way we could exercise some control over the transaction at present we have none. It is an impossible state of affairs that any one can enter reserved forest to remove forest produce carrying with him no evidence as to his identity merely on the authority of a district order.

22. In regard to minor forest produce I am of opinion that with the proposed re-distribution of establishment it will be possible to introduce departmental collection of minor forest produce a depot for the purpose being established at each section headquarters.

23. I regret that this note has run to such length but I find it difficult to curtail it unless I delay its submission and as I can't tell when the period of my special duty will end, I wish to get it in as soon as possible so that I may be able to discuss it in person with the Chief Conservator and Conservator. So far as fire protection is concerned I have dealt with South Cuddapah particularly. The District Forest officers, North and West, are preparing proposals on similar lines for their divisions or at least portions of their district where to my knowledge measures on similar lines are appropriate. I think it may be too much to expect a range officer to introduce the scheme throughout the whole of his range simultaneously. I would suggest in the first instance its introduction in the Seshachellams, the Palkoudas in Cuddapah taluk, the Lankamalais and the Nallamalais. To these areas proposals similar to those explained above are particularly applicable. The scheme as it has been worked out for South Cuddapah is in the rough at present. Each locality proposed as a section headquarters must be carefully inspected the sites for the settlement chosen the water-supply reported on and estimates for its improvement prepared and it may be that on closer investigation than I have had time for some modifications may suggest themselves. I put it forward however confident that in

[20th August 1924]

principle it is right. As regards fire prevention, as I have already said, my remarks are rather of the nature of suggestions than finally considered proposals. I believe that useful information may be compiled from the result of local inquiries now set on foot through the agency of Forest and Revenue officials and in any case the Collector's views in regard to fire prevention as far as it affects the interests of the ryots will have to be considered. The Collector in forwarding Mr. Master's proposals embodied herein has endorsed on them as follows:—

"Forwarded. I am in general agreement with the scheme herein set forth except in the matter of levying fees for the removal of grass in regard to which I reserve my remarks pending further information which I am getting."

24. Mr. Master has taken much interest in working out this scheme for South Cuddapah and appears to have a thorough knowledge of this district. Mr. Hanumantha Rao and Mr. Mahony have also given much assistance and I hope schemes on similar lines for their divisions will be ready shortly. I thought it better first to work out one for South Cuddapah as an indication of how it could best be done.

(2)

Proceedings of a Conference held at Kodur on 22nd December 1920 to discuss fire protection, grazing, etc.

PRESENT:

Mr. J. S. Scot, Acting Conservator of Forests, Central Circle, Madras.

M. R. Ry. Subbayya Garu, Deputy Collector, Rajampet.

Mr. J. A. Master, District Forest officer, South Cuddapah.

„ C. Mahony, District Forest officer, North Cuddapah.

2. The proceedings of the last conference held at Kodur on 15th March 1920 were read and the measures subsequently taken as the result of them discussed, these included the proposals drawn up for the improvement of fire protection in South Cuddapah which were gone into and generally approved.

3. The resolutions embodied in paragraph 7 of the proceedings of last conference were then reconsidered in the light of experience since gained. It was considered—

(a) That with subordinates stationed in groups within the limits of reserved forests and reorganised as proposed in the South Cuddapah scheme the collection of honey-wax as well as other minor forest produce might be undertaken departmentally.

(b) Similarly under the arrangements proposed the burning of fire lines could be much more closely supervised.

(c) As regards re-arrangement of fuel coupes so as to avoid closure of large blocks near villages it was considered that the arrangement illustrated below might be adopted:—

Block I coupes I to V to be felled 21 to 25 and closed 21 to 30.	Block IV coupes XVI to XX to be felled 36 to 40 and closed 36 to 45.	Block II coupes VI to X to be felled 26 to 30 and closed 26 to 35.	Block V coupes XXI to XXV to be felled 41 to 45 and closed 41 to 50.	Block III coupes XI to XV to be felled 31 to 35 and closed 31 to 40.	Block VI coupes XVI to XX to be felled 46 to 50 and closed 46 to 55.
--	---	---	---	---	---

20th August 1924]

As fuel coupes are rarely over 100 acres each in most districts, the maximum area closed at one time as one block will not exceed 500 acres will not be excessive as the contiguous areas will be open to grazing. The blocks are so arranged that the dates of felling in adjoining blocks are separated by at least six years so that each five-year block as a whole may remain closed to grazing till felling in the adjoining block is commenced. This of course involves the closure to grazing of two blocks instead of one in each felling series, but it should go so far to mitigate the complaints of the villagers.

(d) The resolution of the last conference was unanimously confirmed. Statistics were examined showing that during the last five years the grazing incidence in Cuddapah South had risen from 12,048 to 16,937 cow units and there has been a similar increase in the other two divisions. The question of dealing with this problem has not yet been finally considered.

(e) The proceedings of the last conference in regard to leaf-manure were read. The matter is still under discussion.

(f) The recommendation of the last conference was read. Gleaning of fuel from coupes in which the contractor had completed his work was allowed in the case of South Cuddapah division so far as the upper slopes were concerned, but no advantage was taken of. In the case of the lower level coupes there is generally nothing left but twigs and brushwood. There is no objection to permitting the free removal of this by head-loads only.

(g) An experiment of permitting the free removal of dead leaves was tried for a time in part of South Cuddapah district and at once led to the manufacture of dead leaves. It is not clear why permission to remove dead leaves is asked for.

(h) It was unanimously agreed that cattle from other districts or even from distant parts of the same district should be so far as practicable excluded from local grazing grounds.

4. A certain number of local ryots were examined first as a body together. They asked—

(1) For reduction in the fee for leaf-manure.

(2) That the fuel coupes should be moved higher up the slopes to provide grazing grounds for cattle.

(3) For free removal of dead wood without restriction.

(4) For permission to pen their cattle in the forests saying that they were accustomed to do so till some years ago; that they send some to be penned and keep the rest on the plains for agricultural purposes. They were sent for about four months during the rainy season from August.

(5) They asked for free permission to remove green wood for agricultural purposes admitting they could buy it from contractors but saying they were too poor to do so.

(6) They asked for permission to remove green grass by cart loads saying that the coupes were closed and it had to come from higher up. There is nothing else to prevent it.

5. A number of these ryots were then asked a series of questions which had been previously prepared, partly with a view to obtaining information and partly in order to evolve a set of questions which put to individual ryots in different parts of the district would secure the data for a record of the local habits and requirements in the matter of grazing and procuring fodder. The replies of those examined individuals are appended. The reason why no replies are given in some instances is because the questions put were not originally on the list.

[20th August 1924
Sub-
Recorded at Kodur-

1	What is your name? ..	Kistipad Narsu Raju ..	Dasari Raju Chengal Raja.
2	What village do you come from?	Oorlagattapodu ..	Kondareddipodu ..
3	How many acres do you hold as patta?	14 acres of Government land, 6 acres of inam.	40 acres ..
4	How long have you held it?	He inherited it ..	I have inherited ..
5	How much of it is under cultivation?-- A--wet B--dry	1 acre under cultivation. { 19 acres } ..	20 acres 20 acres under well 20 acres
6	How many cattle do you own?	80 cows, 4 bulls and 5 she-buffaloes.	20 cows, 6 bulls and 4 she-buffaloes.
7	Are they sufficient?	They are enough ..	They are sufficient ..
8	Do you wish to send them to reserved forest to graze?	All except the buffaloes ..	Yes
9	Do you want to pen them in reserved forest?	Yes	Yes
10	Do you want to pen all or only some?	All	All
11	During what months do you want to pen them?	During the four rainy months from August.	In the rains
12	In other months do you want to send them to the lower slopes to graze?	In other months he grazes them in the lower slopes.	Yes
13	In what months do you keep them outside the reserve on your fields?	Nil answer	After the harvest, they graze for a few days in my field.
14	Are they then loose on your fields all day?	....	....
15	What is done with them at night?	We tie them up in the cattle shed.	In the cattle-shed ..
	Do you manure your fields?	....	Yes. Twice a year I manure it that way.
16	What do they live on during these months?	....	....
17	Do you buy any grass brought from reserved forests to feed them on?	He does not buy. I send my men to the forests to bring it.	No. I send my own men or coolies.
18	In what months do you do so?	I send them in the rainy season not in the dry for these I have fodder from my land.	From April throughout the rains.
19	What do you pay for the grass per head-load per cart-load?	....	....
20	At any time do you keep your cattle entirely in the fields?	....	....
21	Do you take manure from the sheds and spread it in your fields?	....	....
22	How often in a year?	....	....
23	In what months?	....	....
24	Do your cattle get any fodder of your field or field crop?	Yes	Yes
25	Do you buy any cattle manure?	....	Yes I do
26	From whom?	....	From people who have no lands and from those who collect it.
27	What does it cost you?	....	....
28	Do you cultivate your land yourself?	....	....

20th August 1924
ENCLOSURE.
Rajampet taluk.

Dasari Raju Pichi Raju.	Gangi Reddi ..	Dasarlu Subba Raju	Chenchu Ramayya.
Venkatapiraju-kandriks.	Kodur ..	Venkatatipatirajukandriks.	Budiynntapally.
24 acres ..	1,500 acres ..	20 acres ..	250 acres.
I inherited it..	I inherited ..	I inherited it ..	I inherited it.
24	400	Wet 13 acres ..	Wet 50 } I cultivate 5 acres
4	500	Dry 7 acres ..	Dry 200 } wet and 30 acres
20	600 waste.	I cultivate my lands myself.	dry, the rest I lease it out.
5 bulls, 4 cows, 6 she-buffaloes and 150 sheep.	About 50 ..	4 bulls, 10 she-buffaloes and 100 sheep.	50.
Not sufficient ..	No	Yes	Sufficient.
Yes	Yes	Yes	Yes.
Yes	Yes	Yes	Yes.
I want to pen all ..	Over half my cattle.	All except she-buffaloes.	All.
Yes. Rainy season. Sheep when there is little rain.	During rainy season.	During the rainy weather.	October to February.
Yes	Yes	Yes	Yes.
I keep them ..	....	....	....
....	Yes .. ..	....	Yes.
In the cattle shed and sheep penned in the fields before harvest.	Kept in cattle shed	Kept in cattle shed ..	Cattle shed.
....			
....			
Yes	Yes	Yes	Yes.
From July to March.	November and off and on.	For four months in the season	January to March.
As. 10 per head-load, Rs. 3-6-0 per cart-load.	I get through my men.	As. 10 per head-load, Rs. 2 a cart-load.	As. 6 per head-load and Rs. 3 per cart-load.
Yes for 7 or 8 days after the harvest.	Yes, during hot weather.	No	Yes.
Yes	Yes	Yes	Yes
Twice	Twice or thrice a year.	Twice	Twice.
December and April..	In December and at the time of raising ragi crop.	For raising sujja and ragi crops.	February and May.
Yes	Yes	Yes	Yes.
Yes	Yes, occasionally.	Yes	Yes.
From those who own no lands.	From ryots who are willing to sell.	From Malas and Madigas at As. 12 per cart-load.	From poor people who collect it.
They collect ..	One anna per cart-load.	....	As. 12 a cart-load.
....	I cultivate some lands and lease	....	....
out the rest. I cultivate 70 to 100 acres. My tenants supply me with cattle but not with manure. I buy on an average 100 cart-loads of manure.			

[20th August, 1924]

(3)

Proposals for the re-organization of the Range establishments of South Cuddapah district and to secure improved fire protection, etc.

1. The existing subdivision of the district into ranges shall continue. Their boundaries correspond with those of the sections referred to below.

2. The total area of reserved forest shall be divided into 23 sections referred to in Statement A.

3. Each section shall be in charge of a Forester appointed to act as Section officer. He will be personally responsible to the Range officer for the protection of his section from fire or other injury and for all works to be carried out within the section in his charge unless, in exceptional cases, some other officer is specially deputed for the purpose of carrying out particular works.

4. To assist the Section officer in carrying out these duties the number of Forest guards specified in Statement A will be attached to the section. These Forest guards will work under the orders of the Section officer and will be directly responsible to him. They will have no fixed territorial jurisdiction nor will they be placed in permanent charge of any portion of the section though one or more Forest guards may, under the orders of the Section officer, be detailed for a short period to watch a certain locality and report to him the result of their observations.

5. The Section officer and all his Forest guards will be stationed together at the same headquarters defined for each section in statement A. The Forester will not less frequently than once a week enter in writing in each Forest guard's note book instructions as to his duties till further orders. When employed continuously on work in localities at a distance from the section headquarters the Forest guards and the Forester should camp in temporary quarters in the vicinity of the work. They may return to the section headquarters on Sundays and holidays and as the sections are of limited extent absence for considerable periods from headquarters will only be necessary in exceptional cases.

6. It is the duty of the Section officer frequently to inspect the work to which he has deputed each of his Forest guards. He himself is personally responsible for taking such measures as may be necessary to see that it is satisfactorily carried out and should promptly report to the Range officer unsatisfactory work on the part of any Forest guard. In the case of a Forest guard absenting himself without leave from his section the Section officer unless he has reported the matter to the Range officer as soon as it comes to his notice will be dealt with as though he himself were responsible for the offence.

7. The sections are so selected that each timber improvement or fuel felling series with two exceptions is included as a complete unit in one or other section and each Section officer is responsible for the proper execution of all work prescribed for the felling series included within his section.

8. During the fire season the number of fire patrols specified in Statement A will be attached to each sections, they will be provided for in the fire protection estimates and appointed each year from a date which,

20th August 1924]

according to the nature of the season, will be fixed by the Range officer. The duties of the fire patrols will be solely in connexion with fire protection and for this purpose sections may be subdivided and a particular fire patrol held responsible for patrol of each subdivision. In the event of the occurrence of fire all patrols or section establishment should proceed to the scene of the fire and assist in extinguishing it. If the fire is in an adjoining section all irrespective of seniority will act under the orders of the Section officer in whose section they are working.

9. The outer boundary of each section will be fire-traced annually in accordance with prescriptions of the estimate and within it all roads-paths, camping grounds, temples, wells or other sources of perennial water will also be fire-traced as prescribed in the fire protection estimate.

10. Foresters and Forest guards stationed for more than one month to work in these sections where extra cost of living on other reasons justify the grant will draw local allowance at rates specified in Statement A. Arrangements are being made to supply suitable accommodation and water-supply in all such localities.

11. A reasonable period of approved service at a hill section will in future be considered a necessary stepping stone to future promotion. It is by no means of the nature of a punishment but will be regarded by the District Forest Officer and Range Officer as entitling the nominee to exceptional consideration during the period it lasts and thereafter.

A.—Statement showing the subdivision into sections of South

Section number.	Section headquarters.	Number of foresters	Number of guards	Number of fire patrols	Percentage of hill allowances proposed per annum.	Proposed building.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	HILL STATIONS.				PER CENT.	
	<i>Rajampet Range.</i>					
I	Rollamadugu ..	1	4	4	25	4 Subordinates' line of huts.
II	Cherchannakunta ..	1	4	4	25	5 do.
III	Thammalabailu ..	1	4	3	33½	6 do.
IV	Arimani penta ..	1	4	4	33½	5 do.
V	Thummalabailu ..	1	4	3	33½	Nil.
	<i>Kodur Range</i>					
VI	Bodiyeddulabhavi ..	1	4	4	25	5 Subordinates' line of huts.
VII	Umethala ..	1	4	4	33½	1 Subordinate's hut.
VIII	Kodivengammabhavi ..	1	8	6	25	2 Subordinates' hut.
	<i>Balapalle Range.</i>					
IX	Papanasam ..	1	4	3	33½	1 Subordinate's hut.
	<i>Balupalle Range.</i>					
X	Mogilipenta ..	1	3	3	32½	Nil.
	<i>Chitvel Range</i>					
XI	Pallagurupenta ..	1	4	5	33½	5 Subordinates' line of huts.
XII	Kagamadugu ..	1	3	3	33½	1 Subordinate's line of huts.
XIII	Balapalle ..	1	4	4	25	5 Subordinates' line of huts.
XIV	Settigunta ..	1	3	2	25	4 do.
	<i>Chitvel Range</i>					
XV	Marlabylu ..	1	5	4	25	6 Subordinates' line of huts.
XVI	Salvendla ..	1	5	4	25	5 do.
	PLAIN STATIONS.					
	<i>Rajampet Range.</i>					
XVII	Srirangarajupaliem ..	1	5	4	..	5 Subordinates' line of huts.
XVIII	Anantasamudram ..	1	4	3	..	4 do.
	<i>Kodur Range.</i>					
XIX	Gadela ..	1	6	4	..	....
	<i>Balapalle Range.</i>					
XX	Dasichettipalle ..	1	6	5	..	Nil.
	<i>Chitvel Range.</i>					
XXI	Chitvel ..	1	4	2	..	5 Subordinates' line of huts.
XXII	Cheruvumundara Kachapalli ..	1	3	3	..	3 do.
XXIII	Reddivaripalle ..	1	3	3	..	3 do.
	<i>Reserve establishment.</i>					
	Rajampet Range ..	2	4	..	..	....
	Kodur ..	1	4	..	..	....
	Balapalle ..	1	4	..	..	....
	Chitvel ..	Nil.	2	..	..	....
	Total ..	27	112	84	Rs. 540	
					12	
					Rs. 6,480	
					per annum.	

ENCLOSURE.

Cuddapah district reserved forests.

Cost.	Number of felling series included in section.		Clearing of section lines.	Cost.
	Timber improvement.	Fuel.		
(8)	(9)	(10)	(11)	(12)
			MILES.	RS. A. P.
240	Rollamadugu (proposed).	Nil.	6½	97 8 0
300	1. Puttangimadugu N.	Nil.	12	180 0 0
360	2. Do. S.E.	Nil.	....	..
300	1. Thummalabylu N.	Nil.	4	60 0 0
..	2. Do. W.	Nil.	6½	97 8 0
300	1. Thummalabylu S. ..	Nil.	1½	22 8 0
60	2. Rommupodugu (part only).	Nil.	5	50 0 0
120	1. Rommupodugu (part only)	Nil.	(10 feet wide)	..
60	2. Bodeddulabhavi ..	Nil.	....	..
..	1. Kodivengammabhavi N.	Nil.	....	..
..	2. Do. S.	Nil.	....	..
300	Nil. (Includes Thamba zone which may be tended under revised working plan).	Nil.	Nil.	10 0 0
240	Nil. (Includes Thamba zone which may be tended under revised working plan).	Nil.	Nil.	..
300	1. Kangamadugu ..	Gurjana South ..	½ (20 feet wide).	45 0 0
300	2. Pullagurapenta ..	Nil.	4½ (20 feet wide).	..
240	Nil.	Balapalle West ..	Nil.	..
360	Nil.	Balapalle East ..	....	..
300	Nil.	Nil.	....	..
300	1. Rajampet ..	1. Rajampet ..	6½	97 8 0
240	Nil.	Pullampet ..	4½	67 8 0
..	1. Gadela ..	1. Pamuluru ..	2 (10 feet wide).	10 0 0
..	2. Madlobhavi ..	....	1½ (10 feet wide).	10 0 0
300	1. Mustiyeru ..	1. Ganjana ..	....	..
180	Nil.	2. Kodur v. ..	....	..
180	....	3. Thunnukonda ..	....	..
..	....	Nil.	....	..
..	....	1. Nagavaram ..	....	..
..	....	2. Chiyavaram (part only).	....	..
..	....	1. Chiyavaram (part only).	....	..
..	....	2. Kodur East.	....	..
..				..
..				..
..				..
..				..
4,680 capital.				747 8 0

[20th August 1924]

B.—Statement showing the existing establishment and that proposed to be entertained in order to introduce the section system in the South Cuddapah district.

Description	Foresters.												Total.
	I grade.		II grade.		III grade.		IV grade.		V grade.		Pay.		
	Number.	Pay 40 + 12 = 52.	Number.	Pay 35 + 10 = 45.	Number.	Pay 30 + 10 = 40.	Number.	Pay 25 + 10 = 35.	Number.	Pay 20 + 10 = 30.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
Existing..	2	104	5	Rs. A. 227 8	4	Rs. 160	16	Rs. 560	17	Rs. 510	44	Rs. A. 1,661 8	
Proposed ..	1	52	4	182 0	3	120	13	455	6	180	27	989 0	
Difference ..	-1	52	-1	45 8	-1	40	-3	105	-11	330	-17	572 0	
Hill allowances.													
At 33 per cent ..	1	17	4	60 0	3	40	2	24	..	..	10	141 0	
At 25 per cent ..	..	..	..	..	..	..	4	35	2	15	8	50 0	
Total ..	1	17	4	60 0	3	40	3	59	2	15	16	191 0	

Designation.	Forest guards.										Total cost per month.
	I grade.		II grade.		III grade.		IV grade.		Total.		
	Number.	Pay 16 + 8 = 24.	Number.	Pay 14 + 7 = 21.	Number.	Pay 12 + 6 = 18.	Number.	Pay 10 + 5 = 15.	Number.	Pay.	
(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	
Existing ..	9	Rs. 216	9	Rs. 189	14	Rs. 252	48	Rs. 720	80	Rs. A. 1,377 0	Rs. A. 2,938 8
Proposed ..	10	240	15	315	30	540	57	855	112	1,950 0	2,939 8
Difference ..	+1	24	+6	126	+16	288	+9	135	+32	573 0	+ 0 8
Hill allowance.											
At 33 per cent ..	..	..	..	..	..	..	..	..	30	180 0	321 0
At 25 per cent ..	..	..	..	..	..	..	..	..	27	166 8	216 8
Total ..	..	..	..	..	..	..	..	..	67	346 8	537 8

* Calculated on the pay of third grade forest guard on the average

20th August 1924]

C.—Statement showing grazing incidence in the Seshachellam reserved forest and the area available for grazing now and that will ultimately be open and fit for grazing, South Cuddapah district.

Range.	Grazing incidence in cow units.						Area adjoining villages under working plan.	
	1916-17.	1917-18.	1918-19.	1919-20.	Average.		Improvement felling working plan.	Fuel working plan.
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Rajampet ..	5,409	7,598	10,131	9,240	10,272	8,530	10,962	6,969
Kodur ..	6,639	5,454	2,641	2,170	2,554	8,899	8,508	6,543
Balapalle ..	..	..	5,100	4,284	4,111	4,498	8,437	9,984
Total ..	12,048	13,052	17,872	15,694	16,937	15,120	27,902	23,496

Range.	Area of reserves adjoining villages not under working plan.	Total of columns (8), (9) and (10).	Area under working plans adjoining villages now closed to grazing.	Area to be ultimately closed to grazing as per working plans.	Area unfit for grazing.	Area fit for grazing now, column (11) - (12 + 14).	Area to be ultimately open and fit for grazing column (11) - (13 + 14).
	(10)	(11)	(12)	(13)	(14)	(15)	(16)
	(10)	(11)	(12)	(13)	(14)	(15)	(16)
Rajampet ..	15,496	33,427	5,018	12,123	5,000	23,409	16,304
Kodur ..	4,085	1,911	4,344	7,356	4,100	10,667	7,665
Balapalle ..	1,435	19,856	5,409	9,379	4,000	10,447	6,477
Total ..	20,996	72,394	14,771	28,858	13,100	44,523	30,436
Estimated area that will be available as per statement D.					..	70,043	55,956

D.—Statement showing the pentas and their estimated areas proposed to be opened in the Seshachellam reserved forests of the South Cuddapah district.

Range.	Name of penta.	Area.
		ACS.
Rajampet	Puttangimadugu ..	11,200
	Booragamani Thuvva ..	3,720
	Total ..	14,920
Kodur	Relameedi penta ..	1,200
	Yerraneeti Bandala ..	2,180
	Marikam penta ..	850
	Balasula Thuvva ..	950
Total ..		5,180

[20th August 1924]

Range.	Name of penta.					Area.	
						-ACR.	
Balapalle..	{	Penning block	I	..	..	1,270	
		Do.	II	..	..	3,950	
		Do.	III	..	..	1,200	
					Total	..	6,420
					Grand total	..	25,520

N. Dis. No. 529-21/A-6, dated 13th February 1921.

Forwarded.

The proposals in regard to fire protection seem to me to be quite sound. The change in the system does not practically involve any additional expenditure on account of salaries of establishment. The hill allowance proposed by the special officer is inevitable if the subordinates are not to be penalized, as the special officer rightly says, for having to do duty on the hills which by its nature must be harder than duty in the plains. The estimate of the capital expenditure for housing accommodation seems to me somewhat low, but even with a little more of this expenditure, I think, the scheme deserves a fair trial. I would, however, not have the whole scheme put into operation at once, particularly as it is capable of being introduced by parts. The system may be tried in respect of a part of the South Cuddapah district forming say five sections in different localities and may be extended in course of time according as its superiority over the present system is established in practice. The introduction of fees for the removal of grass in head-loads or increase in the present grazing fees are matters common to both the systems and the additional revenue to be derived therefrom should not in my opinion be taken to the credit of the proposed scheme as Mr. Scot appears to do in paragraph 11 of his report. They ought to form part of the proposals for fire prevention which have yet to be finally made and in regard to which Mr. Scot wants further information to be gathered. Mr. Scot's suggestion in regard to the providing of pentas and affording facilities for good grazing for a limited number of cattle are entitled to very great consideration. The scheme, however, has to be taken as a whole and when it is presented in its final form it will be time to examine it in regard to its adequacy or otherwise.

H. G. GHARPURRY,
Acting Collector.

20th August 1924]

VIII

Letter from C. E. C. FISCHER, Esq., I.F.S., Conservator of Forests, Third Circle, to the Chief Conservator of Forests, dated Madras, the 2nd August 1922, No. C. 1135/20.

[Reference.—Mr. Scot's scheme for Seshachellam fire protection.]

I have discussed the whole question with the District Forest Officers and also it was discussed in part at a conference convened by the Collector of Cuddapah at my request.

2. As regards the direct question of fire protection we have come to the conclusion that under existing conditions the Forest Department is unable to secure the forests against fire at any reasonable cost, if at all. We are also agreed that a large proportion of the amount now spent on fire-protective measures is sheer waste.

For these reasons we have very reluctantly been forced to the conclusion that we must resort to early burning on the lines advocated for Kurnool by Mr. Jackson in his recent inspection note and abandon other measures.

I have requested the three District Forest Officers to draw up each a definite scheme for his division. We anticipated a saving in direct expenditure in this way and, in the long run, more satisfactory results.

We wish to make it clear, however, that we consider this step a counsel of despair and not the best silvicultural method.

It does not seem to me to be advisable to enter on this scheme half-heartedly but to apply it straight away throughout.

I request permission therefore to sanction the schemes when they are submitted if I approve of the details.

3. With regard to the other parts of Mr. Scot's scheme, and it deals mainly with the indirect measures for protection, I have also consulted the District Forest Officers and we have arrived at the following:—

(a) It will be very difficult to make sure that the subordinates do live in the hills even if good buildings are provided and a good water-supply is arranged for and even if the hill allowances proposed by Mr. Scot are sanctioned. I gather, however, that it is very unlikely that these allowances will be sanctioned. If they are not, then I am sure the subordinates will not live in the hills longer than the District Forest Officer and ranger are on the spot.

(b) A good net-work of cart-roads and bridle-paths is essential in any case and so these must be continued as funds permit. That for the Seshachellams is approaching completion, but definite schemes are required for the other hill blocks.

[20th August 1924]

Range.	Name of penta.	Area.
		-ACS.
Balapalle..	{ Penning block I	1,270
	{ Do. II	3,950
	{ Do. III	1,200
	Total ..	6,420
	Grand total ..	25,520

N. Dis. No. 529-21/A-6, dated 13th February 1921.

Forwarded.

The proposals in regard to fire protection seem to me to be quite sound. The change in the system does not practically involve any additional expenditure on account of salaries of establishment. The hill allowance proposed by the special officer is inevitable if the subordinates are not to be penalized, as the special officer rightly says, for having to do duty on the hills which by its nature must be harder than duty in the plains. The estimate of the capital expenditure for housing accommodation seems to me somewhat low, but even with a little more of this expenditure, I think, the scheme deserves a fair trial. I would, however, not have the whole scheme put into operation at once, particularly as it is capable of being introduced by parts. The system may be tried in respect of a part of the South Cuddapah district forming say five sections in different localities and may be extended in course of time according as its superiority over the present system is established in practice. The introduction of fees for the removal of grass in head-loads or systems and the additional revenue to be derived therefrom should not in my opinion be taken to the credit of the proposed scheme as Mr. Scot appears to do in paragraph 11 of his report. They ought to form part of the proposals for fire prevention which have yet to be finally made and in regard to which Mr. Scot wants further information to be gathered. Mr. Scot's suggestion in regard to the providing of pentas and affording facilities for good grazing for a limited number of cattle are entitled to very great consideration. The scheme, however, has to be taken as a whole and when it is presented in its final form it will be time to examine it in regard to its adequacy or otherwise.

H. G. GHARPUREY,
Acting Collector.

20th August 1924]

VIII

Letter from C. E. C. FISCHER, Esq., I.F.S., Conservator of Forests, Third Circle, to the Chief Conservator of Forests, dated Madras, the 2nd August 1922, No. C. 1135/20.

[Reference.—Mr. Scot's scheme for Seshachellam fire protection.]

I have discussed the whole question with the District Forest Officers and also it was discussed in part at a conference convened by the Collector of Cuddapah at my request.

2. As regards the direct question of fire protection we have come to the conclusion that under existing conditions the Forest Department is unable to secure the forests against fire at any reasonable cost, if at all. We are also agreed that a large proportion of the amount now spent on fire-protective measures is sheer waste.

For these reasons we have very reluctantly been forced to the conclusion that we must resort to early burning on the lines advocated for Kurnool by Mr. Jackson in his recent inspection note and abandon other measures.

I have requested the three District Forest Officers to draw up each a definite scheme for his division. We anticipated a saving in direct expenditure in this way and, in the long run, more satisfactory results.

We wish to make it clear, however, that we consider this step a counsel of despair and not the best silvicultural method.

It does not seem to me to be advisable to enter on this scheme half-heartedly but to apply it straight away throughout.

I request permission therefore to sanction the schemes when they are submitted if I approve of the details.

3. With regard to the other parts of Mr. Scot's scheme, and it deals mainly with the indirect measures for protection, I have also consulted the District Forest Officers and we have arrived at the following :—

(a) It will be very difficult to make sure that the subordinates do live in the hills even if good buildings are provided and a good water-supply is arranged for and even if the hill allowances proposed by Mr. Scot are sanctioned. I gather, however, that it is very unlikely that these allowances will be sanctioned. If they are not, then I am sure the subordinates will not live in the hills longer than the District Forest Officer and ranger are on the spot.

(b) A good net-work of cart-roads and bridle-paths is essential in any case and so these must be continued as funds permit. That for the Seshachellams is approaching completion, but definite schemes are required for the other hill blocks.

[20th August 1924]

(c) Permits should be issued for grass instead of removal being free (this was also agreed to at the Collector's conference). The grass fees may be raised or lowered respectively when fires do or do not occur and removal may be prohibited on the persistent occurrence of fires.

(d) As a result of the first conclusion the building of subordinates lines inside the forests need not be proceeded with to the extent contemplated. We are agreed, however, that where such permanent buildings or rest-houses are constructed they should be of a substantial description and should be tiled. In these tracts it is necessary that residences should be substantial and tiles are in the long run as cheap as thatch as they require renewal at longer intervals and are not so susceptible to fire. More than one thatched building has been burnt down in the past.

Pending funds permitting good rest-houses, rest-sheds of the Horne type or the North Vellore type will suffice.

(e) If we abandon the construction of the lines proposed and the water-supply prescribed and the proposal for early burning is accepted, the capital expenditure on Mr. Scot's scheme will fall at once by about Rs. 10,000 and the recurring expenditure on fire protection is likely to fall by about Rs. 4,000.

(f) Mr. Scot's proposed division into sections may be retained; but it will not be necessary to cut the section lines since they will not be required for fire lines.

This effects a reduction in the number of foresters and I have asked the District Forest Officer, South Cuddapah, to submit definite proposals to that effect which I propose to carry out without further orders.

IX

Reference from the Chief Conservator of Forests, No. 969/20-4, dated 18th September 1922.

The Chief Conservator accepts the Conservator's proposal that early burning operations on the lines advocated by Mr. Jackson for Kurnool may be introduced in the three Cuddapah Forest divisions. The Conservator may sanction the schemes on these lines when they are received from the District Forest Officers.

2. It is observed from the Conservator's present report that Mr. Scot's scheme as now modified by the Conservator will cost on the whole Rs. 10,000 (capital and recurring) against Rs. 24,000 as estimated by Mr. Scot for all the three divisions. It is not clear why, if early burning is resorted to, any increase in expenditure is required. The Conservator is requested to report on this point.

H. TIREMAN,
Acting Chief Conservator.

To the Conservator of Forests, Third Circle.

20th August 1924]

X

Reference from the Chief Conservator of Forests, No. 969/20-5, dated 18th September 1922.

Since Mr. Scot drafted his scheme of fire protection, the position has been altered by the non-co-operation campaign, the increase in the cost of establishment and the present financial condition; and the Conservator, III Circle, was accordingly asked to look into the matter again with reference to the altered conditions. The Conservator has now submitted a report on the subject from which it is seen that he has modified Mr. Scot's scheme in certain respects. I enclose a copy of his report and request the favour of your opinion thereon.

H. TIREMAN,
Acting Chief Conservator.

To the Collector of Cuddapah.

XI

Letter from M.R.Ry. A. UPENDRA PAI Avargal, B.A., Collector of Cuddapah, to the Chief Conservator of Forests (through the Conservator of Forests, Third Circle), dated the 27th September 1922, L. Dis. No. 4865-A-8/22.

[Reference.—Your letter No. 969/20-5, dated 18th September 1922.]

I agree with the views of the Conservator. The early burning of the lines was one of the questions discussed at the Conference I held with the District Forest Officers and the Revenue officials. The abandonment of the construction of permanent lines is also advisable inasmuch as the subordinates cannot be induced to live permanently in the hills.

XII

Letter from C. E. C. FISCHER, Esq., I.F.S., Conservator of Forests, Third Circle, to the Chief Conservator of Forests, Madras, dated the 27th September 1922, L. No. 1135/20.

[Reference.—Chief Conservator's No. 969/20-4, dated 18th September 1922.]

I respectfully beg to submit that I am unable to follow the argument in paragraph 2 unless the fair copy of my report under reference differs from the office copy of my draft.

The only reference in the latter to the financial question is in paragraph 4 (e) in which I have stated that, if my proposal "is accepted, the capital expenditure on Mr. Scot's scheme will fall at once by about Rs. 10,000 and the recurring expenditure on fire protection is likely to fall by about Rs. 4,000."

[20th August 1924]

XIII

Letter from C. E. C. FISCHER, Esq., I.F.S., Conservator of Forests, Third Circle, to the Chief Conservator of Forests, Madras, dated the 11th December 1922, No. 1135/20.

I return herewith the file connected with the question of the fire protection of the Cuddapah forests together with notes of a conference with the three District Forest Officers of the Cuddapah district and with plans showing the fires that have occurred during the past ten years.

2. All at the conference were of opinion that stone walls, though they may arrest mild fires in places where the grass and undergrowth does not overtop the wall and when there is no breeze, in the usual circumstances of undergrowth and wind that prevail in the local forests, are ineffective. We all have seen cases in which fires have crossed these walls. Further, walls are ineffective where the people are bent on firing the forest.

3. In regard to the fact that fire protection was better from about 1912 to 1916 and to the failure thereafter, it was pointed out by Mr. Master that it was not until after that period that many coupes had been worked and with increased working there is more closure to grazing and more incentive to incendiarism and that every year adds to the area closed to grazing.

4. All were of opinion that fire is by far the greatest source of damage in these forests, followed by illicit fellings and that grazing only takes the third place. Also that fire is overwhelmingly more serious than grazing. If, therefore, it is decided to continue the past system of fire protection, it might be advisable to abandon closure to grazing altogether. This would reduce the incentive to incendiarism, but even then it is not expected that all fires would cease as this would not effect fires set on account of malice or revenge.

As, however, it is now proposed to resort to early burning we do not advise any alteration in the present grazing policy. If and when the area closed to grazing is reduced either for this purpose or on other grounds, it would be reasonable to enhance the grazing fee, which is now still 3 annas per cow unit. In that case we would recommend a fee of 6 annas with a combined rate of 7 annas, as at present, for grazing and penning, to be raised still further in course of time.

5. It was suggested that the collection of myrabolams and 'sarapappu' was responsible for some of the incendiarism and the collection of these items of minor produce was stopped in the Seshachellam Hills since 1918, but this had no effect on the fires. Sarapappu is an article of a considerable local and export trade and the kernels fetch up to Rs. 3 per seer in the Cuddapah market.

[20th August 1924]

6. We consider that Mr. Scot's proposals to locate the subordinates in the hills should be dropped as they are most unwilling to live there and we think that attempts to make them do so would result in disorganization and waste of money.

Except in the case of fire protection, the detection and prevention of forest offences can be carried out more efficiently from stations in the plains.

There is need, however, for closer co-operation between adjoining divisions, especially in regard to divisions in different civil districts, e.g., Chittoor and Kurnool.

7. We made proposals previously (please see my note on the financial situation of the Cuddapah district, C. No. 2267, dated 11th September 1922), that a fee should be charged for the removal of grass. Though with early burning this point has lost importance from a fire protection point of view, we still consider that it should be introduced. There seems to be no good reasons why this item of minor produce should be accorded free rather than any other. It is the source of considerable profit as grass is sold at twelve annas per head-load in the Cuddapah bazaar and we do not see why Government should forego the revenue, especially considering that the district is run at a loss.

For this same reason the enhancement of grazing fees in the near future is recommended.

XIV

Letter from S. Cox, Esq., C.I.E., I.F.S., Chief Conservator of Forests, to the Secretary to Government, Development Department, No. 84, dated 26th February 1923.

[Reference.—Official Memorandum from Government No. 1178-I/20-1, dated 10th September 1920, and G.O. Mis. No. 758, dated 2nd June 1922.]

I have the honour to submit the following report on the question of fire-protection in the Cuddapah district.

As the report will show there has been long delay in arriving at any conclusions with regard to this very difficult question and I do not think now that we have reached any final settlement of it.

2. The facts are well known to Government, but for convenience I recapitulate the Conservator's and my remarks given in the Forest Administration report of 1919-20 together with the conclusions at which Government arrived

Conservator's Report.—"In the Cuddapah divisions fire-protection is the great problem and we are far from having solved it. This year it has again failed. Systematic attempts were made to protect the forests by clearing and fire-tracing frontier lines and

[20th August 1924]

interior fire-lines and grubbing out all inflammable material around worked coupes; fire-patrols were increased and notifications issued. But all these precautions were of no avail. The bulk of the forest was burnt, including several of the coupes recently felled over and under regeneration. Most of the fires are reported to have been set by graziers and grass-cutters and coupes were maliciously set fire to. The fires fanned by high winds in tall grass forests are very difficult to extinguish even with the help of villagers. Seedlings and saplings were burnt down, crowns of poles badly affected, bark scorched and hollow trees, which served as 'seed-bearers' levelled to the ground. The forests consist very largely of that valuable species, red-sanders, the timber of which is practically all unsound as a result of fires in the past. It is obvious that the value of these forests will not increase until we have mastered fires and so are able to raise a healthy young stock. A conference to discuss the question, attended by Revenue, Forest and Agricultural officers and ryots, was held at Kodur in March last, but we are no nearer a solution. The Chief Conservator has recently called for fire-protection proposals to cover all three Forest divisions of Cuddapah".

Chief Conservator's remarks.—"The fires reported in the Cuddapah and Kurnool districts alone covered an area of 377,848 acres or 590 square miles and occurred in a country already addicted to scarcity and famine, due in large degree to the forest denudation of its hills.

"In Cuddapah where the difficulties are equally great a conference was held of the District Revenue and Forest officers which the Collector, Conservator and Chief Conservator attended and at which the villagers from the neighbourhood of the Seshachellam and Velligonda hills were present. Ventilation of the subject of damage done by fire was the object of the conference and it was hoped the co-operation of the Revenue department with the Forest department would impress the villager. Judging from the record of fire since the conference was held, its results have been inappreciable. The Conservator and the Divisional Forest officers have now under consideration a fire-protection scheme for the whole district in which no doubt early burning on the lines adopted by Mr. Hodgson will form an important part".

Government orders.—"The Government welcome the candour with which the facts are narrated in the report, and agree that too much emphasis cannot be laid on the loss to the State which results from these fires, or on the comparative helplessness of the Forest department to prevent or control them, so long as the attitude of the village population remains one of apathy and cases of active connivance with the incendiaries are not unknown. It has always

[20th August 1924]

been and still remains the fact that the carelessness of a few individuals or the desire of graziers to stimulate the growth of young grass for a few hundred head of cattle can and does annually destroy national assets running into lakhs of rupees. It also remains a fact that the Forest Department receives most inadequate help in its efforts to prevent or extinguish such fires although it is demonstrable that their occurrence, which is most frequent in the more valuable forests, decreases the supply and therefore enhances the price of timber used for house-building, agricultural implements and other ordinary needs of the population.

"It is remarkable that in the list of forest grievances which are received from time to time so little attention is paid to this incendiarism and so little public indignation is excited against its perpetration. No satisfactory solution of this problem is likely to be found until public opinion, reacting on the villagers directly responsible, makes the burning of a forest as disgraceful and therefore as rare as, for example, the deliberate burning of village crops or the destruction of village grain-store.

"The Government desire that Collectors and other Revenue officers should use every opportunity at the annual jamabandi and in the course of their tours of impressing this view of the case upon villagers living near forest reserves. The Chief Conservator might with advantage enlist the valuable help of the Publicity Board in the same direction."

3. The first step taken to arrive at some solution of the difficulties was the holding of the conference at Kodur which is mentioned above.

4. The second step was the appointment of Mr. J. S. Scot, on special duty to investigate the whole subject.

The report of this officer was then considered by the Conservator Mr. Fischer and discussed with the Collector and the district officers and a final report was submitted to the Chief Conservator in April 1921.

In the ordinary course the proposals of Mr. Scot and the Conservator would have been submitted to Government by the Chief Conservator with his recommendations; in fact the Chief Conservator's letter to Government was actually drafted.

5. The non-co-operation campaign, however, broke out in the Cuddapah district in July 1921 and it was impossible to proceed with the matter until order was restored.

Extensive forest depredations and refusal to obey the forest laws or to take out grazing licences marked the campaign. In the West Cuddapah division the Ranger was severely assaulted and the actual damage done to the forests in one range apart from fire was estimated roughly at Rs. 8,000.

[20th August 1924]

In South Cuddapah division a similar state of affairs existed and all the forests were burnt. In fact in parts of the district there was for a time complete cessation of forest conservancy.

6. Order was gradually restored and the question of the future management of the Cuddapah forests was again taken up in June and July of 1922.

The Conservator visited Cuddapah and discussed the subject with the Collector and the district officers in the light of recent events and also with reference to the daily increasing need for economy in the cost of administration.

It will be remembered that the general view taken by the conference of 1920 was that the burning of the forests was chiefly due to carelessness and to faction in the villages rather than to any positive ill-feeling directed towards the department. It was considered that with the aid of the Collector and the District Revenue authorities a better spirit of co-operation might be induced; but it was also recognized that larger and more carefully organized staff was necessary if the continued destruction of forest was to be stopped. It was mainly on the latter point that Mr. Scot was called on to make proposals.

7. It is not necessary now to review in detail Mr. Scot's report. He dealt separately with fire-protection and fire-prevention.

Effective fire-protection was largely a question in his opinion of reorganizing the Range establishment and offering sufficient inducement to make the subordinates live on the hills.

For this purpose he advocated the grant of special hill allowances to foresters and forest guards living in the forests, the provision of suitable accommodation for them and their families including water-supply, the allotment of land for cultivation near their houses, the grant of special promotion and of periodical leave, and other inducements of this sort.

These measures were to be accompanied by a better organized system of firelines and patrol.

8. With regard to prevention of fires, Mr. Scot advocated the reduction of grazing by the enhancement of the present nominal fee of 3 annas, the opening of pentas for the grazing of the more valuable class of cattle within the reserve coupled with provision for firing the grass a sufficient area round each penta, the prohibition of free cutting of grass in place of a system of issuing annual licences for a small fee, and the departmental collection of minor forest produce.

9. There was much of value in Mr. Scot's report and certain proposals such as that of re-opening the pentas were at once

20th August 1924]

adopted; but it was very questionable whether it was possible to keep the forest subordinates living on the hills by any inducements owing to the additional cost of living and the risk to health. It was also doubtful whether any system of fire-prevention by ordinary methods of fire lines and patrols could be made effective in the hill-blocks of Cuddapah in the face of organized incendiarism by the villagers.

10. Lastly the scheme was expensive and in the South division alone involved a capital expenditure estimated at Rs. 15,430; but which would probably have been nearly Rs. 30,000 and a recurring annual expenditure of Rs. 9,600 or more probably Rs. 15,000.

11. When the subject was taken up again in 1922 these were points which the Conservator was asked to examine carefully.

Mr. Fischer again visited the district and held more than one conference with the district officers. The final conclusion arrived at will be now dealt with.

12. The extent of forest fires is illustrated by the maps which accompany this report. It will be seen that there is scarcely an acre of the hill forest in Cuddapah which has not been burnt at least once in the last few years and many have been burnt several times over. It is impossible for any forest to survive this treatment and it is only a matter of time for the whole of the hills to be laid completely bare.

The forest is already in its last stage and is almost barren of anything larger than poles. And yet there is proof that 250 years ago these forests were frequented by elephants and there are stumps of trees still visible with a girth up to 10 feet. In 1913 the Forest Department began its greatest efforts to preserve the best portions of the forest now left and a system of walling coupes after felling was devised. A great deal of money was spent on these coupes and to meet complaints of closure the villagers were allowed to cut the grass in them free. Ordinarily such coupes would have been immune from any casual fire. For the first few years the work was successful and the young growth came up well; but later the villagers have annually burnt the coupes from inside the wall and the whole expenditure on the scheme has been wasted.

13. There seem to be only three alternatives before Government:

The first is to abandon all attempts at fire-protection and regeneration, to allow the forest to be annually burnt and to treat the whole area as a grazing ground.

The value of the grazing will diminish with the destruction of the forest but it will be a slow process more or less imperceptible to the present generation. Timber and poles already difficult to obtain

[20th August 1924]

of any size will become unprocurable. The springs and water-courses must of necessity dry up, but here again the present generation will not be the greatest sufferers.

The obvious objection to such a course is the sacrifice of all other local interests such as those mentioned above to the grazing of several thousands of village cattle.

14. The second alternative is for the Forest Department to introduce what is called early burning; that is actually to burn the forest by departmental agency at a time when the grass is dry enough to catch fire but not dry enough to burn furiously and so cause a fire which cannot be controlled.

It is an expensive operation, more expensive in some cases than the ordinary methods of clearing fire-lines and owing to the short time during which the forest is ripe for the operation, a very large staff has to be employed. The system is a compromise and like many other compromises of doubtful value. In forests like those of Cuddapah where there is left so little standing high forest, early burning must prevent the restoration of the forest though it will retard its destruction.

15. Thirdly there is the alternative of enforcing protection by applying the law with much greater rigour than at present. A larger protective staff, heavy fines and punishments for incendiarism, effective closure of burnt areas and other measures of the kind are involved. Action of this sort would, needless to say, be extremely unpopular and also expensive although it may be and probably is the only method by which the forests can be saved from destruction.

16. Mr. Fischer favours the adoption of the second alternative coupled with the imposition of higher grazing fees which he would raise from the present nominal rate of 3 annas to 6 annas.

On the whole I agree with him.

If there were any reasonable prospect that the department could by its present methods protect a small proportion of the better forest for the future supply of timber to the district or could save from fire the forest at the source or at the sides of the hill streams in order to ensure the continuity of springs and water-supply to the plains, I would still advocate their continuance.

17. But there seems to be none, and will be none so long as public opinion remains indifferent to the conservancy of forests or to the results which follow forest destruction.

The villager cannot be expected to appreciate the benefits of forest conservancy and there is no one to influence him in the matter.

18. Mr. Fischer also recommends that a fee be charged for the removal of grass in future.

[20th August 1924]

The free removal of grass was permitted to reduce the local opposition to the walling of the coupes against cattle grazing. It has had no effect in that respect and has led to a practice of stealing poles and wrapping them up in bundles of grass for sale in the villages.

19. I do not however recommend that the issue of daily permits for head loads of grass should be introduced. There is always difficulty in arranging for the issue and check of the permits and grass is a product the removal of which is to be welcomed. I would however recommend the issue of an annual licence at a small fee of Re. 1 in order to prevent the abuse of the present concession by timber thieves and others.

20. If Government accept the present proposals the position will be as follows:—

(1) The present system of fire-protection will be abolished and replaced by a system of early burning. The latter system has already been introduced in parts of the district.

(2) Timber and fuel coupes will still be closed to grazing for a sufficient period to enable the young growth to come up; but the practice of walling coupes will be discontinued and the grass in the coupes will be burnt by the department.

(3) The grazing fee will be raised to 8 annas throughout the district after June 1923 partly to reduce the number of cattle driven to the forest and partly to recoup Government for the expenses of administration. A fee of 6 annas for a year's grazing is a trivial tax and may be compared with the 8 annas paid for a bundle of forest grass in the Cuddapah bazaar.

(4) The pentas have now been re-opened and a fee of one anna in excess of the general fee of 6 annas will be levied.

(5) The proposal to provide accommodation for the protective staff on the hills will be dropped.

(6) The present system of leasing out minor forest produce to contractors will be continued.

S. Cox,

Chief Conservator of Forests.

Order—No. 496, Development, dated 21st March 1924.

Recorded.

2. The Government do not approve the Chief Conservator's proposals to raise the existing rates of grazing fees and to issue an annual licence at a fee of Re. 1 for the removal of grass in head loads.

(By order of the Governor in Council)

F. NOYON,

Secretary to Government.

To the Chief Conservator of Forests.

[20th August 1924]

APPENDIX X.

[Vide item IV (2) Communications to the Council on page 479 supra]

Statement regarding the Police sports at Vellore.

With reference to the hon. the Law Member's reply to question No. 755 at the last session of the Legislative Council, the following information is placed on the table:—

(i) The total amount of travelling allowance drawn by the Police Officers who attended the annual Police sports at Vellore in January 1924 was Rs. 6,720.

(ii) Ambulance sports were not included in the sports.

(By order)

E. M. GAWNE,
Deputy Secretary to Government.

APPENDIX XI.

[Vide item VI on page 479 supra]

BILL No. 12 OF 1924

A Bill to consolidate and amend the law relating to courts of ordinary civil jurisdiction in the Presidency of Madras outside the Presidency town.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to courts of ordinary civil jurisdiction in the Presidency of Madras outside the Presidency town, AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act, It is hereby enacted as follows:—

CHAPTER I

Preliminary

Short title

1. This Act may be called the 'Madras Civil Courts Act, 1924'.

Local extent

It extends to the Presidency of Madras (outside the Presidency town) except the scheduled districts.

Commence-
ment

And it shall come into force on such day as the Local Government may, by notification, appoint.

CHAPTER II

*Establishment and constitution of civil courts and appointment of Judges*Classes of
courts

2. There shall be the following classes of civil courts under this Act, namely,—

- (a) the District Court;
- (b) the Court of the Subordinate Judge; and
- (c) the Court of the District Munsif.

[20th August 1924]

3. The number of courts under this Act (shall be fixed and) may, from time to time, be altered by the Local Government. Establishment of courts

4. The Local Government may, by notification, fix and from time to time vary, the number of Subordinate Judges to be appointed for a Subordinate Judge's Court or the number of District Munsifs to be appointed for a District Munsif's Court. Number of Subordinate Judges and District Munsifs

5. When more than one Subordinate Judge is appointed to a Subordinate Judge's Court or more than one District Munsif to a District Munsif's Court, one of the Subordinate Judges or the District Munsifs shall be called the Principal Subordinate Judge or Principal District Munsif and others Additional Subordinate Judges or Additional District Munsifs as the case may be. Powers of Additional Subordinate Judges and District Munsifs when appointed to a court

Each of the Judges appointed to a Subordinate Judge's Court or a District Munsif's Court may exercise all or any of the powers conferred on the Court by this Act or any other law for the time being in force.

Subject to the general or special orders of the District Judge, the Principal Subordinate Judge or the Principal District Munsif may, from time to time, make such arrangements as he thinks fit for the distribution of the business of the court among the various Judges thereof.

6. The place at which any court under this Act shall be held may be fixed, and may from time to time be altered, Courts—Locality

in the case of a District Court or a Subordinate Judge's Court, by the Local Government, and

in the case of a District Munsif's Court, by the High Court.

The places fixed for any court under this section shall be deemed to be within the local jurisdiction of that court.

7. The Local Government, whenever the office of a District Judge or a Subordinate Judge is vacant and the High Court whenever the office of a District Munsif is vacant, shall appoint to the office a duly qualified person. Appointment to vacancy in the office of District Judge, Subordinate Judge or District Munsif

Explanation (1).—In the case of the appointment to the office of a District Judge such appointment shall be subject to the provisions of the Government of India Act and the rules, if any, framed thereunder.

[20th August 1924]

Explanation (2).—A person appointed to the office of a District Munsif shall possess the qualifications as required by the rules now in force or which the High Court may with the previous sanction of the Local Government hereafter make.

The Local Government may, for good and sufficient reason, annul any appointment made by the High Court under this section.

Temporary discharge of duties of District Judge

8. In the event of the death of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties,

or of his absence from the station in which the court is held,

the senior Subordinate Judge of the district shall, without interruption to his ordinary duties, assume charge of the District Judge's office and shall discharge such of the current duties thereof as are connected with the filing of suits and appeals, the execution of processes and the like,

and shall continue in charge of the office until the same is resumed or assumed by an officer duly appointed thereto.

District Judge may nominate to vacancy in office of District Munsif

9. The District Judge, on the occurrence within his district of any vacancy in the office of District Munsif may, pending the orders of the High Court thereon, appoint such person as he thinks fit to act in such office;

and he shall at once report to the High Court the occurrence of every such vacancy and such appointment

CHAPTER III

Jurisdiction

Local limits of the jurisdiction of District Courts, Courts of Subordinate Judges and District Munsifs

10. The local limits of the jurisdiction of District Courts shall be fixed by the Local Government and of courts of Subordinate Judges and District Munsifs by the High Court.

The present local limits of the jurisdiction of the civil courts to which this Act applies shall be deemed to have been fixed under this Act.

Jurisdiction of District Courts and Courts of Subordinate Judges

11. Save as otherwise provided by any enactment for the time being in force, the jurisdiction of District Courts and Courts of Subordinate Judges extends, subject to the provisions of the Code of Civil Procedure, 1908, to all original suits and proceedings of a civil nature.

Act V of 1908

[20th August 1924]

Subject to like limitations, the jurisdiction of a Court of a District Munsif extends to all like suits and proceedings of which the amount or value of the subject-matter does not exceed Rs. 3,000.

Jurisdiction of a Court of a District Munsif

Provided that the High Court may, by notification with respect to any District Munsif named therein, direct that his jurisdiction shall extend to all like suits and proceedings of which the amount or value does not exceed Rs. 4,000 so long as he continues to be District Munsif of the court of which he is District Munsif at the date of the notification.

12. When an appeal is allowed by law, the court Appeals authorized to hear the appeal shall be—

- | | |
|---|-----------------------|
| (1) (a) In the case of an original decree of the District Court and | } The High Court. |
| (b) In the case of an original decree of the Court of a Subordinate Judge when the amount or value of the subject-matter of the suit exceeds Rs. 5,000. | |
| (2) From an original decree of a Court of a Subordinate Judge in cases not provided by clause (1) (b) above and from every decree of a District Munsif's Court. | } The District Court. |

Provided that the District Court may, subject to the orders of the High Court, refer any appeals from the decrees and orders of District Munsifs preferred in the District Court to any Subordinate Judge's Court within the district.

Provided also that whenever a Subordinate Judge's Court is established in any district at a place remote from the station of the District Court, the High Court may, with the previous sanction of the Local Government, direct that appeals from decrees and orders from the courts of District Munsifs within the local limits of the jurisdiction of such court of Subordinate Judge be preferred in the latter court.

With regard to any appeal so referred or preferred, the Subordinate Judge's court concerned shall be deemed the court authorized to hear the appeal.

13. When the subject-matter of any suit or proceeding is land, a house or a garden its value shall, for the purpose of the jurisdiction conferred by this Act, be fixed in the

Valuation of suits for immovable property

[20th August 1924]

manner provided by clause V of section 7 of the Court Fees Act, 1870, as amended by the Madras Court Fees (Amendment) Act, 1922.

Act VII
1870
Mad. A.
V of 1922

Investiture of
District
Judge or
Subordinate
Judge with
small cause
jurisdiction

14. The High Court may, by notification, invest, within such local limits as it shall from time to time appoint:

any District or Subordinate Judge with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognisable by such courts up to the amount of Rupees five hundred;

and any District Munsif with the same jurisdiction up to the amount of Rupees three hundred.

Investiture of
District
Munsif with
small cause
jurisdiction

Law adminis-
tered by
courts to
Indians

15. When, in any suit or proceeding it is necessary for any court under this Act to decide any question regarding succession, inheritance, marriage, or caste or any religious usage or institution,

(a) the Muhammadan Law in cases where the parties are Muhammadans, and the Hindu Law in cases where the parties are Hindus, or

(b) any custom (if such there be) having the force of law and governing the parties or property concerned, shall form the rule of decision unless such law or custom has, by legislative enactment, been altered or abolished,

(c) in cases where no specific rule exists, the court shall act according to justice, equity and good conscience.

Judges not to
try suits in
which they
are interested

16. No District Judge, Subordinate Judge or District Munsif shall try any suit to or in which he is a party or personally interested or shall adjudicate upon any proceeding connected with, or arising out of, such suit.

Nor to try
appeals from
decrees or
orders passed
by them in
other capa-
cities

No District Judge or Subordinate Judge shall try any appeal against a decree or order passed by himself in another capacity.

Mode of
disposing
such suits and
appeals

When any such suit, proceeding or appeal comes before any such officer, he shall report the circumstances to the officer to whom he is immediately subordinate. The superior officer shall thereupon dispose of the case according to law.

[20th August 1924]

Explanation.—For the purpose of this section, the Principal Subordinate Judge or the Principal District Munsif shall be deemed to be the officer to whom an Additional Subordinate Judge or an Additional District Munsif is subordinate.

CHAPTER IV

Ministerial officers

17. The ministerial officers of the District Courts shall be appointed, and may be suspended or removed, by the Judges of such courts, whose orders in such matters shall, subject to the control of the High Court, be final.

Appointment,
suspension or
removal of
ministerial
officers of
District
Courts

18. The ministerial officers of the Court of a Subordinate Judge or of a District Munsif shall, subject to such rules as the Local Government may prescribe and subject to the control of the District Judge within whose jurisdiction such courts are situate, be appointed by the Subordinate Judge or the District Munsif of the court or if any of such courts consists of more than one Judge by the Principal Judge thereof, and may, subject to the control of the High Court, be suspended or removed from office either by the said District Judge or subject to his control by such Subordinate Judge or District Munsif or Principal Subordinate Judge or Principal District Munsif as the case may be.

Appointment,
etc., of
ministerial
officers of
Subordinate
Courts

19. Every appointment under this chapter shall be made subject to such rules as the Local Government from time to time prescribes in this behalf.

Rules regu-
lating such
appointments

Every person appointed under this chapter shall perform such duties as may from time to time be imposed upon him by the presiding officer of the court to which he belongs.

Duties of
ministerial
officers

20. (1) The High Court may transfer all or any of the ministerial officers of any civil court subject to its superintendence to any other such court.

Transfer of
ministerial
officers

(2) The District Judge may transfer all or any of the ministerial officers of any court under his control to any other such court.

CHAPTER V

Misconduct of Judges

21. The Local Government may suspend any District Judge or suspend or remove any Subordinate Judge or District Munsif for any misconduct.

Suspension of
Judge by
Local Gov-
ernment

[20th August 1924]

Suspension of
Subordinate
Judge by
High Court

22. The High Court may, whenever it sees urgent necessity for so doing, suspend a Subordinate Judge pending the orders of the Local Government.

The High Court shall immediately report the circumstances of such suspension, and the Local Government shall make such order thereon as it thinks fit.

Suspension of
District
Munsif by
High Court
and com-
mission of
enquiry
Exercise by
High Court
of powers
conferred on
Government
by Act
XXXVII of
1850

23. The High Court may suspend any District Munsif who is alleged to have misconducted himself, or may appoint a Commission for enquiring into his alleged misconduct.

The provisions of Act No. XXXVII of 1850 (for regulating enquiries into the behaviour of public servants) shall apply to enquiries under this section, the powers conferred by that Act on the Government being exercised by the High Court.

On receiving the report of the result of any such enquiry, the High Court may, if it thinks fit, remove the Munsif from office, or suspend him or inflict such other punishment as it may deem proper.

Suspension of
District
Munsif by
District
Judge

24. The District Judge may suspend from office, whenever he sees urgent necessity for so doing, any District Munsif under his control.

Report to
High Court

Whenever a District Judge exercises the power conferred by this section, he shall forthwith send to the High Court a full report of the circumstances of the case, together with the evidence, if any, and the High Court shall make such order thereon as it thinks fit.

CHAPTER VI

Miscellaneous

Seal of Court

25. Every court under this Act shall use a seal of such form and dimensions as may, for the time being, be prescribed by the Local Government.

District
Judge to
control Civil
Courts of
District

26. Subject to the other provisions of this Act and to the rules for the time being in force and prescribed by the High Court in this behalf, the general control over all the Civil Courts under this Act in any district is vested in the District Judge.

Vacation

27. The High Court may permit the Civil Courts under its control to adjourn from time to time for periods not exceeding in the aggregate two months in each year.

[20th August 1924]

28. The enactments mentioned in the schedule are hereby repealed to the extent specified in the fourth column thereof:—

SCHEDULE (Section 28.)

Year.	Number.	Subject or short title.	Extent of repeal.
<i>Acts of the Governor-General in Council</i>			
1873	III	The Madras Civil Courts Act, 1873.	So much as has not been repealed.
1877	XIX	The Madras Civil Court (Amendment) Act, 1877.	Do.
1885	XXI	The Madras Civil Courts Act, 1885.	Do.
1914	IV	The Decentralization Act, 1914.	In Part I of the Schedule, the entries relating to the Madras Civil Courts Act, 1873.
<i>Acts of the Local Government</i>			
1916	III	The Madras Civil Courts (Amendment) Act, 1916.	The whole Act
1919	VI	The Madras Civil Courts (Amendment) Act.	Do.

STATEMENT OF OBJECTS AND REASONS

The main object of the Bill is to enable the appointment of more than one judge to a court of subordinate judge or district munsif on grounds of convenience and economy. Such appointment avoids the necessity, when arrears in any court accumulate, of creating new temporary courts with separate establishments, etc. The necessity for a formal transfer by the District Judge of suits and proceedings from the permanent court to a temporary court and of retransfer of pending proceedings to permanent courts when the temporary courts cease to exist is also avoided. The creation and abolition of temporary courts have also given rise to difficulties in the matter of the execution of the decrees and orders passed by the temporary courts. The present Civil Courts Act (Act III of 1873) does not permit of more than one judge being appointed for a single court, and a change in the present law is therefore necessary.

2. The present opportunity has also been taken to make some other changes. The jurisdiction of district munsifs now extends to suits and proceedings whose value is Rs. 3,000 and below. It is considered that, in view of the fall in the value of money, this

[20th August 1924]

limit may be raised to Rs. 4,000 in suitable cases by the High Court. For the same reason, the small cause jurisdiction of district munsifs is proposed to be raised from Rs. 200 to Rs. 300.

3. The present Act was enacted so long ago as in 1873 and has already undergone no less than six amendments. Some of the provisions of the Act have also become unnecessary by reason of other laws. It is therefore considered necessary to have a consolidated enactment.

5th August 1924.

C. P. RAMASWAMI AYYAR.

APPENDIX XII.

[Vide item VII, on page 494 supra.]

BILL No. 11 OF 1924.

A Bill for the registration of nurses and midwives in the Presidency of Madras.

Preamble

WHEREAS it is expedient to provide for the registration of nurses and midwives in the Presidency of Madras, AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:—

Short title

1. (1) This Act may be called the Madras Nurses and Midwives Act, 1924.

Extent

(2) It shall extend to the whole of the Presidency of Madras.

Commencement

(3) It shall come into force on such date as the Local Government may, by notification, appoint.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context—

(a) 'Council' means 'the Madras Nurses and Midwives Council established under this Act'.

(b) 'Prescribed' means 'prescribed by rules or by-laws made under this Act'.

(c) 'Register' means 'a register maintained under section 5' and 'registered' means 'registered in accordance with the provisions of that section'.

Constitution of the Council and the term of office of members

3. (1) A Council, called the 'Madras Nurses and Midwives Council', shall be established for the Presidency of Madras, which shall consist of twelve members who shall be appointed in the manner following:—

(a) By virtue of his office the Surgeon-General with the Government of Madras who shall be the President of the Council;

20th August 1924]

(b) by virtue of his office the Superintendent of the General Hospital, Madras;

(c) two Registered Medical Practitioners to be nominated by the Local Government;

(d) two Registered Medical Practitioners to be nominated by the Medical Council established under section 5 (1) of the Madras Medical Registration Act, 1914;

(Madras Act IV of 1914.)

(e) two matrons of recognized hospitals, one to be nominated by the Surgeon-General and the other to be elected by the registered nurses and midwives and approved by the Surgeon-General. The election shall be in the manner prescribed by the Council;

(f) one registered nurse to be elected by the registered nurses and one registered midwife to be elected by the registered midwives in the manner prescribed by the Council; and

(g) two non-officials, not of the classes referred to above, to be nominated by the Local Government:

Provided that in the case of first appointments to be made under this Act, the second matron referred to in clause (e) shall be nominated by the Surgeon-General and that in the place of the registered nurse and registered midwife specified in clause (f), the Local Government shall nominate a nurse and a midwife having such professional qualifications as the Local Government deem suitable.

(2) The members of the Council other than ex officio members shall hold office for a term of three years.

(3) If the place of a member of the Council becomes vacant before the expiration of his term of office whether by death, resignation or otherwise, the vacancy shall be filled by appointment in the manner provided by subsection (1).

(4) Any member ceasing to be a member of the Council shall be eligible for re-appointment.

(5) The powers of the Council may be exercised notwithstanding any vacancy in the Council.

4. The Council may, at its discretion, remove any member who without leave fails to attend three consecutive meetings of the Council.

Effect of failure to attend meetings of the Council

[20th August 1924]

Registration
of nurses
and mid-
wives

5. (1) The Council shall maintain a register of nurses and a register of midwives and in each such register shall be entered in two separate parts—

(i) the names of all nurses or midwives entitled to registration under clause (a) or clause (b) of sub-section (2) as the case may be, and

(ii) the names of nurses or midwives already in practice who are permitted to register under clause (c) of sub-section (2).

(2) The following persons shall be entitled to registration under this Act, namely:—

(a) Nurses who have undergone the three years' course of training in a recognized General Hospital, have passed the final qualifying examination and obtained the Diploma in General Sick Nursing and fulfil the further conditions prescribed respectively therefor.

Explanation.—Nurses who undergo the three years' training in a women and children's hospital approved by the Council shall be eligible for registration but may be employed only in hospitals for women and children. An additional course of training for six months in a recognized General Hospital shall qualify them for employment as nurses in a General Hospital.

(b) Midwives who have undergone a course of training for one year in midwifery and gynaecology in a recognized maternity hospital, have passed a qualifying examination and obtained a diploma in midwifery, and fulfil the further conditions prescribed therefor.

(c) Nurses and midwives already in practice in the Presidency of Madras at the commencement of this Act and not entitled under clauses (a) or (b) subject to such conditions and restrictions as may be prescribed respectively therefor.

Removal and
restoration
of names

6 Subject to such conditions and in such manner as may be prescribed, the Council may remove the name of any nurse or midwife from the register or restore thereto the name of any nurse or midwife which has been so removed.

Appeal from
Council to
Tribunal

7. (1) Any nurse or midwife aggrieved by an order of the Council may, within three months from the date on which notice of such order is given to her, appeal against

[20th August 1924]

the order to a Tribunal consisting of three persons selected as follows:—

(a) One to be selected in rotation from a panel of not less than six persons possessing not less than twelve years' experience as a Magistrate or Civil Judge to be nominated by the Local Government in consultation with the Chief Justice of the High Court at Madras.

(b) One to be selected in rotation from a panel of not less than six registered medical practitioners to be selected in the prescribed manner by the Medical Council established under section 5 (1) of the Madras Medical Registration Act, 1914.

(c) One nurse who holds both general and maternity certificates to be selected from a panel of not less than six such registered nurses selected in the prescribed manner by the registered nurses and midwives.

(2) The order of the Tribunal shall be final.

8. Any person aggrieved by the refusal of the Council to approve any institution or person under any by-laws relating to training made under this Act may appeal against the refusal to the Local Government and the Local Government shall give such directions as it thinks proper and the Council shall comply with any directions so given.

Appeal to the
Local Govern-
ment against
refusal by
the Council
to approve
training
institution or
person.

9. No woman shall, after the expiry of one year from the commencement of this Act, be competent to hold any appointment as nurse or midwife in any dispensary, hospital, asylum, infirmary or lying-in hospital, which is supported entirely or partially by public funds or by the funds or contributions of any public company, unless she is registered as such under this Act.

Disabilities of
unregistered
persons.

No woman who does not possess a certificate of the recognized three years' training in the case of a nurse or of the one year's training in the case of a midwife shall be registered after the expiry of two years from the date on which this Act comes into force.

10. (1) The Local Government may, after previous publication, make rules to carry out all or any of the purposes of this Act not inconsistent therewith.

Rules by the
Local Govern-
ment.

(2) In particular, and without prejudice to the generality of the foregoing power, it may make rules—

[20th August 1924]

- (a) regulating the constitution and procedure of the Tribunal specified in sub-section (1) of section 7 ;
 (b) prescribing the fees to be paid in respect of an appeal under this Act ;
 (c) determining the manner in which fees levied under this Act and all other moneys received by the Council shall be applied.

By-laws by
the Council.

11. (1) The Council may make by-laws not inconsistent with this Act or any other law—

- (a) for regulating the formation, maintenance and publication of the register ;
 (b) for regulating the conditions of admission to the register ;
 (c) for regulating the conduct of any examinations which may be prescribed as a condition of admission to the register, and any matters ancillary to or connected with any such examinations ;
 (d) for regulating the conduct of elections of members of the Council and of the selection of the panels referred to in section 7 ;
 (e) for regulating, supervising and restricting within due limits the practice of registered nurses and midwives ;
 (f) for prescribing the causes for which, the conditions under which and the manner in which the nurses and midwives may be removed from the register and the procedure for the restoration to the register of nurses and midwives who have been removed therefrom ;
 (g) for regulating the publication of the names of registered nurses and midwives and their residences ;
 (h) for prescribing the rates of fees to be charged for examinations prescribed for admission to the register and for registration ;
 (i) for regulating the grant of leave to the members of the Council ;
 (j) for regulating the summoning of meetings of the Council and its proceedings ; and
 (k) for regulating the expenditure of the Council and providing for the audit thereof.
- (2) No by-law made by the Council shall come into force until it has been confirmed by the Local Government.
- (3) Every such by-law shall, when so confirmed, be published.

[20th August 1924]

12. All fees levied under this Act and all other moneys received by the Council shall be applied for the purposes of this Act and in accordance with such rules as the Local Government may make in this behalf.

Disposal of
fees.

13. Any person who—

(a) dishonestly makes use of any certificate of registration issued under the provisions of this Act to him or to any other person,

Penalty for
dishonest use
of certificate,
for procuring
registration
by false
means and
for falsi-
fication of
register or
certificate.

(b) procures or attempts to procure registration under the provisions of this Act by making or producing or causing to be made or produced any false or fraudulent declaration, certificate or representation whether in writing or otherwise, or

(c) wilfully makes or causes to be made any false representation in any matter relating to the register or the certificates issued under the provisions of this Act ;

shall be punishable with fine not exceeding two hundred and fifty rupees or with imprisonment for a term which may extend to six months or with both.

14. (1) Any person, who, not being a registered nurse, takes or uses the name or title of registered nurse or uses any name, title, description, uniform, badge or signboard, implying that such person is a registered nurse, shall be punishable with fine not exceeding one hundred rupees or with imprisonment which may extend to one month or with both.

Penalty for
posing as
registered
nurse or
midwife by a
person who is
not such.

(2) Any person, who, not being a registered midwife, takes or uses the name or title of registered midwife or uses any name, title, description, uniform, badge or signboard, implying that such person is a registered midwife, shall be punishable with fine not exceeding fifty rupees or with imprisonment which may extend to one month or with both.

15. No magistrate other than a Presidency Magistrate or a magistrate of the first class shall take cognizance of or try any offence under this Act.

Magistrates
empowered
to try
offences
under this
Act.

STATEMENT OF OBJECTS AND REASONS.

Alike in the interests of the public, who must not be exposed to the risk of attendance by nurses and midwives who have no qualifications and in those of qualified nurses and midwives

[20th August 1924]

whose qualifications should be recognized, it is necessary that legislation is undertaken. Equally necessary it is that the qualified nurses and midwives are placed under some disciplinary control. Such legislation obtains not only in England but also in Burma and it is felt that the time has arrived for passing an enactment of similar lines in this Presidency.

This Bill follows with slight modifications necessitated by local conditions the Burma Act on the subject, viz., Act X of 1922, which itself follows in the main the English Act, viz., the Nurses Registration Act, 1919.

18th July 1924.

C. P. RAMASWAMI AYYAR.

APPENDIX XIII.

[Vide item IX on page 501 supra]

BILL No. 7 OF 1924

The Malabar Tenancy Bill, 1924

Preamble.

WHEREAS it is expedient to define in certain respects, amend and declare the law relating to landlord and tenant in the Malabar district; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title

1. (1) This Act may be called the Malabar Tenancy Act of 1924.

Local extent.

(2) It extends to the whole of the Malabar district.

Definitions.

2. In this Act unless there is something repugnant in the subject or context—

Landlord.

(a) "Landlord" means a person under whom immediately a tenant or a kanam tenant holds;

Tenant.

(b) "Tenant" means and includes a person who as lessee or sub-lessee, or in good faith believing himself to be lessee or sub-lessee, of land, is in possession thereof.

Kanam tenant.

(c) "Kanam tenant" means and includes a person who has a pecuniary interest in land and holds it on payment of a consideration in money or in kind or partly in money and partly in kind to the landlord for his holding and on a demise made or renewed by a landlord on a tenure that is subject to renewal after a fixed period on payment of a renewal fee and also includes the assignees and representatives in interest of such tenants;

20th August 1924]

(d) "Kanam" means the consideration in money or in kind or partly in money and partly in kind paid to the landlord by a kanam tenant for his holding; Kanam.

(e) "Holding" means a parcel or parcels of land held by a tenant or kanam tenant under a single instrument or engagement; Holding

(f) "Renewal fee" means a fee or fees payable by a tenant or a kanam tenant to his landlord on renewal of his demise or lease and shall include *manusham* or *avakasam* payable on such renewal; Renewal fees.

(g) "Michavaram" means whatever is agreed to be paid annually to a landlord by a kanam tenant; Michavaram.

(h) "Eviction" means and includes redemption or recovery of possession of land demised on kanam or leased; Eviction.

(i) "Melcharth" means and includes a subsequent kanam, mortgage or lease in respect of a holding entitling the grantee thereof to evict the prior tenant or kanam tenant; Melcharth.

(j) "Rent" means whatever is lawfully payable or deliverable annually to the landlord by the tenant in money or in kind or partly in money and partly in kind on account of the use and occupation of the land held by him; Rent.

(k) "Lease of land" is a transfer by an instrument or engagement of a right to enjoy a land, made for a certain time, express or implied, in consideration of a price paid or promised, or of money, a share of crops, service or anything of value to be rendered periodically, or on specified occasions, to the transferor, by the transferee, who accepts the transfer on such terms, but does not include the lease of the mere usufruct of trees in the land. The person who transfers the land is called the lessor and the person who accepts the transfer is called the lessee. The word "lease" includes a sub-lease. Lease of land.

(l) "Improvement" means any work or product of a work which adds to the value of the holding, is suitable to it and consistent with the purpose for which the holding was leased, demised or occupied; Improvement.

(m) "Prescribed" means prescribed from the time by the Local Government by notification in the *Fort St. George Gazette*; Prescribed.

(n) "Agricultural year" means the year commencing with the 15th of March in any year and ending with the 14th of March next year; Agricultural year.

[20th August 1924]

The terms "landlord", "tenant" and "kanam tenant" shall include manas, illoms, families, tarwads, tavazhis, devasoms, sabhas, sthanams, and other recognized corporations or associations of persons.

3. Nothing in this Act shall affect a landlord's right in forest lands where such land is demised or leased for felling timber or for fugitive cultivation or for both.

4. Nothing in this Act shall affect any custom or customary right not inconsistent with or not expressly or by necessary implication modified or abolished by its provisions.

CHAPTER II.

OF KANAM HOLDINGS, MICHAVARAM AND EVICTION OF KANAM TENANTS.

5. Subject to the provisions of this Act, every kanam tenant shall have a right of permanent occupancy in his holding and shall not be liable to eviction except in cases mentioned in section 8 of this Act.

6. A kanam tenant may at the end of the period of his demise or of its last renewal, surrender his holding to the landlord by a document in writing registered after having given notice in writing to the landlord of his intention to do so six months prior to the date of expiry of the period of the said demise or of its last renewal.

In such cases the landlord shall not be bound to accept the surrender unless it be in respect of the entire holding and the whole of the arrears of michavaram and other dues, if any, are also tendered at the time of the surrender and he shall not also be bound to refund the kanam or to pay the kanam tenant the value of the improvements.

7. If a kanam tenant does not surrender the holding as provided in the foregoing section, the landlord shall be bound to grant and the kanam tenant to accept, on the term of the kanam demise and thenceforward at the end of every successive term, a renewal on payment of the renewal fee except in the cases mentioned in section 8 below.

8. (1) On the expiry of the term of the demise, a kanam tenant may be evicted from the whole or a portion of his holding in any of the following cases:—

(a) If the holding or a portion thereof not being a site on which a residential house stands together with the

Saving of
forest lands.

Saving of
custom and
customary
right.

Right of
kanam tenant
to perma-
nent occu-
pancy.

Kanam
tenant may
surrender his
holding.

Renewal of
kanam
demise.

Eviction
of kanam
tenant.

[20th August 1924]

garden and compound appurtenant thereto, is required by the landlord for the bona fide purposes of extending the residential house of himself or the members of his family or for building a new and permanent house for the residence of himself or the members of his family;

Provided that if the landlord fails to extend the residential house or build a new and permanent house within three years from the date of eviction, the previous kanam tenant shall have the option of recovering and holding the same on the original tenure.

(b) If a holding or a portion thereof not being a site on which a residential house stands together with the garden and compound appurtenant thereto, is required by the landlord for bona fide cultivation by himself or for agricultural improvement which requires capital outlay and which the kanam tenant is not willing to undertake or is not capable of undertaking.

Provided that if the landlord fails to carry out the improvement within three years of the date of eviction or demises on kanam, leases or in any way transfers any interest in the land so recovered, the previous kanam tenant shall have the option of recovering and holding the same on the original tenure;

If in cases falling under clauses (a) and (b) of this section the kanam tenant is not willing to retain a portion of the holding, he shall have the right of surrendering the whole of his holding on receipt of kanam and value of improvements.

In suits for eviction under clauses (a) and (b) of this section, the landlord shall send a registered notice to the kanam tenant six months prior to the date of expiry of the period of the demise, specifying the reasons for eviction.

In cases falling under the provisos to clauses (a) and (b) of this section the kanam tenant shall return to the landlord the amount of kanam and value of improvements paid to him or credited in his favour at the time of eviction.

(c) If the kanam tenant neglects or refuses to pay renewal fee and take a renewal within one year from the date of expiry of the term of the demise, provided that the neglect or refusal is not due to a bona-fide difference between the kanam tenant and the landlord as to the terms of the renewal.

[20th August 1924]

When the kanam tenant has incurred forfeiture of his right to get a renewal on account of non-payment of renewal fees and the landlord sues to evict the kanam tenant, if, at the first hearing of the suit or within such time as the court may fix in the circumstances of the case, the kanam tenant pays into court the renewal fees and other dues in arrears together with interest thereon at 12 per cent per annum and the landlord's costs of the suit, the court shall pass an order relieving the kanam tenant against the forfeiture and thereupon the kanam tenant shall hold the land as if the forfeiture had not occurred.

(d) If the kanam tenant refuses to pay additional kanam not exceeding twelve times the michavaram, for which the landlord is prepared to pay interest at the rate fixed for the old kanam, provided that the net proceeds of the land would cover such interest.

When the kanam tenant has incurred forfeiture on account of refusal to pay additional kanam and the landlord sues to evict the kanam tenant, if, at the first hearing of the suit or within such times as the court may fix in the circumstances of the case, the kanam tenant pays into court the additional kanam with interest thereon at 6 per cent per annum and the landlord's costs of the suit, the court shall pass an order relieving the kanam tenant against forfeiture and thereupon the kanam tenant shall hold the land as if the forfeiture had not occurred.

(e) If the kanam tenant fails to pay michavaram during the currency of the demise for three years consecutively notwithstanding an express demand made by a registered letter at any time after the first year's arrears shall have accrued.

When the kanam tenant has incurred forfeiture on account of non-payment of michavaram and the landlord sues to evict the kanam tenant, if, at the first hearing of the suit or within such time as the court may fix in the circumstances of the case, the kanam tenant pays into court the michavaram in arrears together with interest thereon at 12 per cent per annum and the landlord's costs of the suit, the court shall pass an order relieving the kanam tenant against forfeiture and thereupon the kanam tenant shall hold the land as if the forfeiture had not occurred.

(f) If the kanam tenant wilfully denies the landlord's title.

[20th August 1924]

EXPLANATION.— A denial of the landlord's title under a bona-fide mistake of fact is not wilful within the meaning of this clause.

(g) If the kanam tenant intentionally and wilfully commits such act of waste as are calculated to materially and permanently impair the value and the utility of the holding.

A suit in eviction on the ground stated in this clause shall not be entertained unless the landlord has served a notice in writing on the kanam tenant specifying the particular acts of waste and calling on him either to remedy the same, in case where it is capable of being remedied, or in any case to pay reasonable compensation for the same and the kanam tenant has failed to comply with the demand within a reasonable time.

(h) A kanam tenant may be evicted during the currency of the term of the demise on either of the grounds specified in clauses (f) and (g) of sub-section (1) of this section.

9. (1) Subject to the limitations and conditions contained in sub-section (2) of this section, every landlord may at the time of periodical renewal enhance the michavaram payable by the kanam tenant.

(2) The landlord shall not be entitled to claim an enhancement of michavaram fixed under any existing kanam demise except on one or more of the following grounds:—

(a) that the area of the holding actually under cultivation is in excess of the area on which the michavaram was previously fixed;

(b) that the yielding capacity of the land comprised in the holding has increased since the time when the current michavaram was fixed from causes not merely temporary or casual;

(c) that the number of trees in the holding on which michavaram is assessable has increased since the date of the current demise;

(d) that where michavaram is payable in money, there has been a substantial rise in the average local prices of the produce of the holding during the currency of the demise sought to be renewed.

Provided that when the excess of the area under cultivation or the increase in the yielding capacity of the land or in the number of assessable trees is due to

Enhancement
of micha-
varam.

[20th August 1924]

reclamations or other works of permanent improvement effected by the kanam tenant, the interest on the amount of money spent by the kanam tenant in effecting such reclamations or other works of permanent improvement, calculated at 12 per cent per annum, shall be allowed in favour of the kanam tenant in enhancing the rent.

Reduction of michavaram.

10. A kanam tenant may at the time of periodical renewal claim reduction of michavaram on one or more of the following grounds :—

(a) that the area of the holding has been diminished owing to causes which are not under his control and for which his own act or neglect has not contributed, such as the action of sea, river or lake or like causes;

(b) that the soil of the holding has without his own fault or neglect become permanently deteriorated;

(c) that where michavaram is payable in money, there has been a substantial fall in the average local prices of the produce of the holding during the currency of the demise sought to be renewed;

(d) that the number of assessable trees in the holding has substantially diminished by causes beyond his control and to which his own act or neglect has not contributed.

Rate of renewal fees.

11. (1) The renewal fee payable by a kanam tenant on renewal of his demise shall be levied at the rate of 25 per cent of the kanam and 15 per cent of the additional kanam.

(2) The Local Government may from time to time prepare tables for the whole or part of the Malabar district fixing the rate of renewal fee by a kanam tenant. Such tables shall on publication in the Fort St. George and the Malabar District Gazettes be receivable in evidence and the rates therein specified or those mentioned in subsection (1) of this section, whichever rate is more favourable to the landlord, shall be the rate payable by the kanam tenant for the renewal of his holding.

The Local Government may, from time to time, by like notification cancel or vary the tables so published.

Landlord or kanam tenant may sue for renewal.

12. (1) If at the time of renewal a landlord and his kanam tenant cannot agree as to the amount of michavaram, renewal fees, customary dues or additional kanam or other terms of renewal, either party may institute a regular suit in a court of competent jurisdiction to compel

[20th August 1924]

the other party to accept the terms proposed by him or such other terms as the court may, according to the provisions of this Act, deem fit to fix.

(2) The cost of stamp and registration of both the kanam deed and its counterpart to be executed by the landlord and the kanam tenant respectively shall be borne by the tenant.

13. Every demise granted or renewed to a kanam tenant or its counterpart executed by the kanam tenant after this Act comes into force, shall contain

Particulars to be contained in a kanam demise.

- (a) the name, description and extent of the holding,
- (b) the interest on the kanam,
- (c) the amount of michavaram agreed upon,
- (d) the renewal fees levied from the kanam tenant, and
- (e) the Government revenue and all local cesses if any.

14. Every kanam tenant paying michavaram shall be entitled to a receipt specifying

Contents of michavaram receipt.

- (a) the date of payment,
- (b) the amount paid,
- (c) the period for which it is paid,
- (d) the holding in respect of which it is paid, and
- (e) such other particulars as may be necessary to elucidate the transaction.

15. Melcharths shall in all cases be invalid.

Melcharth invalid.

16. In the absence of an express contract to the contrary, the kanam tenant of a house, shop, warehouse or any other building together with the garden and compound appurtenant thereto shall not have therein a right of permanent occupancy.

No occupancy right inld. bgs.

17. All rights of occupancy shall be heritable and shall be transferable by gift, sale or otherwise.

Occupancy right heritable and transferable.

18. Arrears of michavaram and renewal fee due to the landlord shall be a charge on the holding of a kanam tenant and shall have priority over all other charges on the same save arrears of revenue due to Government.

Arrears of michavaram and renewal fees to have priority over other charges.

CHAPTER III.

(OF LEASES, RENT AND EVICTION OF TENANTS.)

19. Subject to the provisions of this Act, every tenant who has uninterruptedly held his holding for a period of not less than six years shall have a right of permanent

Right of tenant to permanent occupancy.

[20th August 1924]

occupancy in the holding and shall not be liable to eviction except in cases mentioned in section 22 of this Act.

Tenant may
surrender his
holding.

20. A tenant may at the end of the period of his tenancy or of any agricultural year surrender his holding to the landlord by a document in writing registered after having given notice in writing to the landlord of his intention to do so six months prior to the date of expiry of the period of the tenancy or the end of the agricultural year.

In such cases the landlord shall not be bound to accept the surrender unless it be in respect of the entire holding and the whole of the arrears of rent and other dues, if any, are also tendered at the time of the surrender and he shall also not be bound to pay the tenant the value of the improvements.

Renewal of
tenancy.

21. If a tenant does not surrender the holding as provided in the foregoing section, the landlord shall be bound to grant and the tenant to accept, on the expiry of the term of the tenancy and thenceforward at the end of every successive term, a renewal when such renewal is customary, on payment of the renewal fee except in the cases mentioned in section 22 below.

Eviction of
tenant.

22. (1) On the expiry of the term of the tenancy or at the end of any agricultural year a tenant may be evicted from a whole or a portion of his holding in any of the following cases :—

(a) If the holding or a portion thereof not being a site on which a residential house stands together with the garden and compound appurtenant thereto, is required by the landlord for the bona fide purpose of extending the residential house of himself or the members of his family or for building a new and permanent house for the residence of himself or the members of his family:

Provided that if the landlord fails to extend the residential house or build a new and permanent house within three years from the date of eviction, the previous tenant shall have the option of recovering and holding the same on the original tenure.

(b) If the holding or a portion thereof not being a site on which a residential house stands together with the garden and compound appurtenant thereto is required by the landlord for bona fide cultivation by himself or for

[20th August 1924]

agricultural improvement which requires capital outlay and which the tenant is not willing to undertake or is not capable of undertaking :

Provided that if the landlord fails to carry out the improvement within three years from the date of eviction or demise on kanam, leases or in any way transfers any interest in the land so recovered, the previous tenant shall have the option of recovering and holding the same on the original tenure.

If in cases falling under clauses (a) and (b) of this section the tenant is not willing to retain a portion of the holding, he shall have the right of surrendering the whole of his holding on receipt of the value of improvements.

In suits for eviction under clauses (a) and (b) of this section, the landlord shall send a registered notice to the tenant six months prior to the date of expiry of the period of the tenancy or the end of the agricultural year, specifying the reasons for eviction.

In cases falling under the provisions to clauses (a) and (b) of this section the tenant shall return to the landlord the value of improvements paid to him or credited in his favour at the time of eviction.

(c) If the tenant neglects or refuses to pay renewal fee and take a renewal, when such renewal is customary, within one year from the date of expiry of the term of the tenancy, provided that the neglect or refusal is not due to a bona fide difference between the tenant and the landlord as to the terms of the renewal.

When the tenant has incurred forfeiture of his right to get a renewal on account of non-payment of renewal fees and the landlord sues to evict the tenant, if, at the first hearing of the suit or within such time as the court may fix in the circumstances of the case, the tenant pays into court the renewal fees and other dues in arrears together with interest thereon at 12 per cent per annum and the landlord's costs of the suit, the court shall pass an order relieving the tenant against the forfeiture and thereupon the tenant shall hold the land as if the forfeiture had not occurred.

(d) If the tenant fails to pay rent for two years consecutively notwithstanding an express demand made by a registered letter at any time after the first year's arrears shall have accrued.

[20th August 1924]

When the tenant has incurred forfeiture on account of non-payment of rent and the landlord sues to evict the tenant, if, at the first hearing of the suit or within such time as the court may fix in the circumstances of the case, the tenant pays into court the rent in arrears together with interest thereon at 12 per cent per annum and the landlord's costs of the suit, the court shall pass an order relieving the tenant against forfeiture and thereupon the tenant shall hold the land as if the forfeiture had not occurred.

(e) If the tenant wilfully denies the landlord's title.

EXPLANATION.—A denial of the landlord's title under a bona fide mistake of fact is not wilful within the meaning of this clause.

(f) If the tenant intentionally and wilfully commits such acts of waste as are calculated to materially and permanently impair the value and the utility of the holding.

A suit in eviction on the ground stated in this clause shall not be entertained unless the landlord has served a notice in writing on the tenant specifying the particular acts of waste and calling on him either to remedy the same in case where it is capable of being remedied, or in any case to pay reasonable compensation for the same, and the tenant has failed to comply with the demand within a reasonable time.

23. The rent payable by a tenant before this Act comes into force shall be the rent payable by him until such rent is enhanced or reduced under the provisions of this Act.

24 (1) Subject to the limitations and conditions contained in sub-section (1) of this section, every landlord may at the time of periodical renewal when such renewal is customary or after the expiry of twelve years from the date of the last revision of rent under this Act, whichever event is later, enhance the rent payable by the tenant.

(2) The landlord shall not be entitled to claim an enhancement of rent fixed under any existing instrument or engagement except on one or more of the following grounds:—

(a) that the area of the holding actually under cultivation is in excess of the area on which the rent was previously fixed;

20th August 1924]

(b) that the yielding capacity of the land comprised in the holding has increased since the time when the current rent was fixed from causes not merely temporary or casual;

(c) that the number of trees in the holding on which rent is assessable has increased since the date on which rent was last fixed;

(d) that, where rent is payable in money, there has been a substantial rise in the average local prices of the produce of the holding since the date on which the current rent was fixed:

Provided that when the excess of the area under cultivation or the increase in the yielding capacity of the land or in the number of assessable trees is due to reclamations or other works of permanent improvement effected by the tenant, the interest on the amount of money spent by the tenant in effecting such reclamations or other works of permanent improvement, calculated at 12 per cent per annum shall be allowed in favour of the tenant in enhancing the rent.

25. A tenant may at the time of periodical renewal when such renewal is customary or after the expiry of 12 years from the date of the last revision of rent under this Act, whichever event is later, claim reduction of rent on one or more of the following grounds:—

(a) that the area of the holding has been diminished owing to causes which are not under his control and for which his own act or neglect has not contributed, such as the action of sea, river, lake or like causes;

(b) that the soil of the holding has without his own fault or neglect become permanently deteriorated;

(c) that, where rent is payable in money, there has been a substantial fall in the average local prices of the produce of the holding since the date on which the current rent was fixed;

(d) that the number of assessable trees in the holding has substantially diminished by causes beyond his control and to which his own act or neglect has not contributed.

26. The renewal fee payable by a tenant on renewal when such renewal is customary shall be one year's rent.

[20th August 1924]

Landlord or tenant may sue for renewal or revision of rent.

27. (1) If at the time of renewal when such renewal is customary or of revision of rent a landlord and his tenant cannot agree as to the amount of rent, renewal fees or other terms of renewal, either party may institute a regular suit in a court of competent jurisdiction to compel the other party to accept the terms proposed by him or such other terms as the court may, according to the provisions of this Act, deem fit to fix.

(2) The cost of stamp and registration of both the lease deed and its counterpart to be executed by the landlord and the tenant respectively shall be borne by the tenant.

Particulars to be contained in a lease.

28. Every lease granted or renewal to a tenant or its counterpart executed by the tenant after this Act comes into force, shall contain :—

- (a) the name, description and extent of the holding,
- (b) the amount of rent agreed upon,
- (c) the renewal fees levied from the tenant, when such renewal is customary, and
- (d) the Government revenue and all local cesses, if any.

Contents of rent receipt.

29. Every tenant paying rent shall be entitled to a receipt specifying :—

- (a) the date of payment,
- (b) the amount paid,
- (c) the period for which it is paid,
- (d) the holding in respect of which it is paid, and
- (e) such other particulars as may be necessary to elucidate the transaction.

Melchharths invalid.

30. Melchharths shall in all cases be invalid.

No occupancy right in buildings.

31. In the absence of an express contract to the contrary, the tenant of a house, shop, warehouse or any other building together with the garden and compound appurtenant thereto shall not have therein the right of permanent occupancy.

Occupancy right heritable and transferable.

32. All rights of occupancy shall be heritable and shall be transferable by sale, gift or otherwise.

Arrears of rent and renewal fees to have priority over other charges.

33. Arrears of rent and renewal fee due to the landlord shall be a charge on the holding of the land and shall have priority over all other charges on the same save arrears of revenue due to Government.

20th August 1924]

CHAPTER IV.

MISCELLANEOUS.

34. Notwithstanding anything in the foregoing sections, the court shall not in any case decree any enhancement or reduction of michavaram or rent which is under the circumstances of the case unfair or inequitable.

Courts not to decree unfair enhancement or reduction.

35. Notwithstanding any contract to the contrary, in all cases where the michavaram or rent is payable in kind, the measure shall be the standard measure recognized by Government.

Measure to be standard measure.

36. The provisions of Act I of 1900 shall apply in all cases of eviction under this Act.

Act I of 1900 to apply in cases of eviction.

37. The Collector of the district shall publish in the local official Gazette at the beginning of each official year the average market price of paddy for the twelve months preceding the date of the publication.

Collector to publish average market price.

38. The Local Government may from time to time make rules requiring the court to associate with itself such number of assessors as the Local Government may think fit for determining any of the questions referred to in sections 9, 10, 24 and 25 of this Act, determining the qualifications of these assessors and the mode of electing them, and prescribing the procedure to be followed in the case of difference of opinion between the Judge and one or more of the assessors.

Local Government may frame rules for appointment of assessors, etc.

39. The Local Government may from time to time make rules investing courts of original jurisdiction with powers to try summarily suits for recovery of michavaram, rent, renewal fee or other dues under this Act and prescribing the procedure to be followed in such suits.

Local Government may frame rules investing courts with summary powers.

STATEMENT OF OBJECTS AND REASONS.

Questions connected with the relation of landlord and tenant in Malabar have been agitating the public mind for many years. Almost all the lands in the district, whether forest or waste, agricultural or residential are claimed by the janmis as their absolute property. Even the smallest parcels of land for houses or cottages have therefore to be obtained from janmis and held under them. Though the janmis form only a small fraction of the total population of the district, they are generally rich and influential. They do not ordinarily sell their lands, and the laws

[20th August 1924]

which govern them prohibit partition and thus prevent the distribution or diffusion of landed property. Land in Malabar is thus systematically kept tied up closely and continuously in the hands of a few.

The janmis themselves do not usually cultivate their lands. They generally let out their lands to others either on kanam demises or simple leases for cultivation. These demisees and lessees who form the cultivating classes are thrifty and industrious. They cling to their holdings with a fondness and tenacity perhaps unknown in other parts of the Presidency. But they are often unable to enjoy the fruits of their labour on the land. By the time the land which they have reclaimed or improved or the trees which they have planted and protected begin to yield, they are evicted from their holdings. They are also sometimes ousted from their homesteads where they have lived for years and in some instances even for generations. These unjust evictions have on several occasions caused serious trouble and led to agrarian outbreaks.

To devise measures for improving this state of affairs and bettering the condition of tenants, the Government of Madras appointed more than one Commission in the past. Under G.O. No. 170, dated 25th January 1881, they appointed Mr. Logan, who was then the Collector of Malabar, as Special Commissioner to conduct a thorough investigation into the general question of the tenure of land and the tenant right in Malabar. In June 1882, he submitted his report to the Government containing several suggestions, including a strong recommendation, to grant occupancy right to the cultivating tenants of Malabar. "The landlord's power of *ouster* must", he said, "in the public interests be curtailed." Again the Government appointed a special Commission in January 1884 with Sir T. Madhava Rao, K.C.S.I., as President and Messrs. Logan, C. Sankaran Nair (now Sir C. Sankaran Nair) and others as members, to consider the whole question of Malabar tenancy and advise the Government as to the lines on which legislative action should proceed. This Commission submitted its report and a draft Malabar Tenancy Bill in July 1884. The report indicated the necessity for legislation. "The political necessity (for interference with the janmis' rights) we believe to exist," the Commission stated, "in the grave discontent prevailing among the agricultural classes regarding the growing insecurity of their tenures, in the fact that among one class of the community agrarian discontent fanned by fanaticism is ready to develop at any moment into agrarian outrage and in a system of tyrannies practised by some janmis and apprehended from others." The draft Bill contained a provision for the grant of occupancy right to the kanam tenants. The draft Bill was referred by the Government to the Madras High Court for the opinion of the Judges. Sir Charles Turner, the then Chief Justice, recorded an elaborate minute on it, and this stood in the way of any legislation being passed then. It may be stated here that even Sir Charles Turner was not entirely against the grant of occupancy right.

[20th August 1924]

"The cultivator whether a holder on kanam or on simple lease," said he, "should obtain a right of occupancy in respect of any land held by him for fifteen years." The Government appointed another Committee in 1885 with the Hon'ble Mr. Master as President and Sir Madhava Rao, Sir Subrahmanya Ayyar, Sir Sankaran Nair, Mr. Ross and others as members. The majority of members of this Committee were also of opinion that legislation for restraining eviction was necessary. They also unanimously recommended that a legislative measure for securing to the tenants adequate value of improvements on eviction should be immediately passed. The Government accordingly passed Act I of 1887 for awarding compensation for improvements to the tenants. Subsequently the Government considered that further legislation was required to amend the whole law of landlord and tenant in Malabar and placed Mr. Ross on special duty in 1896 with instructions to draft a Malabar Tenancy Bill incorporating therein the provisions of the Improvements Act. The unexpected and melancholy death of Mr. Ross soon after this prevented the completion of his work. Nothing further was done in the matter till 1899 when a Bill to amend the Improvements Act of 1887 was introduced in the Legislative Council and after a great deal of discussion finally passed into law as Act I of 1900. It may also be stated here that Mr. Dance, the then Collector of Malabar, with a view to restricting under certain conditions the power of granting melcharchis, drafted in 1899 "the Malabar Melcharch Bill." The Government, however, refused to act upon it and rejected it under G.O. No. 197, Revenue, dated 13th March 1901.

Thus the only practical result of all the Committees and Commissions mentioned above has been the passing of the Improvements Act I of 1900. This Act has not given adequate protection to the tenants. The Hon'ble Sir Henry Winterbotham, in introducing this measure in the Legislative Council in December 1899, gave the following warning to the janmis: "If the Malabar landlords wish that this sleeping and tremendously difficult alternative (the conferring of occupancy rights on the tenantry) should be allowed to slumber for a further indefinite term, they should be prepared to accept, if not to welcome, the very moderate measure of protection to the tenant which the Bill will afford when it becomes law." This warning has been of no avail. Eviction suits are numerous even now and if the Government will only call for statistics, it will be found that these suits form a large percentage of the cases now instituted in the Civil Courts of Malabar. It is time to awaken the alternative of Sir Henry Winterbotham from its long slumber.

Those who are opposed to tenancy legislation in Malabar argue that such legislation will be an interference by the legislature. Legislature has, however, often interfered with freedom of contract and such interference has on the whole been beneficial. "What is there so sacred," in the words of an eminent author, "in the property right of the landlord as to exempt him from that legislative control which is always interfering with the property right of the mine owner, the mill-owner, the railway

[20th August 1924]

company, the factory owner, the shop-keeper, the right of the master over his apprentice, the mistress over the hire and treatment of servants, the theatrical manager over the conditions under which his theatre is held."

Several Collectors of Malabar and many eminent sons of the soil like Sir Sankaran Nair and the late Dr. Nair have been for tenancy legislation. Dr. Nair had even prepared a Bill on the subject, but his sad and untimely death prevented its introduction in the Legislative Council.

While the Government of Madras, as indicated above, have been hesitating, advancing and receding, the Governments of the Indian States of Travancore and Cochin where conditions are similar to those in Malabar have solved the problem, so far as it relates to the kanam tenants. The Travancore Government by a Proclamation issued in 1867 and the Cochin Government by a Regulation passed in 1914 conferred occupancy right on kanam tenants.

The only remedy for removing the agrarian discontent existing in Malabar and bringing about harmonious relationship between landlords and tenants is the grant of occupancy right to tenants in their holdings. The longer this remedy is delayed the more difficult it must become.

The object of this Bill is to confer occupancy right on all kanam tenants, whatever the period of their possession may be, and all actual cultivators of the soil, whether they be simple tenants or otherwise, who have been or will be in uninterrupted possession for a period of not less than six years. This Bill also prohibits the grant of melchharths in any form. The demisees or lessees of forest lands where such lands are demised or leased for felling timber or for fugitive cultivation or both, and of buildings do not, under the provisions of this Bill, acquire any occupancy right in their holdings. Provision is made in the Bill for enhancement or reduction of michavaram and rent under certain circumstances. Power of eviction is also given in certain contingencies. The Local Government is empowered to make rules for investing courts with summary powers for the disposal of suit relating to the recovery of michavaram, rent and renewal fees. These dues are also made a first charge on the holding of all tenants, subject to the prior claim of the Government for arrears of revenue.

One objection that may be raised to this Bill is that it may lead to litigation. The obvious answer to this objection is that there is no law or statute which does not contain the possibility of litigation. The real question is one of balance of advantages. After all, the volume of litigation under the new law is bound to be less than its present volume.

Legislation of this kind is best undertaken by Government. In the absence, however, of any prospect of action by Government, a non-official member of the Legislative Council must do what he can.

M. KRISHNAN NAYAR.

20th August 1924]

NOTE ON CLAUSES.

Clause 2 (n).—In most parts of the Malabar district, agricultural year ends with the 30th of *Kumbham* which often corresponds to the 14th of March. Hence this definition.

Clauses 6 and 20.—Surrenders by tenants are bound to be very rare. When, however, they do occur, there is no reason why a landlord who does not want possession should be compelled to pay kanam or value of improvements which may sometimes be large.

Clause 8 (1) (a) and (b) and Clause 22 (1) (a) and (b).—It is only reasonable that a landlord who wants to extend or erect a residential house for himself or the members of his family or wishes to cultivate, should have the power of recovering his own lands from the possession of his tenants instead of being compelled to purchase or otherwise get lands from others. Ample checks are, however, provided against the arbitrary exercise of this power.

Clauses 9, 10, 24 and 25.—Where fixity of tenure is given, periodical settlements and revision of rents become inevitable.

Clauses 12 (1) and 27 (1).—In cases of disagreement between parties, a separate agency is necessary to settle the disputes between them. Hence the provision for institution of suits.

Clause 21.—Renewals of leases are not always customary as in the case of *kauams*. Hence the reference in this and some other clauses to renewal "When such renewal is customary." It will be noted that all lessees, whether their leases are subject to renewal or not, are given under this Bill occupancy rights, and the rents payable by them are subject to revision.

M. KRISHNAN NAYAR.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 21st August 1924.

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.), in the chair.

I

NEW MEMBER.

M.R.Ry. K. P. RAMAN MENON Avargal was sworn in.

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.]

Civil Justice.

Duration of suits, etc., in the Courts of District Munsifs and Subordinate Judges.

321 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(a) the average duration of suits tried in District Munsifs' and Subordinate Judges' courts during the past three years;

(b) the additional income derived by the Government on account of stamps and court-fees since the amendment of the Stamp Act and the Court-Fees Act; and

(c) the net income derived from the administration of justice by the courts during the last three years, classified as under civil and criminal justice?

A.—(a) The Member is referred to the statistics of civil courts in the Madras Presidency for the years 1921 and 1922 which have been placed on the Editors' Table. The Government have not yet received from the High Court the statistics for the year 1923.

(b) & (c) The Member's attention is drawn to paragraph 168 of the Report of the Madras Retrenchment Committee, Volume I, and to Appendices Nos. XVII and XVIII thereto. The figures given in the latter appendix exclude charges on account of interest on the capital cost of buildings, charges on account of pension, Secretariat charges, and charges on account of village magistrates and if these indirect charges are taken into account, the apparent

[21st August 1924]

surplus will be reduced to a very small figure. Separate figures for civil and criminal justice are not available. The Government have no information as to the additional income derived on account of stamps and court-fees as a result of the amendment of the two Acts.

Mr. S. SATYAMURTI:—"May I ask, Sir, in regard to answers to clauses (b) and (c) of this question, as to what is the approximate figure which will represent the 'very small figure' referred to in the answer? The answer says that 'the apparent surplus will be reduced to a very small figure'. What will be the approximate amount of that figure?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Certain calculations have been made, and they reduce the surplus to about four or five lakhs."

Mr. S. SATYAMURTI:—"May I know on what basis these calculations are made?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"This is a very elaborate calculation and, as pointed out in the answer, the interest on the capital cost of buildings allocated to judicial establishments and courts, the charges on account of village magistrates, etc., have been all calculated and have been set against the income."

Mr. S. SATYAMURTI:—"Will the Government be able to lay that calculation on the table of this House?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"We can do so."

Mr. S. SATYAMURTI:—"May I ask, Sir, why separate figures for civil and criminal justice are not available?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Those figures have, till now, not been supplied by the High Court and have not been separately maintained, that is, up to date."

Mr. S. SATYAMURTI:—"In view of the importance to the State and to the public of knowing how much we spend on civil and criminal justice, may I ask whether the Government will take steps in consultation with the High Court to maintain separate figures hereafter?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The difficulty is obvious. Take the case of a district and sessions Judge for instance. It will be difficult to divide him up into a civil functionary and a criminal functionary. But apart from that, there are certain figures available, and on a perusal of the statistics which have been supplied to the hon. Member, very rough estimates can be obtained."

Mr. S. SATYAMURTI:—"In view of the fact that this House should know how much additional income has been derived on account of the amendment of the Court-Fees Act and the Stamp Act, may I ask the Government why they have no information, or whether they have or will take steps to collect the information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The statistics for the year 1923 will throw a lot of light on that matter. Indeed I am endeavouring to collect information for another purpose altogether, and if the information is collected, and can be put into an accurate form, I dare say it will be published."

[21st August 1924]

Mr. S. SATYAMURTI:—"Arising from that answer to my supplementary question, may I know from the hon. the Law Member whether that other purpose is an Amendment Bill to the Court-Fees Act or the Stamp Act?"

Collectorates.

Appointments in Gōdāvari Collectorate.

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

(a) whether the Collector of Gōdāvari district has been interpreting B.P. No. 1792, dated 11th August 1923, as applying to past appointments also and sending away acting clerks, even of five or six years' service; and

(b) whether the Government have any intention of taking action in the matter?

A.—(a) Petitions have been received by Government from clerks acting in the Gōdāvari district alleging that their acting services have been terminated.

(b) The Government are already taking action in the matter.

The duties discharged by the Collector of Madras.

323 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state the official duties discharged by the Collector of Madras?

A.—The official duties discharged by the Collector of Madras may be classified under the following main heads:—

(1) Land revenue administration of the Madras district—

- (1) imposition and revision of ground-rent and inspection and appeals connected therewith;
- (2) sales of land under the waste land rules;
- (3) alienation of land and land revenue;
- (4) acquisition of land for public purposes; and
- (5) encroachments.

(2) Abkari administration of the Madras district—

The Collector of Madras, besides being responsible for the general excise administration, is also the President of the Excise Licensing Board. The extent of his work under this head may to a certain degree be judged by the following statistics:—

Particulars of shops.			Number.	Rentals for 1922-23.
				RS.
Arrack	...	...	19	8,46,480
Toddy	...	...	61	5,09,520
F.L. taverns	...	...	10	3,08,880
Ganja	...	...	5	68,160
Opium	...	...	4	45,360
Fixed fee F.L. licences	...	...	* 180	31,742
Licences under denatured spirits rules.	...	...	96	...
Licences under opium and morphia rules.	...	...	200	...
Licences under cocaine rules...	...	...	50	...

* Related to 1921-22.

[21st August 1924]

The Collector is responsible for the confirmation of the sales of shops and the inquiry into the solvency of bidders. The power to issue licences under the morphia, cocaine and denatured spirit rules, all licences under the opium rules, other than opium shop licences, and special and occasional foreign liquor licences is vested in the Collector.

(3) Duties as Superintendent of Stamps—

- (1) Adjudication and certification of documents under the Stamp Act.
- (2) Refund of stamp duty.
- (3) Inquiries and recovery of stamp duty in pauper suits.
- (4) Valuation of property in probate cases.
- (5) Receipt and distribution of stamps, the value of which in 1921-22 was—

	RS.
Receipts	6,48,94,412
Issues	3,49,17,294
Stock on hand on 31st January 1923 ...	6,74,90,140

(4) Duties as Superintendent of Stationery—

Purchase and distribution of stationery and stores, the value of which during 1923-24 was—

	RS.
Opening balance	6,41,032
Receipts	14,67,634
Issues	12,86,797
Closing balance	8,21,869

In his duties as Superintendent of Stamps and Stationery he is assisted by an Assistant Superintendent.

(5) Duties as Paymaster of Carnatic Stipends—

The number of pensioners is about 300.

(6) Duties as Protector of Emigrants—

The number of emigrants who proceeded to the colonies in 1923 was 16,391. The Collector has to inspect the emigrant ships when they arrive and has to attend to the correspondence regarding them and to the payment to them of their bonus monies and savings.

(7) Confidential work.

(8) Other miscellaneous duties such as—

- (a) work in connexion with elections for Councils and the Legislative Assembly. The Collector of Madras is at present the registration officer for five constituencies and returning officer for three constituencies.
- (b) Issue of passports when the Government are at Ootacamund.
- (c) Attendance at the meetings of various public or quasi-public committees such as—
 - (i) Monegar and Venkatagiri choultry committee;
 - (ii) Internal security committee;
 - (iii) District Educational Council;
 - (iv) Auxiliary Force (Indian) Advisory.

[21st August 1924]

Mr. M. RATNASWAMI:—"Sir, arising from the answer given to clause (1) of the question, may I ask the hon. Member for Revenue what is the total amount of land revenue which the Collector of Madras handles, and why this figure has not been given in the answer whereas figures have been furnished with regard to other classes of work which he performs?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I cannot say off-hand. I want notice."

Mr. S. SATYAMURTI:—"With regard to answer to clause (2) regarding the abkari administration of the Madras district, may I ask the Government to explain what the duties are of the Collector besides being the President of the Excise Licensing Board and besides his being responsible for the general excise administration? I should like the Government to specify if they can in a little more detailed manner what his duties are in being responsible for the general excise administration."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"One of his duties is the issue of the fixed fee licences."

Mr. M. RATNASWAMI:—"May I ask whether it is any part of the duties of the Collector to inspect the taverns and shops and see that they are kept in a clean and sanitary condition and that the stock supplied to them is genuine?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That is primarily the duty of the Excise officers."

Mr. S. SATYAMURTI:—"With reference to the answer to clause (7) of the question, may I ask what the nature of this confidential work is which the Collector of Madras is doing?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Political work of which details cannot be given."

Mr. M. RATNASWAMI:—"With regard to the whole question may I ask if all these duties cannot be performed by an ordinary deputy collector?"

Mr. S. SATYAMURTI:—"Sir, with regard to the answer to clause (8) of the question, may I ask whether the Collector of Madras has more duties with regard to elections for the Legislative Council and the Legislative Assembly, which are very much more than what the Collectors of districts have got to do?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It may be."

Constitution of districts, taluks, etc.

Reinclusion of certain villages now in Divi taluk under the Bandar taluk.

324 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that about 4,842 inhabitants living in the 78 villages of the Devarakota estate situated in the Divi taluk, Kistna district, have submitted a memorial to the Madras Government, dated 28th January 1924, praying for the reinclusion of their villages under the Bandar taluk as before the formation of the Divi taluk on account of several difficulties and inconveniences mentioned therein;

[21st August 1924]

(2) what action has been taken with regard to the memorial mentioned above;

(3) whether it is a fact that some of the proposals hitherto made for the formation of the taluks by the officials in the district are not based upon any popular representation;

(4) whether it is a fact that the people of these taluks have never been consulted by the officials who proposed the changes in the existing taluks of the district;

(5) in consideration of the utmost importance of these changes, whether the Government will be pleased to lay on the table all the changes, proposed in the formation of the new taluks, before they are finally sanctioned by the Government; and

(6) when the proposed changes in the existing taluks of the district will be introduced?

A.—(1) Yes.

(2) The Government obtained a report on the memorial and have come to the conclusion that compliance with the request contained in the memorial is not feasible.

(3) & (4) The scheme of bifurcation of the district was started on the representation of the people of the district as well as the district officers. The details worked out by the local officers were published for public criticism in two Press communiqués, dated 3rd March 1920 and 6th October 1923. The people of the district were thus given ample opportunity to express their views on the changes proposed and they have availed themselves of the opportunity by placing their criticisms before the Collector and Government.

(5) Proposals in regard to the formation of new taluks having already been published in the two Press communiqués mentioned above, the Government do not consider it necessary to lay them again on the Council table.

(6) They will be given effect to at an early date.

Deputy Collectors.

The appointment of Muhammadan Deputy Collectors in the Co-operative Department.

325 Q.—Mr. M. MOOSA SAIT SAHIB: Will the hon. the Member for Revenue and the hon. the Minister for Development be pleased to state—

(a) the number of Deputy Collectors sanctioned by the Government to be retained in the Co-operative Department; and

(b) whether during these 20 years since the Co-operative Act came into force any Muhammadan official was taken into the cadre of a Deputy Collector?

A.—(a) Ten posts were added to the Deputy Collectors' cadre in February 1921 to provide for Assistant Registrars of Co-operative Societies.

(b) No Muhammadan Deputy Collector has hitherto been an Assistant Registrar of Co-operative Societies. One was appointed but on the day he joined duty he applied to be reverted to the regular line.

[21st August 1924]

Ecclesiastical and Religious and Charitable endowments.

Grants to religious institutions.

326 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue, the hon. the Home Member and the hon. the Minister for Local Self-Government be pleased to state—

(1) what are the several amounts spent annually by Government in 1923-24, 1913-14 and 1860-61 (i) on the Ecclesiastical Department in connexion with

(a) the Church of England,

(b) the Church of Scotland,

(c) the Church of Rome;

(ii) on account of annual grants by way of commutation of ancient haqqas or incomes of lands or otherwise

(a) to Hindu (including Jain and Lingayat) devasthanams and mutts and other religious endowments and their trustees, swamis and other religious heads;

(b) Muhammadan mosques and other religious endowments and their trustees and Kazis and other religious heads;

(c) temples and other religious institutions of other communities;

(2) what are the historical grounds or what is the policy on which the several items of expenditure are based; and

(3) why the Church of Rome, which has a larger number of adherents than Protestants, comes in for such a small or no share in this expenditure?

A.—1 (i) (a), (b) & (c) & (3) The Ecclesiastical Department is a Central subject, and the Local Government have no further information than is contained in the budget of the Government of India.

1 (ii) (a), (b) & (c) & (2) The details cannot be obtained except by a lot of compilation and collection.

Famine.

Revision of task tables relating to relief works.

327 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the task tables for mudwork and earthwork have been revised as contemplated in the recent Government Orders relating to famine relief works;

(b) whether the revision has been taken on hand; and

(c) how long it is likely to take if it is not yet completed?

A.—One of the tables in Appendix D to the Famine Code dealing with tasks in earthwork has been revised. The other tables need no revision.

Loans to ryots in Anantapur district.

328 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) what is the sum allotted for loans in Anantapur district to relieve the famine-stricken ryots;

[21st August 1924]

(b) what is the total number of loan applications in the district, how many of them were found fit for the loans, and what is the aggregate amount asked for and granted; and

(c) what is the total number of applicants whose applications have been sanctioned but who have not been paid for want of allotment and what is the aggregate amount thus pending disbursement?

A.—(a) Five lakhs including two lakhs sanctioned in August 1924.

(b) Total number of applications received up to 15th July 1924 including those pending on 1st April 1924 was 6,471, of which 2,255 were found fit for the loans.

The amount of loans applied for was Rs. 15,07,770 and the amount granted Rs. 3,65,980.

(c) Number of applications sanctioned but pending disbursement for want of allotment on 15th July 1924 was 467 and the amount involved was Rs. 65,980. This amount will be met from the additional allotment sanctioned in August.

Change of policy in famine administration.

329 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have considered the advisability of changing the present policy of famine administration with regard to the management of village works and whether any changes are contemplated in this connexion;

(b) whether the Government have accepted the policy of taking up works of irrigation and drinking water in preference to metal-breaking; and

(c) what the works are that have been chosen for relief works in Gooty and Madakasira taluks tending towards the improvement of irrigation and drinking-water facilities, whether all of them are public works or village works and whether they are enough for the required relief?

A.—(a) Yes. No change in the existing provisions in the Famine Code relating to village works is under contemplation.

(b) Works of irrigation and drinking water which have a reasonable chance of being completed with famine labour are taken up as relief works wherever practicable.

(c) Gooty taluk—Patakottacheruvu tank work

Madakasira taluk ... (1) Nidraghetta tank work and
(2) Agali tank work.

All of them are public works. The Collector has made arrangements to open a second relief work in the Gooty taluk, viz., repairing the Chinnacheruvu of Uravakonda as a non-departmental work under the control of the Revenue Department. These four works together with the relief work at Madakasira which is a road work are considered sufficient for the present.

21st August 1924]

Irrigation.

Supply of water to the tanks of Agali and other villages from the Swarnamukhi river.

330 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) how long negotiations have been going on between the Mysore State and the Government regarding the supply of the water of the Swarnamukhi river to the tanks of Agali and other villages of Madakasira taluk;

(b) at what stage the negotiations stand now;

(c) when the negotiations are expected to be completed;

(d) if they are already completed, what are the terms agreed upon;

and
(e) what are all the villages now served by the Swarnamukhi and how they are affected by the agreement?

A.—(a) Since 1917.

(b), (c) & (d) Certain decisions were arrived at, after joint inspection by the representatives of the two Governments in August 1922. These decisions were ratified by this Government subject to certain conditions. The Darbar have proposed some other conditions which are under consideration. The negotiations will be completed as speedily as possible.

(e) The Government have no information as to the first portion of the clause. The second portion does not arise.

Localization of mamul wet lands and the irrigation of lands in Narasapur taluk.

331 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether in the estate of Ravipadu in Narasapur taluk, Kistna district, mamul wet lands were localized and, if so, when;

(b) whether, prior to the said localization, all the lands in the village were irrigated by Godavari water; if not, what is the extent of lands irrigated during each of the last ten years;

(c) whether water is being refused to non-mamul wet lands subsequent to localization of mamul wet lands and, if so, the reasons for rejection;

(d) whether penal water-cess was levied in the last fasli on all non-mamul wet lands for raising wet crops without giving notice to the tenants that penal cess will be levied if the lands are irrigated;

(e) whether it is a fact that no orders on water applications were communicated to the tenants before the lands were irrigated;

(f) whether it is fact that the non-mamul wet lands also were unfit for raising dry crops and were all along irrigated during the last fifty years; and

(g) what is the amount of penal assessment levied from the said village in the last fasli?

A.—(a) Yes. The Government have however no information when the localization took place.

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

[21st August 1924]

Mr. P. PEDDIRAJU :—" Will the Government be pleased to call for the information, for, with reference to all the clauses of the question the Government say they have no information ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It would conduce to convenience if the hon. Member could specify what category of information he exactly wants, because this is a comprehensive answer to a number of questions. It would be useful to know what is the kind of information he wants."

Mr. P. PEDDIRAJU :—" The information that I want is as to whether penal assessment has been levied on non-mamul wet lands for raising wet crops, and the amount of the assessment. Also whether water applications are being rejected, and if so, the extent of land for which water applications have been rejected."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" That can be obtained, Mr. President."

Irrigable wet lands in Bhimavaram taluk.

332 Q.—Mr. M. SITAYYA : Will the hon. the Member for Revenue be pleased to state the extent of irrigable wet in the Bhimavaram taluk and the extent actually cultivated or transplanted up to 15th July 1924 ?

A.—The Government have no information.

Second-crop lands in Ellore and Kaikalur.

333 Q.—Mr. M. SITAYYA : Will the hon. the Member for Revenue be pleased to state the extent of land admitted to second-crop cultivation in the Ellore and Kaikalur taluks during the last ten years ?

A.—The Government have no information.

Mr. P. PEDDIRAJU :—" Will the Government be pleased to call for the information ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" No."

Kazis Act.

The appointment of Kazis under the Kazis Act.

334 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

- (1) the number of Government Kazis appointed under the Kazis Act XII of 1880 ;
- (2) the number of Naib-Kazis appointed by the Government Kazis ;
- (3) the emoluments paid to each of the Government Kazis by the Government ;
- (4) whether the Kazis used to be paid hitherto along with the District Judicial establishments, and have latterly been paid by the Revenue Department, and if so, the reason for the change ;
- (5) whether in view of the general increase recently granted in pay to all the subordinate establishments the Government have taken or propose to take into consideration the question of granting a reasonable increase in the emoluments awarded to the Government Kazis ;

21st August 1924]

(6) if not, why not ; and

(7) whether any proposal was made to the Government for raising the allowance paid to the Kazi of Nellore from Rs. 30 to Rs. 50, and if so, why the Government refused to sanction the increase ?

A.—(1) About 130.

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

(3) The Government have no information.

(4) Under Regulation III of 1808, the Kazi was placed under the District Court. This Regulation was repealed by Act XI of 1864. In 1880 the Government of India passed the existing Kazi Act XII of 1880. Under this Act, the appointment and control of Kazis are vested in the Government and Civil Courts have no jurisdiction in the matter.

In 1922, there were still three Kazis attached to the District Court establishment in this Presidency, viz., Ganjam, Nellore and Ellore. These were removed from the establishment of the District Court concerned in 1922 in accordance with the practice in force in other districts.

(5), (6) & (7) The question of increasing the pay of the Kazis of Nellore, Ellore and Ganjam was considered and negatived. Besides their pay, the Kazis have other income in the shape of fees. The pay is of the nature of a retainer and Government have considered it unnecessary to increase it.

The Jain community.

The recognition of the Jains as a separate community.

335 Q.—Mr. K. RAGHUCHANDRA BELLALA : Will the hon. the Member for Revenue and the hon. the Minister for Education be pleased to state—

(a) whether the Government recognizes the Jains as a community separate from the Hindus, Buddhists, Christians and Muhammadans or whether they class them with Hindus ; if the latter, for what reasons ; and

(b) whether the Government include Jains in the backward communities ; if so, whether Jain students now receive the concessions given by the Government to those of the backward communities ; if not, whether the Government propose to extend such concessions to Jain students hereafter at least ?

A.—(a) The Jains are recognized as a separate community.

(b) The Jains are not included in the list of backward classes appended to the Madras Educational Rules. Nor is there any proposal to include them in the list. According to the last census returns more than half the population is returned as literate. The question of recognizing classes and communities as backward for purposes of elementary schools is for consideration by District Educational Councils.

[21st August 1924]

Settlement.*The resolution of the Trichinopoly Mirasidars' Conference on Resettlement.*

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

(a) whether his attention has been drawn to the resolutions of the Trichinopoly mirasidars passed at their meeting held at Trichinopoly in April 1924;

(b) whether the Government have received the memorial of the Trichinopoly mirasidars against the resettlement proposals of Mr. Priestley;

(c) whether there was a proclamation of the Madras Government in 1801 promising permanent settlement to the Trichinopoly mirasidars, which was confirmed in 1864; and

(d) what action the Government propose to take in the matter?

A.—(a) No.

(b) Copies of a memorial from the ryots of the Trichinopoly district have been received by Government.

(c) There was a proclamation of the Madras Government in 1801 but in the proclamation there was no promise of a permanent settlement. Government have issued orders regarding the revision of assessment of the Trichinopoly district in 1864 and there is no reference to permanent settlement in this order either.

(d) Does not arise.

Trichinopoly settlement.

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

(a) whether he has received memorials from the Trichinopoly district mirasidars against the proposed resettlement;

(b) what action the Government have taken or propose to take thereon; and

(c) whether the resettlement proposals will be placed before the Council for their approval?

A.—(a) Copies of the memorial have been received by Government.

(b) The representations in the memorial will be duly considered when passing orders on the scheme for the resettlement of the Trichinopoly district.

(c) No.

Mr. S. SATYAMURTI:—“With reference to the answer to clause (b) of this question, may I ask the Government for an approximate idea of the time when they expect to pass orders on the scheme for the resettlement of the Trichinopoly district?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Within the next two or three months, Mr. President.”

21st August 1924]

Mr. S. SATYAMURTI:—“With reference to the answer to clause (c) of this question, may I ask the Government to be so good as to state the reasons, if they have any, as to why the resettlement proposals cannot be placed before the Council?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I cannot give any reason, Sir.”

Mr. S. SATYAMURTI:—“May I ask whether the Government will place the report and the resettlement proposals before the Council at least for discussion?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Is it before or after orders are passed?”

Mr. S. SATYAMURTI:—“I am not going to ask the Government to waste their time and that of the House by discussing the matter after orders are passed.” (Laughter.)

Survey charges.

338 Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that at the time of last settlement (popularly known as the Stuart settlement) in the Nilgiris and Malabar Wynad, the survey charges were not collected from the pattadars, but were borne by the Government;

(b) if so, what were the reasons for which they were not collected and whether such circumstances have since changed; and

(c) whether the Government will be pleased to lay on the table the letter from the then Settlement Officer (Mr. Stuart) recommending the remission of survey charges, the Board's Proceedings and the Government Order thereon?

A.—(a) They were not borne by the Government.

(b) The question does not arise.

(c) No such recommendation appears to have been made by Mr. Stuart.

Village establishments.*Restoration of regrouped villages.*

339 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Revenue be pleased to state whether the enquiry into the land revenue system and the question of restoring the recently regrouped villages to their original units for which a special officer was deputed, has been completed, and if so, whether the Government propose to lay his report on the table of the House?

A.—The special officer has been allowed a period of six months for the completion of his special duty. He entered upon his duties only on the 12th April last and is on sick leave for four months from 29th May.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—“May I ask whether the special officer has sent any interim report?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“No.”

[21st August 1924]

Mr. C. RAMALINGA REDDI:—" May I ask whether it is the intention of Government to introduce any Bill ? "

The hon. Mr. C. P. RAMASWAMI AYYAR:—" After receipt of the report, the Government will consider the matter."

The regrouping of villages in South Arcot.

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

(a) when the Board of Revenue sanctioned the grouping or amalgamation of villages in the district of South Arcot;

(b) whether there was any delay on the part of the local officers in giving effect to the proposals sanctioned by the Board and what the financial loss to the Government was on account of such delay;

(c) whether any steps have been taken to recover the amount, and, if so, from whom, and with what result;

(d) whether any action has been or is proposed to be taken against the officer responsible for the loss;

(e) the number of village officers including menials thrown out of employ consequent on amalgamation in South Arcot between (a) January 1923 to September 1923, both inclusive, and (b) October 1923 to January 1924; and

(f) the savings anticipated under the head of grouping of villages in South Arcot in 1923-24 and those actually effected?

A.—(a) Between December 1922 and December 1923.

(b) Yes. The delay meant that some village officials continued in office doing their work and getting their pay rather longer than otherwise would have been the case.

(c) No.

(d) Yes.

(e) & (f) The following statement shows the total number of village officers and menials thrown out of employment and the annual savings effected thereby:—

Number thrown out.				Annual saving.
				Rs.
159 karnams	...	...	...	28,620
198 headmen	...	...	...	35,640
215 talaiyaris	...	...	...	20,640
327 vettis	...	...	...	81,392
Total	...	...	...	1,16,292

Further details are not available.

Mr. S. SATYAMURTI:—" With reference to clause (b) of this question, may I ask the Government why there was this delay ? "

The hon. Mr. C. P. RAMASWAMI AYYAR:—" The delay was caused by the action of a particular clerk and a sarishtadar, and Government, having come to the conclusion that the delay was intentional with a view to profit certain persons, have passed orders against those officers."

Mr. S. SATYAMURTI:—" May I know what the nature of the punishment of those officers is ? "

[21st August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—" One was dismissed, and the other resigned, I think."

Mr. S. SATYAMURTI:—" With reference to the same clause, may I ask Government to say what the financial loss to Government was on account of such delay? That has not been answered, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR:—" I shall give the figure later."

Mr. S. SATYAMURTI:—" With reference to the answer to clauses (e) and (f) of this question, as the wording of the question may lead to certain ambiguity, may I ask whether these figures represent actual savings, or anticipated savings? "

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

Resumption of communal service inams in the Kistna district.

341 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have sanctioned the resumption of communal service inams in the Kistna district; if not, whether it is a fact that jirayati pattas are being issued for the said service inams to the village servants who refuse to do service;

(b) the number of cases and the extent of lands which have been so resumed and for which jirayati pattas have been issued; and

(c) whether it is a fact that the said service inams are intended for village communal service, i.e., to compel the owners of such inams to do service in the village?

A.—Resumption of inams of the class in question does not require the sanction of Government. The Government are therefore not in possession of the information asked for.

Mr. P. PEDDIRAJU:—" As this is an important question, Sir, may I ask the Government to get the information ? "

The hon. Mr. C. P. RAMASWAMI AYYAR:—" Orders are within the discretion of the Collector and the Board, who can resume the inams."

Arms and explosives.

The grant of gun licences to persons in South Kanara.

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

(1) the number of gun licences held by various persons in the South Kanara district in 1921, 1922, 1923 and 1924;

(2) the number of licences refused to be renewed in each of these years;

(3) (a) whether the refusals were based on any general grounds or as a matter of policy;

(b) if so, what are those general grounds and what is the principle of the policy;

(4) how many of the licences refused to be renewed had been granted with a view to prevent devastation of fields or gardens by wild beasts;

(5) what is the increase or reduction in the year 1923 over that of 1922 in the grant of gun licences for various purposes in the whole Presidency; and

(6) if there is decrease, what are the reasons therefor?

[21st August 1924]

- A.—(1) The total number of arms licences in South Kanara for the years 1921, 1922 and 1923 was 5,723, 5,549 and 5,821 respectively. The number of licensees for 1924 will not be available till the close of the year.
- (2) to (4) The Government have no specific information on these points. General instructions on the subject of the issue of arms licences were issued by the Government of India in their Resolution republished at pages 1340 to 1343 of Part I of the *Fort St. George Gazette*, dated 27th November 1923, and the Government believe that these instructions have been followed in South Kanara as well as elsewhere in this Presidency.
- (5) & (6) The figures are—for 1922, 58,160, and for 1923, 61,614, i.e., there was an increase.

Cinchona.

The sale price of quinine.

343 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Home Member be pleased to state—

- (a) the price of quinine per lb. manufactured by Government and sold through post offices; and
- (b) the price of Howards' quinine as sold in the market?

- A.—(a) The selling price of the quinine manufactured by Government varies from Rs. 26 to Rs. 28 according to the quantities ordered. The price of the quinine sold in 10-grain 'piece' packets through post offices works out at Rs. 28-10-0 per lb.
- (b) The price of Howards' quinine in London according to the latest information available is 2s. 3d. per oz. or 36s. per lb. which at 1s. 4d. per rupee works out at Rs. 27 per lb. and at 1s. 5d. at Rs. 25-6-7 per lb. It is understood that Howards' quinine can be obtained locally at Rs. 29 per lb. when purchased by the pound and at Rs. 2-8-0 per oz. or Rs. 40 per lb. when purchased by the ounce.

Sale of quinine in malarious areas.

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

- (1) what are the arrangements made by Government for sale of quinine in packets and as tabloids in malarious areas and in which districts and parts of districts it is so sold; and
- (2) whether village officers in malarious areas used to be provided with quinine packets for sale; if so, whether the practice is continuing; and if not, why not?

- A.—(1) Quinine is sold in packets of ten grains in all post offices in the Presidency except those in Madras city. There are about four thousand such offices.
- (2) The system of sale of quinine by revenue officials, including village headmen which was in force in ten districts in the Presidency in which malaria was specially prevalent, was discontinued in 1919 as the results obtained were not satisfactory.

21st August 1924]

Quinine is now distributed free in the Agency tracts outside the jurisdiction of the local boards where there are no hospitals or dispensaries and in a few other special cases.

Depressed classes.

Access to public tanks and wells for the depressed classes in Chidambaram, etc.

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

(a) whether the attention of the Labour department has been drawn to the disabilities of the depressed classes in Chidambaram and Villupuram who are denied access to public tanks and wells;

(b) whether karnams in the district support the mirasidars in keeping up the padial system; and

(c) whether the Government have any scheme of giving compulsory education to the depressed classes in the South Arcot district?

A.—(a) In the course of the investigation by the Labour department into the needs of the Adi-Dravidas in the villages of Chidambaram taluk, disabilities such as those referred to were brought to the notice of the labour staff. Steps have been and are being taken to remove them. Similar disabilities in Villupuram taluk also were brought to notice, but investigation work by the labour staff in this taluk has not yet been started. Steps will be taken to remove them when funds permit.

(b) The Government have no information on which to answer so general a question.

(c) No.

Mr. S. SATYAMURTI:—"With reference to the last two lines of the answer to clause (a) of this question, may I ask the Government to say what they mean by saying: 'Steps will be taken to remove them when funds permit', why funds are required, and why steps cannot be taken irrespective of the funds being available or not?"

The hon. Sir ARTHUR KNAPP:—"I ought properly to ask for notice of this question, but so far as I can now recollect, the point is that we cannot provide wells or separate facilities of that type unless we have funds. The remedy in the case of water-supply may very often amount to providing a separate well. The answer is intended to be general, and if my hon. Friend wants more definite information, I shall be quite prepared to give it."

Mr. S. SATYAMURTI:—"My question is:

'Whether the attention of the Labour department has been drawn to the disabilities of the depressed classes in Chidambaram and Villupuram who are denied access to public tanks and wells.'

"I am asking Government why they cannot use all their powers—and they have very many, I know—to insist upon all public tanks and wells being thrown open to all His Majesty's subjects, irrespective of caste?"

[21st August 1924]

The hon. Sir ARTHUR KNAPP :—" I am afraid I did not quite realize that my hon. Friend's intention was so large as that. I thought his intention was merely to call our attention to particular cases in particular localities and to ask what we can do in a particular locality. But if he wants a more general statement, I should suggest his putting a further question at the next meeting, and I shall be quite prepared to answer."

Mr. R. VEERIAN :—" With reference to clause (a), the answer is :
'Steps have been and are being taken to remove them.'

" May I know whether members of the depressed classes are now actually taking water from the public wells in that locality ? "

Mr. S. SATYAMURTI :—" With reference to clause (c), the answer is 'No.' May I ask the reasons why Government have no scheme for giving compulsory education to depressed classes of the district ? "

The hon. Sir ARTHUR KNAPP :—" So far as the Labour department is concerned, the question of compulsory education, specially for the depressed classes, has not arisen either there or in any other district. It is open to anyone who is interested in the matter to make this suggestion and I am quite prepared to consider it. But at present the practical difficulty of introducing compulsory education for this one particular class is considerable."

Mr. S. SATYAMURTI :—" May I ask whether the Government are interested in educating the depressed classes ? "

The hon. Sir ARTHUR KNAPP :—" Certainly we are ; but it does not follow that we should attempt the impossible in the form of making it compulsory. There are many obvious difficulties. Many of these children must contribute by their labour towards the maintenance of their families. We know that is a fact. That is a practical difficulty in regard to compulsory education which we will have to meet once we try to apply it to the depressed classes. Let us try to get a lead from the general community before we attempt to introduce compulsion for the depressed classes."

Mr. S. SATYAMURTI :—" May I ask whether any special facilities have been provided for the education of these classes ? "

The hon. Sir ARTHUR KNAPP :—" Yes, Sir. The Labour Commissioner has established special schools and given special facilities for the depressed classes in this as well as other districts. My reference was merely to the suggestion to make it compulsory."

Mr. S. SATYAMURTI :—" May I know how many special schools have been established and what their strength is ? "

The hon. Sir ARTHUR KNAPP :—" I cannot give that. A number of schools have been established."

The hon. the PRESIDENT :—" The supplementary question of the hon. Member does not arise after the answer about a scheme of compulsory education."

Mr. S. SATYAMURTI :—" Why not let the Government answer, Sir, if they can ? "

21st August 1924]

The hon. the PRESIDENT :—" I have to take care of the Government side as well as of the hon. Member who is asking the question."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" With reference to clause (a), apart from the question of the steps that are referred to in the answer, may I know if the Government do or do not recognize that every one of His Majesty's subjects has an equal right of access to these public wells and tanks ? "

The hon. the PRESIDENT :—" I think I had better refer to what the hon. the Home Member has already said. This is a very general question and it is not merely information upon a particular point that is required. The topic is one of the gravest questions in the Presidency and it will be much better if the hon. Member will raise it in the proper form."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I want only to know, Sir, whether that principle is not accepted by Government that every one of His Majesty's subjects has an equal right to the use of public tanks and wells ? "

The hon. the PRESIDENT :—" That would be a statement in rather broad terms, but if Government are prepared to answer it, I have no objection."

The hon. Sir ARTHUR KNAPP :—" I am afraid I must ask for notice, Sir."

Assignment of poramboke land for depressed classes in Chidambaram taluk.

346 Q.—Mr. R. VEERIAN : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that a plot of poramboke land was assigned to the members of the depressed classes of Melavanniyurcheri, Chidambaram taluk, some two years back ;

(b) whether it is a fact that the members of the depressed classes have nearly finished the construction of a school building and temple and the sinking of a well on the plot of poramboke land ;

(c) whether it is a fact that through the instigation of the mirasidars of the place, the District Labour Officer has ordered the members of the depressed classes to stop constructing the school building and temple and sinking a well ;

(d) whether it is a fact that the mirasidars are now in need of the said plot of poramboke land for play-ground for their boys and young men ; and

(e) if the Government have no information, whether the Government will be pleased to call for the information with reference to questions (a) to (d) ?

A.—(a) R.S. No. 7/10-A measuring 12 cents and 7/10-B measuring 8 cents of Melavanniyur village were transferred to school and temple and well porambokes respectively in favour of Adi-Dravidas on the 3rd August 1923.

(b) No. The school is now in a temporary shed. The walls of a small brick temple under construction have been raised a few feet above ground level and the earthwork alone of the well has been done by the Adi-Dravidas.

[21st August 1924]

(c) On the representation of a mirasidar that the Adi-Dravidas were proceeding with the construction of the temple and that there was a likelihood of a breach of the peace, the District Labour Officer, with a view to prevent its occurrence issued a notice to the Adi-Dravidas not to proceed with the work pending further orders. The matter is now under consideration by the Collector.

(d) No. The caste ryots want the site for putting up granaries.

Mr. R. VEERIAN :—" With reference to clause (c) of the question may I ask whether the Government have any intention of appointing a suitable candidate belonging to the depressed classes as District Labour Officer of Chidambaram taluk ? "

The hon. Sir ARTHUR KNAPP :—" All that I can say at present is that if a vacancy occurs, and if we find a suitable officer, we should be very glad to consider his claims."

The Madras Adi-Dravida Hostel.

347 Q.—Mr. R. VEERIAN : Will the hon. the Home Member be pleased to state—

(a) with regard to the constitution of the Madras Adi-Dravida Hostel sub-committee,

(1) its personnel according to caste,

(2) the authority appointing its members,

(3) the number of meetings held, and the business transacted since November last;

(b) (1) with regard to the Hostel itself the present strength of the Hostel with a classified list showing the classes in which the students are reading, their age, the number of free scholars;

(2) the number of applications for admission received by the Labour Commissioner since last November;

(3) whether there are any age restrictions in regard to admission ; and

(4) whether it is a fact that a caste Hindu has been appointed as the warden of the Hostel, and if so, why ?

A.—(a) (1) (i) M.R.Ry. Rao Sahib O. Ramaswami Ayyangar, Secretary, Ramakrishna Students' Home, Mylapore (Brahman).

(ii) M.R.Ry. Rao Bahadur M. C. Raja Avargal (Adi-Dravida).

(iii) M.R.Ry. N. Sivaramu Avargal, B.A., B.L., High Court Vakil (Adi-Dravida).

(iv) M.R.Ry. Rao Bahadur T. Varadarajulu Nayudu Garu, B.A., B.L., Secretary, the Madras Social Service League (Caste Hindu).

(v) M.R.Ry. Rao Bahadur Dr. C. Natesan Avargal, M.L.O. (Caste Hindu).

(2) The Government.

(3) Four—

First meeting—Selection of boarders. Selection of warden. Inspection of premises for the hostel—'Waverley House.' Date of starting the hostel.

[21st August 1924]

Second meeting—Selection of books for the library of the hostel. Supply of furniture to the boarders. Date of closing for the vacation and the date of reopening the hostel.

Third meeting—Inspection of the new premises of the hostel—'Kobe Lodge.' Selection of boarders. Selection of warden.

Fourth meeting—Further selection of boarders. Discussion regarding menu. Allocation of rooms for boarders.

(b) (1) A statement * furnishing the information required is attached. The number of boarders in the hostel holding scholarships is 14. Applications for fresh scholarships from some more boarders of the hostel have been received, and they are under consideration.

(2) 74.

(3) Yes. The following are the age-limits for admission :—

	Forms.					
	I	II	III	IV	V	VI
Municipal area	12	13	14	15	16	17
Non-municipal area	14	15	16	17	18	19

The age-limit is relaxed in really deserving cases of poverty, of proved merit of the pupil and of any other extenuating circumstances beyond the control of the applicant.

(4) A caste Hindu was the warden of the hostel up to 1st June 1924. As admission to the hostel was open to all members of depressed classes, viz., Adi-Dravidas, Madigas, fishermen, hill tribes, criminal tribes, etc., the desirability of having a caste man as warden was experimented upon in view of possible objections from inmates of one or another caste. The present warden is an Adi-Dravida.

Mr. R. VEERIAN :—" With reference to clause (a) of the question, Sir, may I know whether the hon. the Home Member will be pleased to appoint a majority of members belonging to the depressed classes as members of the sub-committee of the Madras Adi-Dravida Hostel ? "

The hon. Sir ARTHUR KNAPP :—" Until some cause has been shown for disturbing the present constitution or some suggestion is made that it is not working satisfactorily, I do not see any need to alter the constitution."

Mr. R. VEERIAN :—" Then, again, Sir, with regard to clause (b) (2), the answer is 74 applications were received. May I know how many applications were received from the mufassal and how many from the Madras City ? "

The hon. Sir ARTHUR KNAPP :—" I am afraid I must have notice, Sir."

Mr. M. RATNASWAMI :—" Regarding the whole question, may I ask whether any provision has been made for the admission of members of backward communities other than the Adi-Dravidas into this hostel ? "

The hon. Sir ARTHUR KNAPP :—" Some of the hill tribes who are included in the term ' backward communities ' are admitted."

[21st August 1924]

Mr. R. VEERIAN:—"With reference to clause (b) (3), may I know whether the Government have any intention of making wholesale exemptions with regard to age restrictions?"

The hon. Sir ARTHUR KNAPP:—"I am not aware that Government have any intention of making any wholesale exemption at present."

Damage by fire to the huts of the depressed classes in Omalur taluk.

348 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that about 40 huts in Chellapillai kuttai, Pagalpatti, near Omalur taluk, Salem district, belonging to the depressed classes were burnt down to ashes owing to fire accident during June last;

(b) whether it is a fact that the matter was already reported to the District Collector and he was requested to help the poor people;

(c) if so, the reason for not providing them with free bamboos and other materials for putting up the sheds again;

(d) whether any of the Revenue authorities have seen the spot; and

(e) if so, what arrangements have been made to provide them with huts?

A.—The Government have no information.

European Education.

Grants to European and Indian Christian Homes, Asylums, etc.

349 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member and the hon. the Minister for Education be pleased to place before the House statements showing, with names of the institutions, the grants made to or provided for several European, Anglo-Indian and Indian Christian Homes, Asylums, Orphanages and other charitable institutions and boarding-houses within the Madras town and suburbs and in the Nilgiris district in the years 1922-23, 1923-24 and 1924-25?

A.—The statements are placed on the table*. Grants to Indian Orphanages were given for the first time in the year 1923-24. The distribution for the current year has not yet been settled. It will be taken up after all applications are received by the Director of Public Instruction. The provision in the budget is Rs. 30,000 for the Presidency as compared with Rs. 15,000 last year.

Grants-in-aid to European and Anglo-Indian Educational Institutions.

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

(1) what are the rates of grants-in-aid given to European and Anglo-Indian educational institutions as compared with similar Indian educational institutions;

* Vide Appendix II on page 661 infra.

21st August 1924]

(2) if the rates are higher or privileged, on what grounds they are based; and

(3) if the higher rates are given because of the higher standard of living or education in European and Anglo-Indian schools, whether they cannot be compensated by a larger amount being allowed on the money spent on them in the same proportion as allowed to Indian institutions?

A.—Grants-in-aid are not paid to European schools or to Indian schools under a rate system. It is not therefore possible suitably to compare the rates of one school with the rates in another school.

In the case of European schools, grants are given in the form of fixed grants under article 39 of the Code of Regulations for European Schools and under the conditions laid down in Appendix VIII to that Code, the main restriction being that the grant may not exceed the ordinary income of the institution from all sources other than Government grants. The system of aid in European schools is the same to all grades of schools whether primary, middle or high.

In the case of Indian schools the system of grant-in-aid to Middle schools and High schools is that, subject to certain conditions, one-half of the net cost of maintaining the institution be paid (vide the Grant-in-Aid Code). The aid given in elementary schools is according to the rules laid down under the Madras Elementary Education Act.

According to the most recent figures which have been worked out the total of the fixed grants paid to European schools is less than one-half of their net cost. High schools obtained grants greater than one-half of their net-cost, while middle and primary schools obtained grants less than one-half of their net cost.

The alleged discrimination between the Indian and European boys in European schools.

351 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state whether he has finished the inquiries with regard to the discrimination between the Indian and European boys in European schools and whether he will place the result of his inquiry on the table of the House?

A.—The inquiries have been completed. Copy of a report of the Inspector of Schools with its enclosure is placed on the table.*

Mr. S. SATYAMURTI:—"On page 664, where a supplement to the answer to this question is given, I am asked to read a letter from the Inspector of Schools. I asked Government for information, and I take it that Government accept the information supplied by the Inspector. On that basis may I ask the hon. the Home Member to say with regard to clauses (iii) and (iv) of that letter whether Government is in a position to give us some idea of the extra work done by teachers in European schools for Indian pupils? I should like to know a little more approximately what the quantity and nature of the work is which the teachers in these European schools do for Indian boys necessitating these very high fees charged for them."

* Vide Appendix III on page 664 infra.

[21st August 1924]

The hon. Sir ARTHUR KNAPP:—"My hon. Friend raises the question as to whether in placing the Inspector's letter on the table, Government intended to make it their answer. I must say that that is not exactly the position. If my hon. Friend will look at the date of that letter of the Inspector and remember that it has to come to us through the Director of Public Instruction, he will realize that we could have received that letter only a very few days before the meeting. We have not ourselves examined this letter in detail, but I thought it better, as my hon. Friend was pressing for the information, to place it on the table in its present form. My attention has already been directed to the comparative weakness of the answer given under that clause (iii) and I had intended to investigate it further. I propose to have an investigation into the matter."

Mr. S. SATYAMURTI:—"May I take it, therefore, Sir, that the matter will be further investigated?"

The hon. Sir ARTHUR KNAPP:—"Yes, the matter will be further investigated."

Mr. C. RAMALINGA REDDI:—"May I ask whether Government intend to have these discriminating fees abolished?"

The hon. Sir ARTHUR KNAPP:—"That is an extremely difficult matter. As has just been mentioned, I think I must have a little more information and elucidation from the Inspector before deciding that question."

Mr. M. RATNASWAMI:—"May I ask the hon. Member to get information from each of the schools which do admit Indians as to the actual extra amount of work done for Indian pupils?"

The hon. Sir ARTHUR KNAPP:—"That will be included in the inquiry."

Mr. C. RAMALINGA REDDI:—"And also find out whether in the schools in which such fees are charged, this amount of extra work is not being done?"

Forests.

The calculation of surplus or deficit in the budget for Forests.

352 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to refer to Mr. Tireman's speech in connexion with the demand for Forest in the Budget Estimates on page 728 of the Legislative Council Proceedings, Vol. XVII for March 1924, and to state whether in the working of the Forest Department of Bombay and Madras Presidencies from 1920-21 and 1921-22, the surplus or deficit was based only on the year's actual expenditure or that combined with the interest on the capital expenditure on railways, saw mills, etc.?

A.—The figures mentioned by Mr. Tireman were taken from the Annual Return of Statistics relating to the Forest Administration in British India which is published by the Government of India. The figures of surplus and deficit for Madras represent the difference between the actual expenditure and the actual receipts and do not therefore include interest on capital expenditure. The Government have no information whether the Bombay figures were compiled on the same principle.

21st August 1924]

The staff of the Forest Exploitation Department.

353 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to place before the House a list of all Imperial and Provincial Forest Service Officers that have served and are serving in the Forest Exploitation Department for the last three years with their educational and other qualifications and salaries and the names of those whose services were dispensed with and why?

A.—The new Forest Engineering branch was constituted only in March 1923 under the orders issued in G.O. No. 340, Development, dated 5th March 1923, which has been placed on the Editors' Table. The information asked for by the hon. Member in regard to the officers who have served and are serving in this branch since that date is given in the statement below:—

Names of the officers.	Designation.	Pay per month on 1st April 1924	Educational and other qualifications.
1. Mr. C. S. Martin.	Chief Forest Engineer ..	Rs. 3,000	American expert.
2. Mr. J. K. Pearce.	Logging Engineer ..	1,000	Graduate of the University of Washington, U.S.A. Logging Engineer course.
3. Capt. H. A. Irwin.	Forest Engineer	1,250	Prior to the appointment in the Forest department he was a temporary Engineer on the construction of a State railway and was employed in the Public Works Department in charge of important drainage and water works.
4. Mr. J. W. R. Wernham.	Forest Utilization Officer.	975 including Presidency allowance of Rs. 150.	Belongs to the Indian Forest Service.
5. Mr. M. F. Bridge.	On special duty under the Chief Forest Engineer.	825	Do.
6. Mr. H. P. Ward.	Forest Utilization Officer.	725 including Presidency allowance of Rs. 100.	Do.
7. Major W. F. Chipp.	Forest Engineer	1,000	He was a Forest Engineer in the Punjab.
8. Mr. T. Clear ..	Forest Utilization Officer, now Acting Conservator.	1,750	M. A. Belongs to Indian Forest Service.
9. Mr. D. M. Currie.	Was working under Logging Engineer, now attached to VI Circle.	825	Belongs to Indian Forest Service.
10. Mr. F. J. Marshall.	Forest Engineer	1,200 at the time of dismissal in August 1923.	Was trained at Cooper's Hill in Engineering.
11. Mr. N. D. M. Sahni.	Was working under Forest Exploitation Officer; now attached to the South Coimbatore division.	375	Belongs to the Indian Forest Service.

[21st August 1924]

Names of the officers.	Designation.	Pay per month on 1st April 1924.	Educational and other qualifications.
12. Mr. R. E. Lemos.	Was employed in connexion with the development of the Ambassamudram forests from 15th August 1921 to 15th August 1923; now Ranger.	Rs. 275 (on 15th August 1923.)	Ranger's course at the Madras Forest College with Honours certificate.
13. M.R.Ry. M. H. Krishnaswami	Working under the Logging Engineer in connexion with the development of the Ambassamudram forests. Do.	300	B.A., Provincial Forest Service course at Dehra Dun. Belongs to Madras Forest Service.
14. M.R.Ry. B. A. Cariappa.	Do.	200	Provincial Forest Service course at Dehra Dun. Belongs to Madras Forest Service (on probation).
15. M.R.Ry. Venkatarama Ayyar.	S. Forest Engineer; now in the Public Works Department.	650	B.A., Civil Engineer's course. Belongs to the Public Works Department.

Russellkonda Saw Mills.

354 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—

(a) the total cost including that of supervision over the construction of buildings in connexion with the Russellkonda Saw Mills under
(1) Mills, (2) Superintendent's quarters, (3) clerks' quarters, (4) other buildings;

(b) whether it is a fact that the cost of timber supplied for the buildings put down at 4 annas a cubic foot in the accounts is an underestimate;

(c) whether the cost of felling, clearing and carting has been taken into account in fixing the sale price at 4 annas a cubic foot?

A.—(a) The actual cost of the buildings is given below:—

Mills	...	...	...	RS.	A.	P.
Superintendent's quarters	...	...	...	47,363	12	6
Clerks' quarters	...	...	...	17,451	13	10
Other buildings	...	...	...	7,675	9	9
				35,706	5	9

Fifteen per cent of the capital cost was charged for departmental supervision on the construction of the buildings.

(b) The question whether the rate charged was or was not too low is under investigation.

(c) Yes.

21st August 1924]

*Jails.**Treatment of convicts in the Vellore Central Jail.*

11-30 a.m. 355 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) whether the Superintendent of the Central Jail, Vellore, has ordered that convicts are not to be given water for their bath but only limited quantities of water, i.e., three tumblers a day, containing 14 oz. of water each;

(b) the reason for this order;

(c) whether it is a fact that convicts are entitled to have a daily bath under the Jail Manual;

(d) whether a convict Mr. K. Umamaheswara Rao recently went on hunger-strike, as a protest against his not being allowed a bath every day;

(e) whether water is supplied during night time to the convicts who remain locked up, and in workshops during day-time;

(f) whether convicts in the Vellore Jail are compelled to work even on Sundays;

(g) whether even for slight mistakes the present Superintendent gives heavy punishment of not less than three months bar-fetters;

(h) whether the latrine arrangements in the night are adequate, and if so, what they are;

(i) whether convicts have to carry their night-soil and urine on their heads;

(j) whether convicts, while they are for ten days in quarantine are deprived of all their private clothing, and given only a small piece of cloth; and

(k) whether one Mr. Ramasaran Das of Lahore, Mr. E. Sankaran Nayar, Mr. Kuttan Nedungadi, Mr. Kesar Singh and Mr. Jaffar Khan went on hunger-strike recently, the reason why, and their present condition?

A.—(a) No. But convicts engaged in labour which does not make them dirty are only given sufficient water to cleanse themselves with, every day and a bath every week. Others are given daily baths.

(b) The great scarcity of water.

(c) Under rule 269 of the Madras Jail Manual all convicts are required to bathe on cessation of work unless excused by order of the Superintendent or the Medical Officer.

(d) Yes.

(e) Yes.

(f) The hon. Member is referred to rule 389 of the Jail Manual which applies to labour in all jails.

(g) No.

(h) Yes. Caged latrines and receptacles for the use of prisoners are provided.

(i) No.

(j) No.

(k) Yes, for alleged insufficiency of water. The present condition of those who are still in jail is very good.

Mr. S. SATYAMURTI:—"I am somewhat mystified with reference to the answer to clause (a) and I seek for light. Am I to understand that people are not given daily baths and people who do labour are given weekly baths?"

[21st August 1924]

The hon. Sir ARTHUR KNAPP :—" Mr. President, I may be permitted to explain the intention of this restriction. Convicts who are engaged in weaving which is not an occupation which will make them dirty are restricted in their use of water and are allowed water only to wash themselves. The restriction is imposed for want of water. Those who do work which is apt to make them dirty, such as earthwork or work in connexion with machinery are given their regular daily bath."

Mr. S. SATYAMURTI :—" Of course ideas of dirt differ. But may I ask whether the sitting of a person all day long before the weaving machinery in these hot days in this country will not make a man dirty ? "

The hon. Sir ARTHUR KNAPP :—" It is entirely a relative term. When there is a scarcity of water the duty of the Superintendent is to distribute the available water to the best advantage. It is the dirtiest that need it first."

Mr. S. SATYAMURTI :—" May I take it that it is beyond the resources of the Government to give the convicts water for their daily bath ? "

The hon. Sir ARTHUR KNAPP :—" It is beyond the resources of the Government to interfere with the dispensation of Providence in the matter of rainfall. As we know the whole of this tract has been suffering for want of water for the last few months. We hope the scarcity is only temporary."

Mr. T. ADINARAYANA CHETTIYAR :—" When did the rationing of water begin ? "

The hon. Sir ARTHUR KNAPP :—" It began in the cold weather."

Mr. M. RATNASWAMI :—" Is the denial of bath a part of the punishment meted out to a Hindu prisoner in order that the imprisonment may be made more rigorous ? "

The hon. Sir ARTHUR KNAPP :—" Not in the least. The Government position in this respect is this. Vellore is extremely short of water. The hon. Minister is getting a scheme for increased supply ready. I believe it is going through. As long as water in Vellore is short I am quite unable to say what Government can do except to make best possible use of what water is available."

Rao Sahib U. RAMA RAO :—" Is it not necessary that every man should have a bath every day in order to be healthy ? "

The hon. Sir ARTHUR KNAPP :—" I think it is a matter of opinion."

The hon. the PRESIDENT :—" It is hardly fair to press this question in the extraordinary circumstances mentioned by the Government Member. Other questions can only serve to elicit the same explanation."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Is it a power factory ? "

The hon. Sir ARTHUR KNAPP :—" Not a power factory, I believe."

Release of Mappilla prisoners.

356 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Home Member be pleased to state—

(a) the action taken or proposed to be taken in respect of the resolution of the Legislative Council relating to the release of the Mappilla prisoners and the Budget motion effecting on the same account a reduction of Rs. 1 lakh in the demand for Jails; and

[21st August 1924]

(b) whether the Mappilla prisoners are being treated as special or State prisoners, and not as ordinary convicts, and if so, the allowance sanctioned for each male or female prisoner and the other concession, if any, shown to them in consequence of this distinction and the date from which the aforesaid allowances are being paid ?

A.—(a) The hon. Member is referred to the answer to question No. 103.

(b) The Mappilla convicts are treated in the same way as other persons who have been convicted and sentenced by courts of law. For particulars as to the allowances granted to Mappilla State prisoners the attention of the hon. Member is invited to the answer to question No. 210.

The quality of food supplied to prisoners in the Rajahmundry Jail.

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

(a) whether the rice supply in the Rajahmundry Jail to the prisoners is of a uniform variety ;

(b) whether boiled rice and raw rice are given to the prisoners alternately as it suits the convenience of the contractors ;

(c) whether this rice is full of sand and paddy ;

(d) whether the vegetables supplied are of a very bad quality ;

(e) whether there is a sufficient supply of earthen vessels for eating ;

(f) whether prisoners are now given by way of clothing only one cap and one lungota ; and

(g) whether beating is practised in the jail especially in block V (B) where cumblies are woven ?

A.—(a) Yes.

(b) No.

(c) & (d) No.

(e) Yes.

(f) & (g) No.

Labour.

Recruitment of labourers from Anantapur to Assam tea plantations.

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

(a) how many recruited labourers were sent to Assam from Anantapur district in 1924 and how many of them were family groups ;

(b) how many of them got only the minimum wages prescribed in sections 5 and 124 of the Assam Labour Act and how many more and how many less ;

(c) how many of them are weakly labourers contemplated in section 128 and whether they were all certified as fit when they were first recruited ;

(d) what is the bonus that the recruiting sirdar gets for each labourer secured by him and if it varies from garden to garden, what are the minimum and maximum amounts ; and

(e) whether any intoxicating drinks are supplied to the labourers in the gardens and how far are the toddy and arrack shops from the gardens ?

[21st August 1924]

- A.—(a), (b) & (e) The Government have no information.
 (c) Section 128 and sections 70 and 73 of the Act relating to medical inspection are not in force.
 (d) It is understood that the bonus varies from garden to garden. The Government are not aware of the amounts given.

Diwan Bahadur P. KESAVA PILLAI :—“ May I know with reference to clause (a) of this question if the Collector does not supply the Government a report as to the number of persons sent to Assam from Anantapur? I thought the Government would be getting some information as regards the number of men emigrating from the district. The Government have an eye, I believe, on the number of people sent out.”

The hon. Sir ARTHUR KNAPP :—“ The question asked was what was the number sent out in 1924. Even if the Collector were supplying figures, it will not be possible to answer the question at this stage in respect of the whole year. With regard to the emigration to Assam, it is entirely free. We do not ask the Collector to report how many inhabitants of Bellary came to Madras.”

Diwan Bahadur P. KESAVA PILLAI :—“ Government seem to think that they are not concerned with this so-called voluntary migration. Are the Government unconcerned about this?”

The hon. Sir ARTHUR KNAPP :—“ We are concerned if any one can tell us that the people who migrate are doing themselves any harm. Until such a suggestion is made the Government have no special concern.”

Diwan Bahadur P. KESAVA PILLAI :—“ May I know if Government is not aware that much harm is done? The matter has been brought to the notice of His Excellency the Governor. That the Government should now say that we have no concern seems to require some explanation.”

The hon. Sir ARTHUR KNAPP :—“ The matter having been brought to the notice of His Excellency, His Excellency gave precisely the same view as I gave, viz., that until the hon. Member tells us that there has been some kind of harm done, Government cannot interfere with purely voluntary emigration. I understand that statements have been made with regard to individual cases of misconduct by recruiters but these recruiters have been dealt with by Mr. Milligan.”

Sriman SASIBHUSHAN RATH Mahasaya :—“ With reference to the answer to clause (c), may I know why this section relating to medical inspection is not in force?”

The hon. Sir ARTHUR KNAPP :—“ I must ask for notice. My answer is a statement of fact.”

Military.

Enlistment of ex-military men in the Police department.

359 Q.—Hony. Lieut. N. MADURAI : Will the hon. the Law Member be pleased to state—

- (1) the total number of ex-military men who applied in the years 1922 to 1924 for enlistment in this Presidency in the Police department;

21st August 1924]

- (2) the total number of ex-military men who have so far been provided and how many are still to be provided; and
 (3) how many ex-service men have been promoted to the grade of head constables, sub-inspectors and inspectors in the Police department?

A.—(1) The hon. Member is informed that it is not possible to collect statistics showing the number of applications received, since there is nothing to prevent the same applicant making an application to a number of appointing authorities and renewing his application as often as he likes.

- (2) The number of appointments made in the Police department in 1922 was—

Clerks 75

Other appointments 1,167.

Subsequently the Government have published in the Press the half-yearly statements showing the numbers of ex-service men newly appointed in different Government offices. They have no further information.

- (3) The Government have no information.

Adoption of 'Adi-Andhras' and 'Adi-Dravidas' in the Military.

360 Q.—Hony. Lieut. N. MADURAI : Will the hon. the Home Member be pleased to state whether it is a fact that the Government of Madras have not forwarded their communication No. 817, dated 25th March 1922, regarding the adoption of the terms 'Adi-Dravida', 'Adi-Andhra' and 'Dravida' for Panchamas or Parayas to the Military authorities for necessary correction in the Army records; and if not, why not?

A.—The Military authorities are not under the orders of the Local Government.

Political.

The late Nawab Dawood Khan Bahadur, a member of the royal family of Kurnool.

361 Q.—Mr. ABDUL HYE SAHIB : Will the hon. the Member for Revenue be pleased to state—

- (a) whether it is a fact that the late Nawab Dawood Khan Bahadur, a member of the royal family of Kurnool, was a Government pensioner;
 (b) what was the amount paid to him as pension by the Government;
 (c) how many of his descendants are now surviving; and
 (d) whether they are also getting any pensions from the Government; if so, what is the amount paid to each of them?

A.—(a) The late Nawab Dawood Khan Bahadur of the family of the ex-Nawab of Kurnool was a Government political pensioner.

- (b) Rupees 400 per mensem. He was also granted an allowance of Rs. 800 per mensem for the education of his children, which was to lapse on his death.

(c) Four of his descendants are now surviving, namely, three sons and one daughter.

[21st August 1924]

(d) Yes. They are getting pensions from Government, the amount paid to each is stated below :—

	RS.	A.	P.	
(1) Amir-ul-Umra Bahadur	21	0	10	per mensem.
(2) Sulaimanjah Bahadur...	21	0	10	"
(3) Shuja-ul-mulk Bahadur	21	0	10	"
(4) Basheer Khatoon Bi Bi Sahiba.	16	10	8	"

Mr. ABDUL HYE SAHIB :—" May I ask if any of the members mentioned above have petitioned for an increase of their pension ? "

The hon. Sir ARTHUR KNAPP :—" I must have notice."

Mr. YAHYA ALI SAHIB :—" When the late Nawab was paid Rs. 400 per mensem and also Rs. 300 for the education of his children the total amount now paid comes to less than Rs. 100. May I know the reason ? "

The hon. Sir ARTHUR KNAPP :—" The answer is that it is a long standing practice that the pensions are reduced at each death. The pensions paid now do not bear any proportion to what was paid one or two generations ago."

Mr. YAHYA ALI SAHIB :—" Is there any rule governing these pensions ? "

The hon. Sir ARTHUR KNAPP :—" Yes."

Mr. YAHYA ALI SAHIB :—" Will the hon. Member be pleased to publish the rules ? "

The hon. Sir ARTHUR KNAPP :—" If my hon. Friend will write to me, I will consider the matter."

Post office.

Access to the Post office in Kamalapuram village.

362 Q.—Mr. L. C. GURUSWAMI : Will the hon. the Home Member be pleased to state—

(1) whether it is a fact that Mr. R. Veerian, M.L.C., was prevented by the village munsif of Kamalapuram village in the Salem district from getting access to—

(a) the Government Post office for posting letters and buying postage stamps,

(b) the Board school;

(2) if the answer to the above is in the affirmative, what action the Government have taken; and

(3) if the Government have no information with reference to the above questions, whether they will be pleased to call for and lay it on the table?

A.—(1) The village munsif informed Mr. Veerian that Adi-Dravidas did not usually go into the aghraharam though the Post office and the Board school were located there.

(2) The attention of the hon. Member is invited to the answer given to question No. 203.

[21st August 1924]

Mr. L. C. GURUSWAMI :—" The answer to clause (1) says that Adi-Dravidas did not usually go into the aghraharam though the Post office and the Board School were located there. Suppose they wish to go when they find it necessary, will they not be allowed ? "

The hon. Sir ARTHUR KNAPP :—" I do not quite see how that arises out of the question. The hon. Member would have done well if he had interpellated the hon. Member Mr. Veerian on this matter. It would be much more to the point to ask him than to ask us."

Access to the Post office in the Kamalapuram village.

363 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Home Member and the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that Mr. Veerian, M.L.C., was prevented by the village munsif of Kamalapuram from posting his letters in the Kamalapuram village post office;

(b) what action the Government have taken on the action of this village officer; and

(c) whether the post office has since been removed outside the (Brahman street) aghraharam, so that it may be available to all people?

A.—(a) The attention of the hon. Member is invited to the answer given to question No. 362.

(b) As it appeared that the Collector was dealing with the conduct of the village munsif, the Government found no reason to take any action.

(c) The attention of the hon. Member is invited to the answer given to question No. 203.

Mr. T. ADINARAYANA CHETTIYAR :—" With reference to the answer to clause (b), may I know if the Collector is actually dealing with it or merely 'appears' to deal with the conduct of the village munsif ? "

The hon. Sir ARTHUR KNAPP :—" The Collector was dealing with it at the time the answer was written. I do not know if my hon. Friend has more information than that."

Mr. R. VEERIAN :—" With reference to clause (c) I should like to know the necessity for removing the post office and the school if the village munsif actually did not prevent any member of the depressed class."

The hon. Sir ARTHUR KNAPP :—" So far as the Government are concerned the movement for the removal of the post office and the school was made as a result of the interference of Mr. Veerian."

Railways.

Passenger traffic between Kodikarai and Kodikadu and Ceylon.

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

(a) whether from about twenty years ago passenger traffic from the harbours of the villages of Kodikarai and Kodikadu in the Tanjore district to Ceylon has been prevented by the Ceylon Government and whether the Madras Government have acquiesced in it;

[21st August 1924]

(b) whether the plying of country craft for trade between this harbour and Ceylon has been made very difficult by the Ceylon authorities; and

(c) the objections, if any, of the South Indian Railway Company or of the Government to extending the railway line to this village and to restoring connexion between India and Ceylon through this port?

A.—(a) With effect from 1st June 1908 the Ceylon Government closed the ports in the Northern Province of Ceylon to passenger traffic with ports in India. The Madras Government endeavoured to secure the withdrawal of this restriction, but with no success.

(b) The Government are unaware of the imposition of any restrictions by the Ceylon Government other than those relating to passenger traffic.

(c) If the hon. Member refers to Kodikarai village or Point Calimere, the Government are not aware that the South Indian Railway or the Government of India have raised any objection to the extension of the railway to that place. A scheme for so extending the District Board line has been prepared and the estimate is now with the Railway Board for sanction.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (a) may I know the nature of the endeavour that was made and when it was made?"

The hon. Mr. R. A. GRAHAM:—"The endeavour was in the shape of a letter."

Mr. S. SATYAMURTI:—"May I know why the Government did not take more serious steps?"

The hon. Mr. R. A. GRAHAM:—"May I ask for suggestions as to what serious steps Government could have taken? They have no authority over the Government of Ceylon."

Mr. S. SATYAMURTI:—"With reference to clause (b), may I ask whether the Government have instituted any enquiry to find out the restrictions imposed by the Ceylon Government?"

The hon. Mr. R. A. GRAHAM:—"If the hon. Member knows of any restriction will he let the Government know?"

The appointment of a committee to report on railway projects.

365 Q.—Mr. ABBAS ALI KHAN: Will the hon. the Home Member be pleased to state—

(1) whether it is a fact that the Government in 1922 appointed a committee and charged it with framing a report particularly for making out a programme for five years and giving its recommendations as to the several railway lines to be taken up for construction;

(2) whether the committee recommended the construction of the Madura-Bodinayakkanur Railway line amongst seven others;

(3) whether the committee further recommended that the accumulated Railway fund balances of the district boards amounting to Rs. 1,25,00,000 may be first utilized for the construction of this line;

21st August 1924]

(4) whether the Government will be pleased to inform the stage at which the Madura-Bodinayakkanur Railway scheme has reached; and

(5) whether they would see to its early fruition, and, if so, when?

A.—(1) In 1922 the Government appointed a committee to consider the question of the utilization of the railway cess accumulated by district boards for the development of light railways in this Presidency.

(2) The Madura-Bodinayakkanur line is one of the lines recommended by the committee.

(3) The committee recommended that the accumulated balance of the railway cess of all the boards should be pooled and utilized for constructing this and other lines.

(4) The old construction and traffic estimates of the project are being revised by the South Indian Railway.

(5) The matter is under the consideration of the Railway Board. It is not possible to state when the line will be constructed.

The RAJA OF RAMNAD:—"May I know what the opinion of the Government with regard to the recommendations of this committee is, whether they are in favour of the proposals or against?"

The hon. the RAJA OF PANAGAL:—"The matter is still under consideration."

Mr. ABBAS ALI KHAN:—"May I ask the hon. the Home Member whether he could give us a rough idea as to when the scheme will be undertaken?"

The hon. Sir ARTHUR KNAPP:—"If it is the Madura-Bodinayakkanur Railway scheme, it is now in the lap of the Railway Board. We are sending them constant reminders on the subject. I may assure the hon. Member that we are trying to bring this matter to a solution as early as possible."

The RAJA OF RAMNAD:—"With reference to the answer of the hon. the Chief Minister, may I ask him when the committee submitted its report and how long it has been under the consideration of the Government?"

The hon. the RAJA OF PANAGAL:—"The report was submitted in 1923. This is a question on which this Government could come to a decision only after they receive the views of the Railway Board and the Government of India. Therefore, it is not possible to arrive at an early decision."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Are we to understand that the report is sent to the Railway Board for their opinion?"

The hon. the RAJA OF PANAGAL:—"The report is sent to the Railway Board. I think this Government can make up their mind only after consultation with the Government of India and the Railway Board."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Is the consultation still going on?"

The hon. Sir ARTHUR KNAPP:—"Perhaps, it might be well if I explained in little more detail what the obstacle in this case is. Last year, the Railway Board adopted or proposed to adopt an entirely new

[21st August 1924]

policy under which they themselves undertook the construction of branch lines. The Railway Board's proposals would, I think, possibly cover some of those branch lines which were discussed by this committee. Therefore, until we know definitely what the Railway proposals are, it is not possible to go on with the distribution of the pooled money among the district board lines.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Are there not some lines which are not likely to be taken up by the Railway Board?"

The hon. Sir ARTHUR KNAPP :—"That is exactly what I cannot tell my hon. Friend. We do not know what lines the Railway Board will regard as their own lines, so that we may go on with the construction of the remaining lines."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Will the Government now open correspondence with the Railway Board?"

The hon. Sir ARTHUR KNAPP :—"We are in almost weekly correspondence with the Railway Board on the subject."

Rai Bahadur T. M. NARASIMHACHARLU :—"May I know whether the district boards themselves were willing in this matter before any action was taken in connexion with this pooling business?"

The hon. Sir ARTHUR KNAPP :—"I understand that an Advisory Committee was constituted which included presidents of district boards."

Mr. ABBAS ALI KHAN :—"Unless early steps are taken by the Railway Board, will the hon. the Home Member be pleased to send an ultimatum to the Railway Board that they should allow the district boards themselves to construct those lines (laughter)?"

The hon. Sir ARTHUR KNAPP :—"I am not entitled to disclose the correspondence with the Railway Board. But I think the Railway Board are probably aware that if they do not come to an early decision about the Bodinayakkanur line it is likely that the district board will want to take it up."

Reformatories.

The criminal settlements in the Presidency.

366 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Home Member be pleased to state—

- (1) the names of the various criminal settlements in the Province;
- (2) the agency by which each of them is managed;
- (3) the contribution or grant paid by the Government to the manager of each of the settlements and the terms, if any, under which the settlement are being so managed by those agencies;
- (4) with reference to each of the settlements—
 - (a) the number of criminals,
 - (b) the tribe or caste to which they belong,
 - (c) their present occupation, and
 - (d) the number and names of non-official visitors, if any;
- (5) whether their working is reported upon by District Collectors; and if so,

[21st August 1924]

(6) whether the same will be placed on the table of the House; and
(7) whether the Reformatory settlement at Guntur has been abolished and the inmates thereof transferred to Bitragunta, and, if so,

- (a) when,
- (b) the number of inmates so transferred, and
- (c) the present occupation of the transferred convicts?

A.—(1) to (4) A statement furnishing the information is appended.*

In regard to the settlements under the management of the Salvation Army, the Government are paying a lump grant to that body to meet the cost of supervision. They also bear the net cost in regard to the other items of expenditure on the settlements.

In respect of the Kavali settlement also, which is under the management of the American Baptist Mission, the Government have undertaken to bear the net cost which includes also the charges on account of supervision.

As regards the Kulasekarapatnam settlement, the Government contribute a sum of Rs. 1,320 per annum on account of—

- (i) the medical relief given to the Korava patients in the hospital maintained by Messrs. Parry & Co., and
- (ii) the schooling of the Korava boys at the settlement. The company have undertaken to provide permanent employment for the settlers in their Sugar Factory throughout the year, giving them free quarters and paying the current rate of wages.

The Aziznagar and Siddhapuram settlements are in charge of police inspectors on special duty.

- (5) Yes. In the case of the Perambur settlement, the Commissioner of Police, Madras, forwards the report to Government.
- (6) No. A general summary of the main features in the administration of settlements is published in the annual administration report of the Labour department which is placed on the Editors' Table.
- (7) The Reformatory settlement at Guntur has been abolished and the inmates thereof were transferred to Kavali and not to Bitragunta. The number of settlers who were transferred in April last to the Kavali penal settlement is 207, including absconders and those in jail. They are employed in oil-pressing and weaving.

Mr. T. ADINARAYANA CHETTIYAR :—"With reference to the answer to clauses (1) to (4), may I ask how the figure was arrived at? Is it based on the bills submitted by Messrs. Parry & Co.? Are their bills checked?"

The hon. Sir ARTHUR KNAPP :—"It is on the basis of the bill of the Company subject to the ordinary tests that every bill submitted to Government is put to."

Mr. T. ADINARAYANA CHETTIYAR :—"Is there any restriction against religious conversions in the settlement?"

The hon. Sir ARTHUR KNAPP :—"Not that I am aware of."

* Vide Appendix IV on page 667 infra.

[21st August 1924]

Mr. T. ADINARAYANA CHETTIYAR:—"With reference to the answer in sub-clause (ii) of clauses (1) to (4), where it is said that they are 'paying the current rate of wages', may I ask what rate of wages is paid to these labourers?"

The hon. Sir ARTHUR KNAPP:—"I am afraid I must have notice for a detail of that kind."

Mr. S. SATYAMURTI:—"In view of the answer by the hon. the Home Member that there is no stipulation against religious conversion, may I ask the Government whether they propose, before handing over these settlements to Missionary bodies, to impose any restriction against conversions?"

The hon. Sir ARTHUR KNAPP:—"Whether we should or should not impose restrictions, I am not prepared to say offhand. We have no intention at present of issuing any such orders."

Mr. C. RAMALINGA REDDI:—"Have there been instances of any conversions made?"

The hon. Sir ARTHUR KNAPP:—"I am not aware of any."

Diwan Bahadur M. KRISHNAN NAYAR:—"Was not this question of conversion actually raised during the budget discussion in 1921?"

The hon. Sir ARTHUR KNAPP:—"If my hon. Friend refers to any particular cases of conversion, to what settlement does it relate?"

Diwan Bahadur M. KRISHNAN NAYAR:—"During the time of the budget discussion in 1921, several Members including myself said that the Missionary bodies should not be allowed to convert these people."

The hon. Sir ARTHUR KNAPP:—"Was there a resolution carried?"

Diwan Bahadur M. KRISHNAN NAYAR:—"It was raised during the general discussion on the budget."

The hon. Sir ARTHUR KNAPP:—"I am afraid I cannot say anything on a point raised during the course of the budget discussion."

Diwan Bahadur M. KRISHNAN NAYAR:—"I ask whether the Government took any action on this particular point, though not on all the other points, raised during the budget discussion."

The hon. Sir ARTHUR KNAPP:—"I have no present intention of passing any orders on the subject. But I am quite prepared to consider it if somebody will bring forward that question."

Mr. M. RATNASWAMI:—"Will the Government discourage any bodies other than Missionaries from organizing these settlements?"

The hon. Sir ARTHUR KNAPP:—"We will be too glad to have an addition to the number of bodies who would undertake to run settlements."

Mr. T. ADINARAYANA CHETTIYAR:—"What are the special reasons for handing over the Aziznagar and Siddhapuram settlements to police inspectors?"

The hon. Sir ARTHUR KNAPP:—"If there is nobody else to undertake a settlement, it will be managed by the Government."

21st August 1924]

Mr. T. ADINARAYANA CHETTIYAR:—"I thought police inspectors were not the best persons to manage a criminal settlement."

Acts.*The Estates Land Act Committee.*

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

(1) the reason for taking more than double the number of members announced on 17th March 1924 in the Estates Land Act Committee constituted under G.O. No. 1917 (Law Department), dated 27th June 1924;

(2) the reason for including in the committee so many gentlemen other than members of the Legislative Council;

(3) the interest each member represents;

(4) the reason why no one representing the Agricultural Department was included;

(5) the reason why important ryots having actual experience of agriculture were not included in the committee; and

(6) the reason why the Survey and Settlement Commissioner was not included?

A.—The number of members of the Committee has been increased to twelve in order that all interests which the Government considered entitled to representation might be represented on it.

Sriman SASIBHUSHAN RATH Mahasayo:—"With reference to clause (5) of the question, may I know if there is any member of the agricultural class on the Committee?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think, yes."

Mr. ABBAS ALI KHAN:—"Why was not a Muhammadan appointed to the Estates Land Act Committee?" (Laughter.)

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not undertake to observe that rule in every committee."

Sriman BISWANATH DAS Mahasayo:—"May I know whether there are representatives of the ryot population?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think I cannot say that now."

Civil Justice.*The copyist establishment.*

368 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Law Member be pleased to state—

(1) whether he has received a memorial from the copyists of the civil courts of Calicut;

(2) whether the services of copyists are pensionable;

(3) whether the services of clerks in the Registration department are pensionable;

(4) why it is the Government do not make the services of copyists pensionable;

[21st August 1924]

(5) whether the High Court contemplated in 1919 to make the services of copyists pensionable; and

(6) whether amins and process-servers who were once non-pensionable were afterwards made pensionable?

A.—(1) No.

(2) No.

(3) Yes.

(4) The rule that copyists are allowed remuneration proportioned to the work done by them is sufficient to attract suitable men.

(5) No.

(6) The services of amins and process-servers have always been pensionable.

Increase in the number of the Judges of the High Court.

369 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the Government now contemplate any increase in the number of the Judges of the High Court and, if so, by how many?

A.—The question is under consideration.

Mr. S. SATYAMURTI:—“With reference to the answer to this question, I am sorry I have not got the reference with me, but I am sure the hon. the Law Member will corroborate me from his memory. It was not very many months ago that the hon. the Law Member said that he had no idea of increasing the number of judges and that there was no such proposal. May I ask what has happened since that answer was given for the Government to say now that the question is under consideration?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“In the circumstances under which we have evolved a policy of entrusting the administration of two or three districts to each High Court Judge, so that in course of time the supervision over the administration by subordinate judges and district munsifs may devolve on the High Court, we are considering the question.”

Mr. S. SATYAMURTI:—“May I ask whether the supervision is to be done by each judge as part of the administrative work or by actual inspection on circuit?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“It will not be possible for one judge to go over the whole Presidency. Each one of the judges will be in charge of two or three districts for the purpose of inspection of the administration in those districts.”

Mr. S. SATYAMURTI:—“If each judge will have two or three districts in his charge, may I ask how often he will have to visit them in a year?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“That will depend on the circumstances.”

Mr. S. SATYAMURTI:—“Apart from the necessity for supervision, is there any other reason why an increase in judges is contemplated?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I am not prepared to give any other reason.”

[21st August 1924]

Mr. S. SATYAMURTI:—“Are there any other reasons at all?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“There are.”

Mr. S. SATYAMURTI:—“What are the reasons?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I must, I am afraid, decline to answer.”

Holidays on penultimate Saturdays.

370 Q.—Mr. P. ANJANEYULU: Will the hon. the Law Member be pleased to state whether it is a fact that the cutting away of the holiday for the civil courts on the penultimate Saturday every month has evoked considerable discontent in the mufassal?

A.—No.

Criminal Justice.

Alleged criminal prosecution of certain members of the Lingayat community.

371 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether any enquiries have been made by the Government with regard to the statement made during the general discussion of the Budget in March last by the two hon. Members of the House belonging to the Lingayat community that in the last two years criminal prosecutions were launched by the Government against those of the community who with a view to their social advancement gave up toddy drawing, on the suspicion that they were non co-operators; and

(b) if it is so, the total number of such prosecutions and the number of those that ended in conviction?

A.—(a) If the hon. Member refers to the Nadar community, the Government have made inquiries and cannot find that any prosecutions have been launched against the members of that community other than for offences against abkari law.

(b) Does not arise.

Mr. A. CHIDAMBARA NADAR:—“With reference to the answer to clause (a), is there not a security case pending against some Nadars in Nanguneri taluk, Tinnevely district?”

Prohibition orders at the Mannargudi Conference.

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

(a) whether it is a fact that a large number of persons were prohibited from taking part in the Mannargudi Conference held in May, under section 144;

(b) the names of all persons on whom it was intended to serve the order, and those on whom it was actually served; and

(c) whether any breach of the peace occurred at that conference or in consequence thereof?

[21st August 1924]

- A.—(a) & (b) The Magistrate's order was directed against ten persons and it was served on all of them except three. The Government see no reason to give names.
- (c) The object of the Magistrate's order was to prevent any breach of the peace not to cause one. No breach of the peace occurred.

Irrigation.

The state of Vijjeswaram head sluices and the construction of a weir at Chidipi.

373 Q.—Mr. P. PEDDIRAJU: Will the hon. the Law Member be pleased to state—

- (a) whether it is a fact that the Vijjeswaram head sluices are not sufficient to discharge the necessary quantity of water to supply the wet ayacut in the Godavari Western delta; and
- (b) whether any scheme is in contemplation for the construction of a weir at Chidipi for supply of water to Venkayya and Voyyeru canals?

- A.—(a) Yes. Proposals for improvements to the head sluice are under consideration by the Chief Engineer for Irrigation.
- (b) No.

His Excellency Lord Goschen and the Select Committee on the Irrigation Bill.

374 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Law Member be pleased to state whether there is any precedent for Governors to open proceedings of select committees of the Legislative Council, and if not, why His Excellency Lord Goschen opened the first meeting of the Select Committee on the Madras Irrigation Bill?

- A.—The question does not arise.
- The hon. Member is referred to the answer to clause (c) of question No. 130.

Proceedings of the Select Committee on the Irrigation Bill.

375 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to place before this House the proceedings of the Select Committee appointed to report on the Irrigation Bill, giving a summary of the opinions expressed by the several members?

- A.—The practice in the Legislative Council, as in the Legislative Assembly, is that the proceedings of a Select Committee are held in camera and neither published nor referred to in the debates in the House. The report of the Committee will be published when it is drawn up.

Silting up of the canal feeding the Kanigiri reservoir.

376 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

- (1) whether it is a fact that the main canal that feeds the Kanigiri reservoir from the river Pennar is getting silted up rapidly;

[21st August 1924]

- (2) whether it is also a fact that the bridge over the main canal at Siddipuram is in danger of getting blown up by rapid current; and
- (3) if the answers for (1) and (2) are in the affirmative, what action the Government propose to take?

- A.—(1) & (3) The Kanigiri Main Canal gets silted up and proposals for widening the head sluice to the channel and the channel itself are under consideration and gauge readings of the channel are being taken for this purpose.
- (2) The Government have no information, but enquiries as to the safety of the bridge will be made.

Irrigational facilities in Kistna and Guntur districts.

377 Q.—Mr. P. ANJANEYULU: Will the hon. the Law Member be pleased to state—

- (1) what increased irrigation facilities he hopes to secure by raising the shutters on the anicut of the Kistna river at Bezvada;
- (2) whether the Government contemplate the reopening of the Appapuram project; and
- (3) whether the Government have received any memorials or other representations from the ryots of Buddam, Yajali, etc., in the Guntur district for the restoration of the abandoned irrigation channel branching off from the Kommamur canal?

- A.—(1) About 14,001 acres of additional land of either long or short crop is expected to be brought under cultivation. Besides, a larger and more continuous supply to the delta will be ensured which will enable early transplantation to be carried out all over the delta at a more rapid rate than at present.

- (2) & (3) No.

Increase in the number of sections in the delta districts.

378 Q.—Mr. P. PEDDIRAJU: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state whether the Government have taken any steps to increase the number of sections in the delta districts; and, if so, when the said scheme is going to be brought into force?

- A.—Proposals for increasing the number of section charges in the Kistna and Godavari deltas are under the consideration of Government.

Irrigation works in Nellore.

379 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Law Member be pleased to state what steps have been taken by the Government after a Resolution was passed by this Council at the meeting held on the 12th December 1923 recommending that steps be taken for the improvement and extension of works of irrigation in the Nellore district?

- A.—A preliminary report on the Vengalapuram project has been drawn up and the revenue aspects are being examined by the Board of Revenue.

[21st August 1924]

Gangings are being taken for two other projects in this district, Pulikonda and Rallapad.

The Tungabhadra reservoir project is being examined and revised. This provides for about 840,000 acres first crop and 60,000 acres second crop in the Nellore district.

Mr. K. KOTI REDDI :—“ May I know whether the Tungabhadra project referred to in the answer to this question is the Sangameswaram project or the original Tungabhadra project ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I think I devoted about twenty minutes, during the discussion on the Metur project, to explain that the Sangameswaram project depended on the concurrence of His Exalted Highness the Nizam. We have not got it yet. The Tungabhadra project is an alternative which we have taken up in case we should not be able to get the concurrence of His Exalted Highness.”

Ellore canal bund.

380 Q.—Mr. M. SEETAYYA : Will the hon. the Law Member be pleased to state—

(a) whether the bund of the Ellore canal in the Kesarapalli section has been unsafe and the years in which breaches of this bund had taken place during the last ten years ;

(b) why the bund of the Ellore canal above mentioned has not been strengthened and repaired ;

(c) whether it is a fact that in consequence of the state of the bund of the Ellore canal, the full level for the supply of water has not been maintained during the present irrigation season and also in the previous years ; and

(d) whether any estimate for repairing the said bund has been prepared by the Public Works Department ?

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

Legislative.

Members of the Legislative Council who are Government contractors.

381 Q.—Sriman SASIBHUSHAN RATH Mahasaya : Will the hon. the Law Member be pleased to state whether there are any Members of the Legislative Council at present who are contractors of Government ; if so, the names of such Members and the dates on which they have become Government contractors and the nature of their contracts ?

A.—The Government have no information.

Mr. S. SATYAMURTI :—“ In view of the very great importance of the information asked for in this question, may I ask whether the Government will call for the information ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The difficulty lies in the inquisitorial nature of the question. If there is any ground for assuming that one or more contractors are really Members of the Legislative Council, there is something to act upon. But it is surely too much for the Government to send round circulars to the Members of

21st August 1924]

the Legislative Council to find it out. A contractor may take up contract in his own name or in the name of a relation of his (‘ hear, hear ’). We really cannot proceed save on certainties.”

Magistracy.

The appointment of Honorary Presidency Magistrates.

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

(a) the principles, if any, on which Honorary Presidency Magistrates are appointed for the City ;

(b) whether minimum educational qualifications are required ; and

(c) whether the Government have any means of judging their work ?

A.—(a) & (b) Honorary Presidency Magistrates in the City are appointed by His Excellency the Governor.

(c) Yes ; the annual report on criminal justice shows the work done by these Magistrates.

Mr. S. SATYAMURTI :—“ With reference to the answer to clauses (a) and (b), I recognize that the appointments are made by His Excellency the Governor. But my question, Sir, is whether there are any principles on which honorary Presidency Magistrates are appointed and whether any minimum educational qualifications are required ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I think the answer is susceptible of two interpretations. Whereas most of the appointments made in the Law Department appertaining to Civil and Criminal Justice pass through the Law Member before passing to His Excellency the Governor, the appointment of honorary Presidency Magistrates is a matter entirely vesting in the Governor, and therefore a distinction is sought to be made. There are no minimum educational qualifications prescribed, but an attempt is being made to see that certain minimum qualifications are obtained.”

Jain honorary and bench magistrates in South Kanara.

383 Q.—Mr. K. RAGHUCHANDRA BELLALA : Will the hon. the Law Member be pleased to state how many Jains are honorary and bench magistrates in South Kanara ?

A.—One.

Police and Excise.

Powers of punishment to Inspectors of the Excise department.

384 Q.—Mr. ABDUL HYE SAHIB : Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the inspectors of excise are empowered to give black marks to their subordinates and punish them for minor offences ; if so, what necessitated the extension of these powers to inspectors ;

(b) whether any cases of misuse of these powers have been reported ; and

(c) whether the Deputy Superintendents or the Circle Inspectors of Police are invested with similar powers ?

[21st August 1924]

A.—(a) Yes. The power to award black marks on subordinates was conferred on inspectors with a view to give them greater control over their subordinates as well as to avoid unnecessary correspondence with Assistant Commissioners on minor disciplinary matters. These officers are of gazetted rank.

(b) None have been reported to the Government.

(c) Circle Inspectors of Police have no powers of punishment. These officers are not of gazetted rank, but the Deputy Superintendents of Police have the following powers:—

Sub-Inspectors.—Powers of reprimand and warning.

Jamadars, head constables and constables.—Punishment drill extra guard duty, fatigue duty and warning without reference to any superior authority.

In addition, Deputy Superintendents of Police have emergency powers to suspend any officer below the rank of Inspector pending enquiry into his conduct, but this is subject to the condition that the immediate approval of the officer competent to award the punishment of suspension should be obtained.

Police.

Alleged trespass of police into the Trichinopoly Congress office, etc.

385 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether the Government have now got the information about the trespass of policemen into the Congress office at Trichinopoly and into Mr. M. Singaravelu Chetti's house at Madras and whether this information will be placed on the table of the House? (See question No. 63 of 5th February 1924.)

A.—The Government have made enquiries and find that at Trichinopoly three flags were removed in December last on the day of His Excellency the Viceroy's visit, but there is no evidence that policemen trespassed for the purpose into the Congress office as alleged. No complaint was made.

In Madras, a black banner hoisted on the house of Singaravelu Chetti was removed.

Mr. S. SATYAMURTI:—"With reference to the answer to this question, I should like the Government to supply an obvious omission. The answer is: 'The Government have made enquiries and find that at Trichinopoly three flags were removed.'"

I should like to know who removed the flags. Under what authority?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"We have not got that information. In fact, we could not secure exact information as to who removed them."

Mr. S. SATYAMURTI:—"May I ask whether the Government could not secure the information? What I want to know is whether an officer of the Police department did it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Realizing the hon. Member's curiosity, we enquired only as to the names and designations of the men that were concerned, and we were unable to get the information."

21st August 1924]

Mr. S. SATYAMURTI:—"I am asking a very important question as to who removed the three flags from a Congress office, and I am asking the Government to say whether the removal was made by any Government servant, and if so whether he had any authority to do so."

Mr. C. RAMALINGA REDDI:—"May I ask the hon. the Law Member to state whether this was done either by the police or by any other Government servant. That is all what is wanted."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I take it for granted that the question itself involves the assumption that it was done by the police. It was because that exact information was not available as to whether it was or was not the police that did it, the answer is given that three flags were removed."

Mr. C. RAMALINGA REDDI:—"Will the hon. Member kindly enquire?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I shall make further enquiries."

Public Works.

The Executive Engineer and Sub-overseer of Lebur section, Nellore district.

386 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) what is the date on which Mr. K. V. Sankara Ayyar took charge of the Nellore district as Executive Engineer and the date on which Mr. Vydhiyanatha Ayyar, sub-overseer, was transferred to Lebur section of Gudur subdivision in Nellore district, the two headquarters being very near each other; and

(b) whether it is a fact that the Executive Engineer and the sub-overseer referred to in clause (a) are related to each other; and were kept near each other for a long time?

A.—(a) M.R.Ry. K. V. Sankara Ayyar Avargal, Executive Engineer, took charge of the Nellore division on 11th October 1922. Overseer M.R.Ry. T. M. Vydhiyanatha Ayyar was in charge of the Idukurpet (Lebur) section from the 9th December 1922 to the 21st June 1924.

(b) The overseer is the Executive Engineer's cousin's wife's sister's husband.

The transfer of Engineering officers.

387 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(i) the number of Executive and Assistant Engineers and subdivisional officers transferred in 1923-24 (financial year); and

(ii) the amount of transit and travelling allowances paid to them?

A.—(i) The number of Executive Engineers, Assistant Executive Engineers, Assistant Engineers, permanent and officiating, and Sub-Engineers transferred is 62, which includes transfers ordered by Superintending Engineers of Circles within their jurisdiction.

(ii) Information is not available now.

[21st August 1924]

Appointments.*Appointments by the Staff Selection Board.*

398 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Finance be pleased to state—

(i) what are the classes of appointments of non-gazetted posts outside the City of Madras covered by G.O. No. 76, Public, dated 6th February 1924;

(ii) what are the rules framed by the Staff Selection Board as to qualifying examinations, constitution of local committees and other matters left for its orders; and

(iii) whether Government contemplate including non-official gentlemen in the local committees?

A.—(i) The hon. Member will find some of the classes of appointments mentioned in Part II of paragraph 4 of the Government Order. A complete list can only be issued after the Government have received and considered the proposals of the Board.

(ii) & (iii) The Government await the proposals of the Board on these matters.

Finance.*The present condition of Provincial finances.*

389 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government are in possession of the actuals for all or any of the major items of receipts and expenditure for 1923-24;

(b) if so, how they compare with the corresponding revised estimate figures for 1923-24 furnished to the Council along with the budget estimate for 1924-25;

(c) how they affect the surplus balances shown in the revised estimate for 1923-24 and in the budget estimate for 1924-25;

(d) the amount of shortage in receipts from land revenue in 1924-25 likely to result in the estimated figure on account of the limit of 18½ per cent imposed for pending and future resettlement enhancements;

(e) whether the cost on account of the East Coast Police has exceeded already the budget provision, and if so, to what extent;

(f) whether there are any further factors or circumstances tending or likely to disturb the Provincial finances as forecasted in the budget estimate for 1924-25; and

(g) whether there is any real surplus available for any new or additional expenditure from the finances of this Presidency for the purpose of improving the conditions of the services, either Imperial, Provincial, or Subordinate, and what is the amount so available?

A.—(a), (b) & (c) The Accountant-General has forwarded an anticipatory statement of the preliminary actuals of 1923-24 under all major heads of Receipts and Expenditure. According to these figures, which are not the final figures, the estimated surplus on the Revenue account of 18.97 lakhs will be increased by 2 lakhs of rupees.

[21st August 1924]

(d) It is anticipated that as a result of the imposition of a maximum limit of 18½ per cent the enhanced revenue due for collection in Tanjore and Bellary respectively will be reduced by 2.03 and 0.02 lakhs. In the case of Trichinopoly definite information as to the shortage in receipts has not been obtained but the shortage is expected to amount to half a lakh of rupees. Anantapur district is not affected by the recent decision of Government.

(e) The answer is in the negative.

(f) Further factors tending to disturb the Provincial finances, as forecasted in the Budget Estimates for 1924-25, are—

(1) The fall in excise revenue owing to the prohibition of the sale of liquor to the hillmen in the Nilgiris and owing to a combine among the renters, Madras City;

(2) Expenditure on account of supplementary grants to be obtained from the Legislative Council to meet the additional demands which may be brought forward by various departments and which cannot be met by reappropriation within the grants voted by the Council;

(3) Expenditure on account of flood damages;

(4) Expenditure on account of the recommendations of the Lee Commission.

(g) There are no surpluses on the transactions of the province as a whole. It is not now expected that the anticipated surplus on the Revenue account will be realized in 1924-25. Should there be any surplus, it is required in the first instance to meet the repayment of advances from the Government of India.

Payment of premia by the Government on fire, marine, etc., insurances.

390 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Member for Finance be pleased

(i) to state—

(a) what amounts of premia the Government paid on fire, marine and other insurances effected by them during the last financial year;

(b) what their estimate of expenditure for instance premia, whether paid directly by them or through the High Commissioner or other authorities, is for the current year;

(c) what proportion of this is paid to firms incorporated outside India and how much to Indian firms; and

(ii) to place a statement on the table giving particulars of premia paid and the Insurance firms to which they are paid?

A.—Such information as is available locally has been called for.

Government Press.*Examiners in the Government Press.*

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

(a) whether it is a fact that half a dozen examiners with neither academical nor technical qualifications were taken on in the upper cadre on Rs. 60-4-100 in the Government Press during the recent reorganization;

[21st August 1924]

- (b) whether it is a fact that one of the six examiners thus employed was found to be medically unfit;
- (c) when he was sent up for medical examination;
- (d) whether he is still continuing in the Press;
- (e) whether it is a fact that a series of correspondence took place between the Superintendent, Government Press, the Local Government and the Controller of Printing Works at Delhi about the inefficiency of the whole staff of the Examining department;
- (f) if so, whether he will lay the correspondence on the table; and
- (g) what are the academical and technical qualifications of the Superintendent, Government Press, and his direct subordinates?

A.—(a) The hon. Member's information does not appear to be correct. He is apparently referring to certain examiners who were taken on in the early part of 1922, before the reorganization.

(b) & (c) One of them who was sent for medical examination on 20th June 1923 was not given a certificate of fitness.

(d) Yes.

(e) No.

(f) Does not arise.

(g) The Superintendent and his direct subordinates have no academical degrees. Their technical qualifications are as shown below:—

Superintendent.—He has passed the open examination held in 1900 for practical printing for the Crown Colonies. Passed first in the list in the open examination held at Messrs. Waterlow & Sons, London, for practical printing in 1904.

Deputy Superintendent, Mint Press.—He holds first-class Honours certificates and full technological certificates of the City and Guilds of London in Typography. Qualified by open examination of the Civil Service Commission for employment in His Majesty's Stationery Office.

Deputy Superintendent, Mount Road.—Honours certificate, London City and Guilds.

Lino-type Operator.—Fully trained in the use and mechanism of Lino-type machinery.

Officiating Assistant Superintendent.—He has passed technical examinations in Letter-press printing, Compositor's work (Intermediate, first class) and Proof-reader's work (Intermediate, second class). He has also been trained in press work and machine work (practical) while overseer at Mount Road Branch Press.

The Examining department of the Government Press.

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

(a) whether any correspondence took place between the Superintendent, Government Press, Local Government and the Controller of Printing Works at Delhi about the inefficiency of the staff of the Examining department in the Government Press;

(b) if so, whether he will lay the correspondence on the table;

[21st August 1924]

(c) the academic and technical qualifications of the Superintendent, Government Press;

(d) whether one Mr. Willows, a European employee of the *Madras Mail*, is living in the free quarters of the Superintendent, Government Press, with him;

(e) if so, whether the permission of the Government has been obtained for the same; and

(f) whether it is a fact that the newly appointed Assistant Superintendent has no qualifications?

A.—(a), (b) & (c) The hon. Member is referred to the answer given to clauses (e), (f) and (g) of question No. 391.

(d) It is understood that the fact is as stated.

(e) The Government are not concerned with the Superintendent's private arrangements.

(f) The hon. Member is referred to the answer given to clause (g) of question No. 391.

Advertisement for the post of assistant superintendent of the Government Press.

393 Q.—RAO SAHIB U. RAMA RAO: Will the hon. the Member for Finance be pleased to state—

(1) whether it is a fact that, when the post of assistant superintendent in the Government Press fell vacant on the 1st April 1924, the Superintendent, Government Press, advertised for candidates in the *Madras Mail*, and, if so, what was the cost of such advertisement;

(2) how many applications were received in all and of those, how many from Europeans and how many from Indians;

(3) whether it is a fact that none among the applicants were selected for the place and the appointment was temporarily filled by an employee of the Press; and

(4) whether no suitable Indian candidate among the applicants was available for the place?

A.—(1) When the post of Assistant Superintendent, Government Press, fell vacant, an advertisement calling for applications was inserted in two consecutive issues of the *Madras Mail*. The cost was Rs. 14-5-0.

(2) Of 46 applicants, one was a European.

(3) One of the applicants has been selected. Pending the appointment of an Assistant Superintendent, the vacancy has been temporarily filled by the appointment of one of the Press employees.

(4) The appointment has been offered to one of the Indian applicants, on probation. At the end of the period of probation, it will be decided whether he is suitable.

[21st August 1924]

Lee Commission.*The proposals of the Lee Commission.*

12 noon.

394 Q.—**MR. S. SATYAMURTI**: Will the hon. the Member for Finance be pleased to state—

- (a) the financial effect of carrying out the Lee Commission proposals so far as this province is concerned; and
(b) whether the Legislative Council will be given an opportunity of pronouncing its opinion on those proposals before they are given effect to?

A.—(a) The hon. Member is referred to the answer to question No. 272.
(b) It is not in the power of this Government to decide when the proposals of the Commission are to be given effect to.

MR. S. SATYAMURTI:—"In view of the answer to clause (b) of the question that it is not in the power of the Government to decide when the proposals of the Commission are to be given effect to, and in view of my question which is whether the Council will be given an opportunity of pronouncing its opinion on them, I would like to know from the hon. the Finance Member whether the Government will give this House an opportunity of giving its opinion on those proposals inasmuch as Lord Olivier has said in the House of Lords that it will not be given effect to until the discussion in the Legislative Assembly in September?"

The hon. **MR. R. A. GRAHAM**:—"It is impossible for the Government at any time to say that effect will not be given to the proposals from day to day. I understand a resolution has been tabled on the subject and since effect has not been given to the proposals, the House may discuss the motion."

MR. S. SATYAMURTI:—"I am not asking about the power of the House. I am asking the Government whether they will give us any facilities themselves by tabling a motion as a Government motion."

The hon. **MR. R. A. GRAHAM**:—"No, Sir. There is a resolution already tabled by a private member."

Proposals of the Lee Commission.

395 Q.—**MR. C. RAMALINGA REDDI**: Will the hon. the Member for Finance be pleased to state—

- (a) whether the Government have submitted their views on the Lee Commission Report to the Government of India, and if so, whether they will kindly place them on the table; and
(b) what will be the cost to this Presidency of the Commission's recommendations, if accepted?

A.—(a) Yes, but the correspondence cannot be published by this Government.

(b) The attention of the hon. Member is invited to the answer to clause 3 of question No. 272.

MR. C. RAMALINGA REDDI:—"May I know whether the report is unanimous or whether there is any minute of dissent?"

The hon. **MR. R. A. GRAHAM**:—"That is a question which, if asked, should not be answered."

21st August 1924]

Marine.*The Coast Light establishments in the Presidency.*

396 Q.—**MR. YAHYA ALI SAHIB**: Will the hon. the Member for Finance be pleased to state—

- (1) when the Coast Light establishment was introduced in this Presidency;

- (2) as to each of the departments of Port lights and Coast lights—

- (a) how many Indians, and
(b) how many Anglo-Indians are employed;

- (3) whether it is a fact that since its inauguration, not a single Muhammadan has been appointed in the Coast Light Department as a head lightkeeper, and, if so, the reason therefor;

- (4) whether the Government have taken or propose to take the necessary steps to impress upon the authorities concerned that, in the interest of the adequate representation of the Muhammadan community in the service, at least one place of a head lightkeeper in the Coast Light Department should be conferred on a Muhammadan;

- (5) the actual service in the Lighthouse Department (including Port Light service and excluding oversea service, if any) and the actual pay drawn and the grade of service of the following Coast lightkeepers as it stood on 1st April 1924;

(a) Head lightkeepers—Messrs. W. O. Platel and A. C. D'Rozario,

(b) Assistant lightkeepers—Messrs. M. F. Corneille, E. T. Andrad, H. Night, W. A. Youwhie, W. A. Scott, D. Samuel, E. M. Aubert, F. N. Rebello, Muhammad Ibrahim Lodi, E. L. Moore, E. Nicholas, D'Cunha, Solomon Christian and Smith Simon;

- (6) after how many years of service as the assistant lightkeeper were the following incumbents promoted to the office of head lightkeepers in the Coast Light service:—Messrs. W. O. Platel, H. C. D'Rozario, E. Walker, A. F. Cooper, W. J. Greenwood and R. L. Cunha;

- (7) when the 'Chavis' incandescent oil burners were introduced in the Coast Lighthouses;

- (8) whether it is now made incumbent that, before even an experienced Port Lightkeeper is transferred to Coast Light service, he should undergo a course of training in the working of the burner above referred to;

- (9) if so, whether at the time of the introduction of the said burner, the Coast lightkeepers were so trained; and

- (10) if not, what is the reason for the distinction?

A.—(1) About the year 1899.

- (2) In the Port Light establishment, all the 38 lightkeepers are Indians; in the Coast Light establishment, 7 are Indians and 34 are Anglo-Indians.

- (3) Yes; because there were no capable Muhammadan assistant lightkeepers of sufficient seniority at the time when the vacancies occurred.

- (4) No. Appointments will be made with reference to merit and seniority.

[21st August 1924]

(5) (a) & (b) The information asked for is given in the statement below :—

Order of seniority in the list of assistant lightkeepers.	Name.	Grade of pay.	Port Light service.	Coast Light service (exclusive of war service).	War service.	Total service on 1st April 1924.	Actual pay drawn on 1st April 1924.
	(a) Head lightkeepers.	RS.	Y M. D.	Y. M. D.	Y. M. D.	Y. M. D.	RS.
	1. A. C. D'Rozario ..	100—5	Nil.	19 6 8	Nil.	19 6 8	115
	2. W. P. Platel ..	—150 Do.	Nil.	10 11 14	4 1 24	15 1 8	115
	(b) Assistant lightkeepers.						
13	1. M. F. Corneille (6th September 1915).	60—2	0 2 3	8 6 28	Nil.	3 8 29	74
25	2. E. T. Andrady (8th March 1921).	- 80 Do.	Nil.	3 0 24	Nil.	3 0 24	66
10	3. M. Nighi (8th March 1913).	Do.	3 11 24	11 0 23	Nil.	15 0 17	74
12	4. W. A. Yourey (4th August 1914).	Do.	2 6 14	7 2 21	2 5 8	12 3 13	74
22	5. W. A. Scott (28th February 1920).	Do.	Nil.	3 4 21	Nil.	3 4 21	66
24	6. D. Samuel (22nd November 1920).	Do.	Nil.	3 3 9	Nil.	3 3 9	64
23	7. E. M. Aubert (30th November 1920).	Do.	Nil.	2 11 18	Nil.	2 11 18	64
26	8. F. N. Rebelle (23rd July 1921).	Do.	Nil.	2 8 7	Nil.	2 8 7	64
28	9. A. Muhammad Ibrahim Lodi (29th January 1922).	Do.	11 7 11	2 2 2	Nil.	13 9 14	64
16	10. E. L. Moore (27th June 1917).	Do.	6 5 7	6 9 6	Nil.	13 2 12	66
8	11. E. Nicholas (8th October 1912).	Do.	2 8 4	11 5 28	Nil.	14 2 0	74
9	12. T. D. Cunha (8rd November 1912).	Do.	4 2 0	11 4 28	Nil.	15 6 28	74
27	13. Solomon Christian (1st January 1922).	Do.	Nil.	1 4 0	Nil.	1 4 0	64
14	14. H. C. Smith Simon (31st October 1915)	Do.	Nil.	8 5 0	Nil.	8 5 0	72

(6) The information is given below :—

W. O. Platel	...	...	Eleven years (including war service).
H. C. D'Rozario	...	...	Thirteen years.
E. Walker	...	...	Two years.
A. F. Cooper	...	...	Do.
W. J. Greenwood	...	...	Eight years.
R. L. Cunha	...	...	Do.

[21st August 1924]

(7) The 'Chavis' incandescent oil burner was introduced in the Coast Lights of this Presidency in the years noted against each :—

	Year.
1. Cotta Point ...	1909
2. Muttam ...	1910
3. Seven Pagodas ...	1910
4. Santopilly ...	1910
5. Madras ...	1911
6. Manapad ...	1911
7. Sacramento ...	1912
8. Tangacherry ...	1912
9. Kaup ...	1912
10. Havelock Point ...	1912

(8) & (9) Yes.

(10) Does not arise.

Tenders for Tuticorin Harbour Works.

397 Q.—Rao Bahadur CRUZ FERNANDEZ: Will the hon. the Member for Finance be pleased to state why no tenders were called for the Tuticorin Harbour Works?

A.—The Government considered that it would conduce to economy and efficiency to have the works carried out departmentally under the supervision of officers experienced in that special branch of engineering.

Reforms.

Departmental enquiry into the working of the Reforms in the Presidency.

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

(a) whether the Local Government have been consulted with regard to the departmental enquiry by the Government of India into the working of the reforms;

(b) if so, whether the Local Government have forwarded their opinion; and

(c) whether the Local Government have consulted or propose to consult non-official opinion in the matter?

A.—(a), (b) & (c) If the hon. Member refers to reports that appeared in the press last April concerning the appointment of a departmental committee by the Government of India, the Local Government was not consulted.

Local Boards and Municipal Councils.

Elected presidents for Anantapur municipality and Dharmavaram taluk board

399 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the municipality of Anantapur and the taluk board of Dharmavaram have passed resolutions asking for the privilege of electing their own presidents;

[21st August 1924]

- (b) if the answer to (a) is in the affirmative, when these resolutions reached the Government;
- (c) what orders have been passed thereon and when; and
- (d) if they were not given the privilege of election, why not?

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

(b) The resolution of the Anantapur municipal council was received on 9th May 1924 and that of the Dharmavaram taluk board on 25th March 1924.

(c) In regard to the chairmanship of the Anantapur municipal council, orders were issued on 7th May 1924 to the effect that the Chairman should continue to be nominated by Government. As regards the presidentship of the Dharmavaram taluk board, orders were passed on 10th April 1924 declining to accede to the request of the board.

(d) The Government considered that in the interests of the local bodies concerned it was necessary that the Chairman and the President should be nominated.

Transfer of poramboke lands to local bodies.

400 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Law Member and the hon. the Minister for Local Self-Government be pleased to state, with reference to question No. 478 answered at the Legislative Council meeting held on the 4th March 1924, whether the Government have arrived at any decision regarding the transfer of all porambokes to the control either of the village panchayats or of the local bodies concerned?

A.—As regards communal porambokes, the attention of the hon. Member is invited to Notification No. 387 published on page 136 of Part I-A of the *Fort St. George Gazette*, dated 15th April 1924. The question of transferring other porambokes to local bodies is still under the consideration of the Government.

MR. P. ANJANEYULU:—“May I know when the Government are likely to come to a decision on the matter?”

The hon. the PRESIDENT:—“I would request the attention of the Members of the House to the fact that it has already struck 12 and unless Members co-operate with me and limit their supplemental questions to what are absolutely necessary ones, we are not likely to reach the end of to-day's list before a reasonable time. I deprecate the questions that have been asked in the morning which merely delayed us to so long a time.”

The hon. the RAJA OF PANAGAL:—“Mr. President, with reference to the supplemental question just now put by the hon. Member for Guntur, I can only say that it is impossible for the Government to say when the actual decision will be come to.”

Assessment of profession tax by the Anantapur municipality.

401 Q.—MR. G. RAMESWARA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether in assessing profession tax the Anantapur municipality has been taking into account income derived from lands outside municipal limits;

[21st August 1924]

- (b) whether there is uniformity of practice in this matter among all municipalities;

(c) if not, what steps would be or have been taken to restore uniformity;

- (d) whether legal opinion was obtained as to the propriety of including income from lands outside municipal limits in assessing profession tax; and
- (e) whether it is under contemplation to alter the present law on this point if such incomes are rightly taken into consideration in assessing profession tax?

A.—(a) The Government have no information. The hon. Member's attention is, however, invited to sections 93 and 95 of the *Madras District Municipalities Act, 1920*.

(b) & (c) The Government have no information. Whenever it is brought to the notice of the Government by the Auditor or otherwise that the assessments have not been made in any municipality in conformity with the provisions of sections 98 and 95 of the *Madras District Municipalities Act*, instructions are issued to the Chairman concerned to follow these provisions.

(d) Yes.

(e) Yes.

The resignation of Diwan Bahadur T. Balaji Rao Nayudu Garu of the presidentship of the Kistna district board.

402 Q.—MR. P. PEDDIRAJU: Will the hon. the Minister for Local Self-Government be pleased to state whether in view of the fact of the resignation of the presidentship of the district board, Kistna, by M.R.Ry. Diwan Bahadur T. Balaji Rao Nayudu Garu and of the discharge of the accused in the defamation case brought by him against the ‘Kistna Patrika’ in respect of certain allegations made by the said paper in the matter of the purchase of motor lorries for the board, the Government intend to undertake an inquiry, and if not, why not?

A.—The Government have already inquired into the matter.

SRI MAN SASIBHUSHAN RATH Mahasayo:—“May we know what the result of the enquiry was?”

The hon. the RAJA OF PANAGAL:—“There was no evidence against the president, district board.”

The bifurcation of the Kistna district board.

403 Q.—MR. P. PEDDIRAJU: Will the hon. the Minister for Local Self-Government be pleased to state whether in view of the bifurcation of the Kistna district the Government intend to divide the district board into two, and if so, when?

A.—The Kistna district board has been asked to report its views in the matter.

Alleged slaughtering of cattle in Anthoniarpuram.

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

- (a) whether it is a fact that slaughtering of bullocks and sheep is going on in the locality of the depressed classes on open grounds at Anthoniarpuram and Katti Adi-Dravida street, Suramangalam union board, Salem district;

[21st August 1924]

(b) whether it is not a fact that there are several private open latrines near the place where the slaughtering is going on, from where flies feeding on filth feed on carcasses also;

(c) why no steps were taken to slaughter bullocks and sheep in separate slaughter-houses by the union boards;

(d) whether the union board has constructed any separate slaughter-houses for bullocks and sheep;

(e) if so, when the slaughtering of bullocks and sheep in the midst of the depressed classes at Suramangalam union board would be stopped or removed to the slaughtering-houses;

(f) whether the District Health Officer, Salem, has seen the spot at any time;

(g) if so, what steps he has taken to remove such a thing;

(h) the reason for slaughtering bullocks and sheep in the locality of the depressed classes at Anthoniarpuram and Katti Adi-Dravida street, Suramangalam union board, Salem district; and

(i) if the Government have no information, whether they will be pleased to call for the information?

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

Appointment of ex-Indian officers to local bodies.

405 Q.—Hony. Lieut. N. MADURAI: Will the hon. the Minister for Local Self-Government be pleased to state whether there are any ex-Indian officers, Non-commissioned officers and privates who have been appointed as members of taluk and district boards in this Presidency, and if so, how many in each?

A.—The Government have no information.

Diwan Bahadur W. VIJAYARAGHAVA MUDALIYAR:—"Is it not a fact that the Government have recently nominated a retired Subadar-Major as a member of the North Arcot District Board?"

The hon. the RAJA OF PANAGAL:—"Yes, they have."

Representation of Non-commissioned officers, etc., in the panchayats of the Presidency.

406 Q.—Hony. Lieut. N. MADURAI: Will the hon. the Minister for Local Self-Government be pleased to state whether there are any Indian officers, Non-commissioned officers or privates who have been appointed to represent the interests of their communities in the taluks and districts of this Presidency in accordance with the Madras Village Panchayat Act XV of 1920; and, if so, how many in each class and in what districts and taluks?

A.—The attention of the hon. Member is invited to sub-section (3) of section 5 of the Madras Village Panchayat Act, 1920, under which all the members of a village panchayat are elected. There is no provision in the Act for the appointment of members by Government or by any other authority.

Mr. B. VEERIAN:—"With reference to the answer, Sir, viz., that there is no provision in the Act for the appointment of members by Government or by any other authority, may I know whether the Government will be pleased to take steps to amend the Madras Village Panchayat Act, 1920, to provide representations for minority communities?"

21st August 1924]

The hon. the RAJA OF PANAGAL:—"The question will be considered in connexion with the proposed amendment of the Panchayat Act."

Abolition of profession tax in Nannilam taluk.

407 Q.—Sriman SASIBHUSHAN BATH Mahasayo: Will the hon. the Minister for Local Self-Government be pleased to state—

(i) whether it is a fact that the Nannilam Taluk Board, Tanjore district, resolved to abolish profession tax from the taluk board area from 1st April 1924 on the ground that levy of this tax was causing hardship to the people;

(ii) whether the President of the District Board, Tanjore, has expressed himself against the resolution of the taluk board and has not allowed the taluk board to carry its resolution into effect; and

(iii) whether any reference has been made to the Government on the subject and, if so, whether any orders have been passed?

A.—(i) The Nannilam Taluk Board resolved to abolish the profession tax within its area from 1st April 1924.

(ii) The district board passed a resolution on 31st May 1924 regretting its inability to cancel the levy of the tax with retrospective effect from 1st April 1924.

(iii) The President, District Board, Tanjore, has made a reference to the Government. The matter is under their consideration.

Medical.

Leper asylums in the Presidency.

408 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased—

to place before the House a statement showing approximately

(a) the number of persons suffering from leprosy in towns in this Presidency with a population of 40,000 or more;

(b) how many of them are segregated in asylums;

(c) in which of those towns the Lepers Act (Act III of 1898) is in force; and

(d) a list of Government or private aided and non-aided leper asylums in this Presidency;

and to state

(e) how lepers are looked after by each of them; and

(f) what aid is given by Government, municipalities and local boards to each of the private institutions?

A.—(a) Information is not available.

(b), (d) & (f) A statement * furnishing the information as far as it is available is laid on the table.

(c) The Lepers Act has not yet been applied to any part of the Presidency.

(e) The Government have no detailed information on the point but they believe that in all the asylums the needs of the inmates are properly attended to and that they are afforded suitable medical treatment.

[21st August 1924]

Subsidy to the Rev. Father Müller's Leper Asylum, Mangalore.

409 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the District Board of South Kanara or the Mangalore Taluk Board or municipality have stopped the subsidy or aid hitherto given by any of them to the Father Müller's Leper Asylum at Mangalore;

(b) if so, what was the amount, and on what grounds has the grant been stopped; and

(c) what aid or subsidy is given by local boards or municipalities to private leper asylums elsewhere in the Presidency?

A.—(a) & (b) The District Board of South Kanara has decided to stop its contribution of Rs. 500 to the St. Joseph's Leper Asylum at Mangalore on the ground that the asylum is a seminational institution and as such should receive aid from the Government. The Mangalore Taluk Board has never paid any contribution. The contribution of Rs. 300 a year paid by the Mangalore Municipal Council is still being continued.

(c) The attention of the hon. Member is invited to the answer given to clause (f) of question No. 408.

The opening of an indigenous medical school.

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

(a) the reasons for the delay in opening an indigenous medical school or college, even after the recommendations made by the Indian Medical Association started under G.O. Mis. No. 313, P.H., dated the 28th February 1924, and similar recommendations of the Advisory Board and of another committee appointed by Government in G.O. Mis. No. 583, P.H. (Local Self-Government), dated 14th April 1924; and

(b) whether the Government have received a copy of the resolutions of the Fourteenth All-India Ayurvedic Conference regarding the methods of studies to be adopted in the proposed indigenous medical school or college?

A.—(a) Before passing orders on the subject of the opening of a school of Indian medicine, the Government desired to have a full estimate of the initial and recurring charges involved. The Indian Medical Association was asked to furnish such an estimate but further details were considered necessary. The Government therefore propose to appoint a special officer to work out the necessary details.

(b) The answer is in the affirmative.

Stipends to students in the Rayapuram Medical School

411 Q.—MR. G. RAMESWARA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of students who passed from the Rayapuram Medical School within the last five years;

(b) how many of them are from the Ceded Districts, and of them how many are stipendiary students; and

[21st August 1924]

(c) what is the amount of stipend allowed to students in the said school by the Government and whether the amount varies according to the caste or the locality from which the student comes; if so, what are the particulars of the difference and the reasons therefor?

A.—(a) Three hundred and seventy-five students passed out of the Rayapuram Medical School during the last five years.

(b) Nine of them were from the Ceded Districts and of these, six were in receipt of stipends from the Government.

(c) The stipends granted by the Government in the Rayapuram Medical School are of the value of Rs. 15 per mensem. They are now restricted to poor students belonging to the backward and depressed classes and the number of stipends has been fixed at 5 per annum for all the Men's Medical Schools together. Formerly a large number of stipends open to members of all communities used to be granted, the actual number being fixed from year to year with reference to the anticipated number of vacancies occurring in the Sub-Assistant Surgeon's service. Seventy-five per cent of the number of such stipends were reserved for students belonging to the Telugu districts in view of the relatively backward state of medical education in those districts. Ten special stipends of the value of Rs. 25 per mensem were sanctioned in 1918, to be granted to Telugu and Kanarese students who are natives of the Ceded Districts, in order to encourage them to join the medical schools in this Presidency. These stipends were discontinued from 1st July 1922, but students who were already in receipt of stipends before that date were allowed to continue to draw them till they finished their course.

Education.*Introduction of spinning course in schools.*

412 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether he has any intention of introducing spinning as a course in all schools in this Presidency as has been done by the Bihar and Orissa Government; and

(b) if not, why not?

A.—(a) No.

(b) The practical instruction given in a school should have reference to the chief occupations or industries of the locality in which it is situated and the class of pupils attending the school.

Representation of depressed classes in the district educational councils.

413 Q.—MR. B. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) the full names and the addresses of the members of the depressed classes representing the said classes on the various district educational councils in the Presidency;

(b) the names of the different district educational councils to which no member belonging to the depressed classes has been nominated as yet; and

[21st August 1924]

(c) whether the Government will be pleased to call for the information in order to furnish the same?

A.—(a) to (c) A statement is placed on the table.*

Scheme for medical inspection of schools.

414 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education be pleased to state—

(1) whether any scheme has been evolved in consultation with the Surgeon-General and the Director of Public Instruction with regard to the systematic medical inspection of schools, as promised by him during the discussion of the Budget for 1923-24;

(2) whether the hon. the Minister will kindly lay on the table the outline of the scheme, if any, already prepared; and

(3) if not, whether the hon. the Minister for Education will see that the promised scheme is got ready as early as possible and laid on the table of this House?

A.—(1) & (2) The question is still under consideration.
(3) Yes.

Rao Sahib U. RAMA RAO:—“With reference to the answer to (1) and (2), may I know from the hon. the Education Minister how long it will take to mature a scheme of medical inspection in schools?”

The hon. Rao Bahadur Sir A. P. PATRO:—“A new committee has been constituted and medical people are invited to come and give assistance. As soon as that is finished, the report will be published.”

Location of the high school at Adoni.

415 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Muhammadan sections of the high school at Adoni are located in a private building for which a monthly rent of Rs. 40 is paid;

(b) whether the building is really unsuited for the location of a school and has no compound around it, sufficient for a play-ground and for teaching natural science;

(c) whether the headmaster of the school and the municipal chairman of Adoni requested the Collector to lend the forest building to the municipality to be used for school purposes; and

(d) whether, if the request of the municipal chairman had been complied with by the Collector, the Government would have saved the monthly rent of Rs. 40 which they are paying for the rented building, and whether the two great needs of the school, viz., a good play-ground and a suitable site for a garden, would have been adequately met?

A.—(a) Yes.

(b) The building is not quite suitable for school purposes but it is the best rented building available.

(c) Yes.

(d) The Government understand that the building referred to is rented temporarily for hospital purposes.

* Vide Appendix VI on page 671 infra.

[21st August 1924]

Admission of Adi-Andhra students into certain aided secondary schools.

416 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Education be pleased to state whether any orders have been passed regarding the admission of Adi-Andhra students into aided secondary schools under private management?

A.—The answer is in the negative.

Mr. P. ANJANEYULU:—“As the matter is rather important and as difficulty has been felt in private schools for admission, I wish to know whether the matter has been wholly left to the local management—to admit Adi-Andhra students into the schools under private management or whether the Government have anything to do with them.”

The hon. Rao Bahadur Sir A. P. PATRO:—“In the case of public schools, there will be free admission to all classes. In the case of private schools, such a thing is not possible. It is left to the option of the management.”

Grant for free books, slates, etc., to depressed class students in certain districts.

417 Q.—Hony. Lieut. N. MADURAI: Will the hon. the Minister for Education be pleased to state whether any portion of money has been set aside for free books, slates and pencils, etc., for depressed classes out of the enhanced grants granted by the District Educational Councils of Chingleput, South Kanara and Nellore [vide G.O. No. 205 of 11th February 1924 under Law (Education)]?

A.—The Government have no information beyond that contained in paragraph 4 of the letter of the Director of Public Instruction printed in G.O. No. 205, Law (Education), dated 11th February 1924, which has been placed on the Editors' Table.

District Secondary Education Boards.

418 Q.—Sriman SASIBHUSHAN RATH Mahasaya: Will the hon. the Minister for Education be pleased to state—

(a) the number of District Secondary Education Boards in the Presidency;

(b) how many of the Secondary Education Boards have Members of the Legislative Council nominated as their presidents; and

(c) from among the Members of the Legislative Council, who are presidents of such boards, the names of those that are closely or remotely connected with secondary education, giving in each case the nature of such connexion?

A.—(a) Twenty-four.

(b) Fourteen.

(c) The hon. Member is referred to the notifications Nos. 300 and 363 published on pages 877-878 and 1138, of Part I-B of the Fort St. George Gazette, dated 16th October 1923, and 18th December 1923, respectively, in which the names of the Presidents of the Boards have been published.

[21st August 1924]

Mr. S. SATYAMURTI :—" With reference to the answer to clause (b), may I ask the Education Minister to state how it happens that 14 of these nominated presidents happen to be Members of this Council? "

The hon. Rao Bahadur Sir A. P. PATRO :—" Because most of them happen to be presidents of district boards. As a matter of convenience and economy, it was considered preferable to utilize the office of the District Board for the purpose of carrying out this work."

Admission of Adi-Dravidas in a caste school.

419 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that two Adi-Dravida students, viz., P. Subbian and P. Karuppannan who had completed their course in the Adi-Dravida Elementary school in the Irrugur village, Palladam taluk, were refused admission by the Brahman headmaster of the caste school in the same village and were directed to go and get permission from the village monigar;

(b) if so, the reason for such action;

(c) the reason, if any, why the Adi-Dravida school has not been raised to the sixth standard?

A.—(a), (b) & (c) The Government have no information, but will call for a report.

The hon. the PRESIDENT :—" I think we had better stop here. There are some 31 questions more. I do not insist upon these being included in the official report according to the rule made by me some time ago. Since there are only about 40 questions set down for to-morrow, those left over to-day may also be dealt with during question time to-morrow. Hon. Members will therefore have an opportunity to-morrow of asking supplemental questions on these remaining questions.

" On account of the Convocation of the University which will be held this afternoon and which many hon. Members desire to attend, I propose if the House agrees with me, that we should go on without rising formally for lunch, till about 3-45 p.m. and then rise for the day. It will of course be open to hon. Members to go for lunch when they please."

Mr. S. SATYAMURTI :—" May I make one submission, Sir? I wish you do not insist upon rising to-morrow at exactly 5 o'clock, as I do not want the time of the non-official day to be curtailed."

The hon. the PRESIDENT :—" Though we are rising at 4 o'clock to-day I thought that the deficiency would be compensated by our sitting on during the lunch hour. The question of taking away any time from any non-official day does not therefore arise. If hon. Members of the House wish to remain a little longer after 5 o'clock to-morrow, nobody will probably object. So far as to-day is concerned I take it we shall rise in time for convocation.

" I may also add that I have been since informed that there are many more than 40 questions, in fact about a hundred questions for to-morrow's list. We had about 140 questions to-day and seeing that we have not been able to get through them in the limited time, I would appeal to hon. Members to co-operate with me in getting through a like number expeditiously to-morrow."

21st August 1924]

APPENDIX I.

[Vide answer to question No. 347 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 21st August 1924, page 617 supra.]

Statement.	Age according to admission register.	Number of boarders.
Class or form		
I Form	9 to 13	4
II "	10 to 15	10
III "	12 to 16	9
IV "	15 to 16	2
V "	15 to 20	12
VI "	18 to 19	2
Junior Intermediate	18	1
Senior	22	1
B.A.		2
Carpentry and engraving		1
Government Textile Institute	17	
		45

APPENDIX II.

[Vide answer to question No. 349 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 21st August 1924, page 618 supra.]

Indian Orphanages, Homes, Boarding Houses, etc., City of Madras and its suburbs.

	RS.
(a) Boys—	
(1) St. Francis Xavier's Elementary School and Boarding-house, Alwarpet	176
(2) Tamil Mission Orphanage and Indian Christian School, Tondiarpet	235
(3) Deaf and Dumb School, Mylapore	70
(4) Society for the Protection of Children's Home, Tondiarpet	215
(b) Girls—	
(5) St. Joseph's Indian Girls' Orphanage, Vepery	80
(6) St. Ann's Convent School Orphanage, Rayapuram	160
(7) St. Lazarus Girls' School, Mylapore	180
(8) Holy Family Orphanage, San Thomé	535
(9) H.B.S.M. Memorial Orphanage and Boarding School, Vepery	540
Nilgiri district—	
Boys—	
(1) Wesleyan Mission Orphanage and Boarding School, Keti	80
Girls—	
(2) Wesleyan Mission Orphanage and Boarding School, Kota-giri	150
(3) C.E.Z.M. Gell Memorial Orphanage, Ootacamund	345

[21st August 1924]

European and Anglo-Indian Orphanages, etc.

Serial number and name of institution.	Boarding grant under article 40 of the Code of Regulations for European Schools.			Grant under article 42 of the Code of Regulations for European Schools.			Grant for free meals and clothing.	
	Amount paid in		Proposed for	Amount paid in		Proposed for	Amount paid in	
	1922-23.	1923-24.	1924-25.	1922-23.	1923-24.	1924-25.	1922-23.	1923-24.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
CITY OF MADRAS AND ITS SUBURBS.								
1. St. Joseph's School, Vepery ..	11,686	11,610	11,700	60	..	..	1,000	760
2. Presentation Convent Middle School, Vepery ..	..	1,785	1,980	..	102	..	2,500	2,480
3. Do. High School, Vepery ..	..	..	..	..	..	104	..	..
4. St. William's School, Royapetta ..	..	..	..	..	..	..	2,500	3,484
5. Christ Church School, Mount Road ..	..	..	..	180	180	..	5,000	980
6. St. Mary's Orphanage, Georgetown ..	19,185	17,850	18,000	..	..	180	1,050	777
7. Presentation Convent School, Rayapet ..	..	..	..	..	..	..	1,200	1,108
8. St. Joseph's School, Perambur ..	..	..	..	..	..	..	2,000	1,970
9. John Pereira's Union School, Park Town ..	..	..	..	..	..	..	400	404
10. St. Anthony's Poor School, Pudurpet ..	..	..	..	..	..	..	7,500	6,346
11. St. Francis Xavier's School, Georgetown ..	..	..	..	..	..	..	1,900	390
12. St. George's Cathedral School, Royapetta ..	..	..	..	..	..	..	650	102
13. St. Andrew's Free School, Egmore ..	..	..	..	..	..	..	1,313	826
14. St. Mark's School, Georgetown ..	2,231	3,004	3,050	..	..	..	900	56
15. St. Mathias' Poor School, Vepery ..	..	..	..	..	..	..	1,351	1,087
16. St. Stephen's Church School, Pallavaram ..	..	..	..	..	..	..	246	124
17. St. Thomas' Convent School, San Thome ..	11,910	12,510	12,600	136	141	..	..	950
18. St. Dominic's Convent School, St. Thomas' Mount ..	..	..	..	..	..	..	..	360
19. Civil Orphan Asylum, Kilpauk ..	8,265	7,470	8,910	540	610	514	..	..
20. St. Patrick's Orphanage, e. Adyar ..	84,500	33,285	35,340	2,574	2,394	2,438	..	..
21. Sacred Heart Convent School, Teynampet ..	450	540	360	100	..	..	..	..
22. San Thome Orphanage, Mylapore ..	17,300	22,830	23,400	215	216	120	..	..
23. St. Bede's School, San Thome ..	180	..	..	120	145	146	..	..

21st August 1924]

European and Anglo-Indian Orphanages, etc.—cont.

Serial number and name of institution.	Boarding grant under article 40 of the Code of Regulations for European Schools.			Grant under article 42 of the Code of Regulations for European Schools.			Grant for free meals and clothing.	
	Amount paid in		Proposed for	Amount paid in		Proposed for	Amount paid in	
	1922-23.	1923-24.	1924-25.	1922-23.	1923-24.	1924-25.	1922-23.	1923-24.
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
NILGIRIS DISTRICT.								
24. St. Joseph's College, Coonoor ..	2,148	2,244	2,304	3,416	3,146	3,089	..	..
25. St. George's Homes, Ketti ..	11,772	11,628	12,240	..	..	..	..	..
26. St. Joseph's Convent School, Coonoor ..	276	288	144	524	582	165	..	..
27. Stanes' School, Coonoor ..	144	141	144	555	360	380	..	..
28. Nazareth Convent School, Ootacamund ..	1,980	2,160	1,440	..	..	..	..	..
29. St. Stephen's Collegiate School, Ootacamund ..	1,440	1,296	1,440	..	..	..	..	..
30. St. Gabriel's School, Coonoor ..	3,888	4,176	4,152	1,570	1,424	1,545	..	..
31. Home Missionary Societies Children's Home, Coonoor ..	2,160	2,866	3,024	..	..	..	..	..

[21st August 1924]

APPENDIX III.

[Vide answer to question No. 351 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 21st August 1924, page 619 supra.]

Copy of memorandum to the Director of Public Instruction, No. 933 B-2, dated 12th June 1924.

[Fees charged for Indian boys in European schools—Legislative Council question No. 835 asked at the meeting of the 1st April 1924.]

With reference to the supplementary questions asked in connexion with the above question, the Director of Public Instruction is requested to furnish the Government with information on the following points:—

(i) whether the fees charged for Indian boys amount in some cases to as much as five times the fees levied from the European and Anglo-Indian boys;

(ii) the number of schools in which the same fees are charged to both Indian and European pupils, and the number in which the Indian boys are charged higher rates than the European boys;

(iii) the extra hours which teachers in European schools work, and the extra amount of work they turn out in respect of the Indian pupils whose knowledge of English is nil or poor, compared with the European boys; and

(iv) whether, in some cases in which extra fees are charged, special classes are held into which the Indian boys are admitted.

Letter from the Inspector of European Schools, to the Director of Public Instruction, Madras, L. Dis. No. 368/24, dated 27th July 1924.

I have the honour to furnish information as under on the points raised—

(i) The annexed list will show the extent of the difference in the rate of fees between Indian and European boys.

(ii) Number of schools in which same fees are charged ... 34
Number in which rates higher than for European boys are charged ... 21

(iii) Cannot be estimated. But it stands to reason that extra work has to be done by the teachers for Indian pupils in such ways as individual attention, extra lessons during intervals and special home exercises and special exercises necessitating additional work for the staff out of school hours.

(iv) No special classes appear to be held for extra fees charged from Indian boys.

2. The extra fees charged would appear in some cases to serve as a check on the maximum limit of one-third of the total number up to which non-European scholars may be admitted into European schools.

3. In others and the majority of cases the schools are maintained with or for a definite religious purpose and the fees charged for Anglo-Indians are much below the minimum necessary to maintain the school, the management bearing the deficit. Indians pay the full fees not deducting the management's contribution.

4. In other cases a small extra fee is charged till the pupil's English rises to the required standard and because of extra aid needed; thereafter the normal fees are charged.

5. And yet in others the fee is pitched to harmonise with the financial position of the children for whom the school is intended which is vastly different from that of the Indians who desire to join.

21st August 1924]

Annexure.

Serial number and name of school.	Infants.		Rate of fees charged.								
			Europeans.								
	Lower.	Upper.	First.	Second.	Third.	Fourth.	Fifth.	Sixth.	Seventh.	Eighth.	Ninth.
1. Atkinson English, Beavada (Entrance fees—Europeans, Rs. 2; Indians, Rs. 3).	Rs. A. 1 4	Rs. A. 2 0	Rs. A. 1 12	Rs. A. 2 0	Rs. A. 2 8	Rs. A. 2 12	Rs. A. 3 0	Rs. A. 3 0	Rs. A. 3 8	Rs. A. 4 0	Rs. A. 5 0
2. St. Joseph's Convent, Calicut	1 12	1 12	2 0	2 12	2 4	2 8	3 0	4 0	5 0	6 0	7 0
3. St. Stephen's Church, Pallavaram.	1 8	1 8	1 8	2 0	2 0	2 0	3 0	4 0	5 0	6 0	7 0
4. St. Thomas' Convent, San Thomé.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
5. Entrance—Europeans, Rs. 4; Indians, Rs. 5).	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
6. Presentation Convent High School, Georgetown.	1 4	1 8	1 12	2 0	2 4	2 8	3 0	4 0	5 0	6 0	7 0
7. St. Mary's High School, Madras.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
8. St. Joseph's Boys' High School, Calicut.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
9. Doveton Girls', Vepery	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
10. Doveton Boys', Vepery	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
11. St. Joseph's, Pambur	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
12. St. Francis Xavier's, Madras	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
13. Union Girls', Park Town	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
14. Timpany Memorial, Cocanada	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
15. Presentation Convent High, Vepery.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
16. Bishop Corrie, Madras	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
17. St. Joseph's, Vepery	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
18. Presentation Convent, Bayapuram.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
19. St. George's Cathedral, Royapetta.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
20. St. William's, Royapetta	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
21. Sacred Heart Convent, Church Park.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0
22. St. Mary's Orphanage, Georgetown.	3 0	3 0	3 0	3 0	3 0	3 0	4 0	4 0	4 0	4 0	4 0

[21st August 1924]

Serial number and name of school.	Rate of fees charged.									
	Indians.									
	Infants.		First.	Second.	Third.	Fourth.	Fifth.	Sixth.	Seventh.	Eighth.
	Lower.	Upper.								
1. Atkinson English, Beswada (Entrance fees—Europeans, Rs. 2; Indians, Rs. 3).	Rs. A. ..	Rs. A. 3 0	Rs. A. ..	Rs. A. 3 8	Rs. A. 3 12	Rs. A. 4 0	Rs. A. 4 0	Rs. A. 4 8	Rs. A. 5 0	Rs. A. 5 8
2. St. Joseph's Convent, Calicut ..	2 8	3 0	3 8	4 0	4 0	5 0	5 0	6 0	6 0	6 0
3. St. Stephen's Church, Pallavaram.	2 12	2 12	3 0	3 12	4 0	4 4	5 0	6 0	8 0	..
4. St. Thomas' Convent, San Thomé (Entrance fees—Europeans, Rs. 4; Indians, Rs. 5).	3 0	3 0	3 0	3 0	3 0	5 0	5 0	6 0	8 0	..
5. Presentation Convent High School, Georgetown.	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0
6. St. Mary's High School, Madras ..	No fixed rate for Indian pupils.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.	Some pay enhanced rates Rs. 10 per mensem. Others pay standard rates.
7. St. Joseph's Boys' High School, Calicut.	2 8	3 0	3 8	4 0	4 8	5 0	5 0	5 14	6 11	7 8
8. Doreton Girls' Vepery ..	6 0	6 0	6 0	7 0	9 0	9 0	15 0	15 0	15 0	17 0
9. Doreton Boys' Vepery ..	6 0	6 0	6 0	7 0	9 0	9 0	15 0	15 0	15 0	17 0
10. St. Joseph's, Perambur ..	1 0	1 0	1 8	2 0	2 8	3 0	5 0	6 0	6 0	..
11. St. Francis Xavier's, Madras ..	2 0	2 0	2 0	2 0	2 0	2 0	..	..	..	..
12. Union Girls', Park Town ..	1 0	1 0	..	..	1 8	..	..	..	..	..
13. Timpany Memorial, Coconada ..	6 0	6 0	6 0	6 0	6 0	8 0	8 0	8 0	10 0	10 0
14. Presentation Convent High, Vepery.	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0
15. Bishop Corrie, Madras (for non-Indian Christians).	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0
16. St. Joseph's, Vepery ..	..	..	3 0	3 0	3 0	3 0	5 0	5 0	5 0	..
17. Presentation Convent, Rayapuram.	..	..	5 0	5 0	5 0	5 0	5 0	5 0	5 0	..
18. St. George's Cathedral, Royapetta.	0 8	0 8	1 0	..	..	..	..	..	..	..
19. St. William's, Royapetta ..	2 8	2 8	3 0	3 0	5 0	5 0	5 0	5 0	5 0	..
20. Sacred Heart Convent, Church Park.	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	10 0	..
21. St. Mary's Orphanage, Georgetown.	..	..	..	..	..	..	..	..	..	..

21st August 1924]

[Vide answer to question No. 366 asked by Mr. Yahya Ali Sahib at the meeting of the Legislative Council held on the 21st August 1924, page 633 supra.]

APPENDIX IV.

Name of settlement.	Agency by which managed.	Amount of Government contribution or supervision grant.	Number of settlers on 1st April 1923.	Tribe or tribes in the settlement.	Occupation.	Names of non-official visitors.
Srinagar ..	Salvation Army ..	Rs. 6,218	1,107	Donga Yerukalas, and Nawabpeta Korachas.	Agricultural and industrial (weaving, carpet-making, swab-making, stone-dressing).	1. Khan Sahib Mahammad Abdur Rahman Sahib Bahadur, Gunthar. Bar-at-Law, Gunthar.
Stuartparam ..	Do. ..	7,800	1,783	Do.	Agricultural and industrial (mat, rope and basket-making and gardening).	2. Mr. S. Vepa, Bar-at-Law, Gunthar.
Kavali, Allar and Etturugudi.	American Baptist Mission.	16,800	2,032	Donga Yerukalas, Donga Desaria, Dommara and Kathirai.	The main occupation of the settlers at Allar and Etturugudi is agriculture. At Kavali the settlers are employed in oil-pressing and weaving.	1. M.R. By. A. S. Krishna Rao Panulu Garu, B.A., B.L.
Perambur ..	Salvation Army ..	4,000	217	Veppur Adi-Dravidas ..	Employment is provided for settlers in the cotton and spinning mills and weaving.	2. M.R. By. S. Ramayya Pantulu Garu, Retired Deputy Collector.
						3. M.R. By. B. Ramachandra Reddi Garu, B.A., B.L.
						1. Mr. P. Holt of Messrs. P. Holt & Co., Limited, Madras.
						2. M.R. By. J. R. Sivasubrahmanyam Avargal, Retired Engineer, 'Swarna Villa,' San Thomé High Road, Mylapore.
						3. Khan Bahadur Abdul Karim Faruki, Retired Deputy Superintendent of Police.

[21st August 1924]

Name of settlement.	Agency by which managed.	Amount of Government contribution or expenditure.	Number of settlers on 1st April 1928.	Tribes or tribes in the settlement.	Occupation.	Names of non-official visitors.
Pallavaram.	Salvation Army.	Rs. 4,100	230	Veppur Adi-Dravidas ..	Industrial (leather work, quarry work, carpet-making and gardening).	1. Mr. Robert Frederick Johnson, 58, Veteran Lines, Pallavaram. 2. M.R. By. R. Nagesandaram Ayyar, Retired Deputy Collector, Adambakam, St. Thomas' Mount.
Asimagar.	Government ..	..	1,041	Do.	Agricultural and weaving ..	1. M.R. By. M. G. Parthasarathi Madaliyar Avargal, President, Taluk Board, Vriddhaobalam. 2. M.R. By. C. V. Srinivasa Acharya, Municipal Chairman, Chidambaram.
Siddapuram.	Do.	..	203	Donga Woddars ..	Agricultural and industrial (cumbili-weaving and road work). Employment found for the settlers in the sugar factory.	None have been appointed.
Kulaektharapatnam.	Agent, East India Distilleries and Sugar Factories, Limited (Messrs. Parry & Co., Limited).	1,320	331	Uppu Koravas of Kollipattu and Anavardhanur and certain other Koravas of the Tinnevely district.		1. The Rev. A. P. Randle, Priest, S.P.G., Nazareth. 2. M.R. By. S. K. Subba Ayyar Avargal, B.A., B.L., Srivaikuntam.

21st August 1924]

APPENDIX V.

[Vide answer to question No. 408 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 21st, August 1924, page 655 supra.]

Statement showing the various Leper Asylums in the Madras Presidency, the number of lepers segregated therein and the aid given by the Government and the local bodies to the private institutions.

Name of the Leper Asylums.	Average strength according to latest figures available (1922).	Government grant sanctioned recurring.*	Aid given by local bodies.	
			Name of local body.	Amount.
Government Institution.				
1. Government Leper hospital, Tondiarpet.	279	.....	.....	
Private Institutions.				
2. Leper Asylum, Saluru (Vizagapatam district).	92	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 6,000 a year.	Vizagapatam District Board.	Rs. 250 per annum.
3. Leper Asylum, Visianagram (Vizagapatam district).	83	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 3,300. Nil.	Visianagram municipality and Vizagapatam municipality.	Rs. 25 per mensem. Rs. 20 per mensem.†
4. Leper Asylum, Ramachandrapuram (Godavari district).	Not available.		Godavari District Board, Taluk and Union boards.	Rs. 2,000 per annum. Rs. 100 and 50 per annum.
5. Leper Asylum, Bapatla (Guntur district).	86	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 5,400 a year.	Guntur District Board.	Rs. 200 per annum.

* In addition to these recurring grants, non-recurring grants for buildings are also given, generally limited to one half of the cost of the buildings.

† The Visianagram Samasthanam also contributes Rs. 50 monthly to the Leper Asylum at Visianagram.

[21st August 1924]

[21st August 1922]

Name of the Leper Asylum.	Average strength according to latest figures available (1922).	Government grant sanctioned recurring.*	Aid given by local bodies.	
			Name of local body.	Amount.
<i>Private Institutions—cont.</i>				
6. Leper Asylum, Koduru (Cuddapah district).	Not available.	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 1,900.	Nil.	
7. Leper Asylum, Vada-thora Salur (South Arcot district).	Under construction.	Rs. 5 per mensem per patient subject to a maximum of Rupees 3,900 a year.	Nil.	
8. Leper Asylum, Kumbakonam (Tanjore district).	50	Rs. 4-8-0 per mensem per patient subject to a maximum of Rupees 3,780.	Nil.	
9. Leper Asylum, Manamadura (Ramnad district).	149	Rs. 4-8-0 per mensem per patient subject to a maximum of Rupees 6,700.	Ramnad District Board.	Rs. 400 per annum.
10. Leper Asylum, Cheva-yur (Malabar district).	108	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 8,000.	Sivaganga Taluk Board.	Rs. 200 per annum.
			Madura District Board.	Rs. 300 per annum.
			Trichinopoly District Board.	Rs. 160 for 1924-25.
			Calicut municipality.	Rs. 350 per annum.
11. Leper Asylum, Mangalore (South Kanara district).	45	Rs. 4-8-0 per mensem per patient subject to a maximum of Rs. 3,670.	Mangalore municipality	Rs. 300 per annum

* In addition to these recurring grants, non-recurring grants for buildings are also given generally limited to one half of the cost of the buildings.

21st August 1924]

APPENDIX VI.

[Vide answer to question No. 413 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 21st August 1924, page 658 supra.]

District.	Name of the member representing the depressed classes on the District Educational Councils.	Address
Anantapur ..	M.R.Ry. Hindupur Venugopala Raju Garu.	Hindupur.
Arcot, North ..	Mr. Charles Joseph Lucas, M.A., L.T.	Headmaster, Union Mission Training School, Vellore.
Arcot, South ..	M.R.Ry. A. S. Sahajanandaswami Avargal.	Manager, Nandanar Kalvikashagam, Chidambaram.
Bellary ..	" Annaswami Pillai Avargal.	Dhanagarahatti village, Bellary.
Chingleput ..	" K. Srinivasan Avargal, M.L.C.	Rose Cottage, Poonamallee.
Chittoor ..	" Valluva Ayyaswami Garu ..	Member, District Educational Council, Tirupati.
Coimbatore ..	" R. Veerian Avargal, M.L.C.	9/24, Thirumal street, Coimbatore.
Cuddapah ..	The Reverend Richard Newport (represents the depressed classes).	Nagarajpet, Cuddapah.
	M.R.Ry. Bandaru Venkataswamisetti Garu (Setti Balija).	Ellampet post, via Nandalar post, Rajampet taluk.
	" Voilla Venkatayya Garu (Setti Balija).	Chintalapalle, Porumamilla post, Badvel taluk.
Ganjam ..	" Sidi Appalaaswami Garu ..	Sompeta Union Board Member, Sompeta.
Godavari ..	M.R.Ry. Kusuma Viraswami Garu ..	Near Veterinary Hospital, Rajahmundry.
Guntur ..	" Gali Vandanaam Garu, B.A., L.T.	Headmaster, American Baptist Mission High School, Ongole, Guntur district.
Kanara, South ..	" Kodialbail Angara Avargal ..	Teacher, Courthill, Adi-Dravida School, Mangalore.
Kistna ..	" Naralasetti Devendrudu Garu, M.L.C.	Timber merchant, Ellore.
Kurnool ..	" W. Venkataswami Garu ..	Clerk, Registrar's Office, Kurnool.
Madras ..	" N. Sivaraj Avargal ..	High Court Vakil, Madras.
Madura ..	(Vacant. Not yet filled up).	
Malabar ..	M.R.Ry. Rao Sahib Pudiya Veetil Gopalan Avargal, M.L.C.	Member, District Educational Council, and Honorary Magistrate, Calicut.
Nellore ..	" Dasari Adivayya Garu ..	Member, District Educational Council, Kanigiri, Nellore district.
The Nilgiris ..	" Vellore Iyaswami Muni-swami Pillai Avargal, F.M.V.	Sath Vilas, Ootacamund.
Ramnad ..	Mr. Paul Srinivasan ..	Landlord, Rajapalayam, Sri-villiputhur taluk.
Salem ..	M.R.Ry. Kolar Subrahmanyam Avargal.	Member, District Educational Council, Kumarasamipatti, Salem.
	" Sonnan Avargal ..	Member, District Educational Council, Bagalur, Hosur taluk.
Tanjore ..	" Kannu Nayanar Somasondara Nayanar Avargal.	Member, District Educational Council, Astrologer, North Valluvar street, Kumbakonam.

[21st August 1924]

District.	Name of the member representing the depressed classes on the District Educational Councils.	Address.
Tinnevely ..	M.R.By. Papanesaperumal Samban Avargal.	Thornakurichi, Nanguneri taluk.
Trichinopoly ..	" M. Balakrishnan Avargal ..	Member, District Educational Council, Manikka Vilas, Thiruthanthoni, Woraiyur, Trichinopoly.
Visagapatam ..	" Cheema Dharma Rao Garu ..	Clerk, Sub-Court, Visagapatam.

III

THE MALABAR TENANCY BILL.

The debate on the Malabar Tenancy Bill was then resumed.

MR. C. GOPALA MENON :—" Sir, I have pointed out yesterday, that prior to the *Charaman* rule, land in Malabar was cultivated in common, and the produce shared proportionately by the people. When the last *Charaman* left Malabar he transferred all his rights to his Lieutenants and the Military Commander, the *Zamorin*. These rights are the receiving of *kanam* fees or fees for renewal.

" Sir Charles Turner may be looked upon as the destroyer of tenant right in Malabar and it was his melcharth opinion which was mainly responsible for a series of land litigation in Malabar which instead of conferring a blessing on Malabar in the shape of land-owning and land-tilling people that existed till then, created a handful of janmis who neither toil nor spin. In all other parts of the world the people work the land, but in Malabar the landlords work the people, that is the position. The landlord sits on the top of the tenant, the annual yield hardly being sufficient to pay the *michavaram* and with a yearly balance practically nil the Malabar tenant employs far less labour than he ought to have done; his land has lost heart and he has lost heart too till he has become to-day probably the least enterprising and least up to date of all agriculturists in Southern India.

" Such is a brief resume of the causes which have contributed to the decay of agriculture in Malabar and it is for the Council to consider and indicate the directions in which a radical cure for this chronic ill has to be sought.

" What is needed first and foremost is very obviously the security of tenure, under such conditions as shall give both kudiyaans and tenants a powerful interest in the land and its improvement. It is often said and supposed that people now-a-days do not care about land or rural life, that is only due to the hard conditions prevailing in the country and not to the fact that they want to exchange their rural life for the urban. What is required is to grant them a liberal tenure of the land and relieve them once for all from the caprice of the landlord, with his insolence of political intimidation and sport and his overbearings in parochial affairs. The absolute speechlessness of our rural workers to-day on all matters of public interest is clearly, to those who know them, due to their mortal dread of the powers above. It has become an ingrained habit, and it has led of course to a real paralysis of their thinking capacity and their enterprise. My prayer is: place these men

21st August 1924.]

[Mr. C. Gopala Menon]

in a position where the fruits of their toil is secure, where improvements can be made in gardens in which they live or in the fields in which they till, with a sense of ownership, and where their vote and voice in the election for the municipalities, taluk and district boards and the legislative councils will not be dependent on the janmi or the lesser landlord; and the people at large would be astonished at the change that will come in by the grand uplift of a suppressed class.

" All that is wanted and the humble demand of these poor people is that as long as the tenant pays his dues, he should be in no danger or disturbance; and in the matter of capital improvements in land or building, he might be allowed to make them himself and get adequate compensation when he is asked to quit the holding. No doubt there is the Tenants' Improvement Act of 1887 and that of 1900; but these have not afforded the needed remedy. Security of tenure is the essential feature of this land-reform Bill. During the course of the last budget debate, we heard from Members of the Council as to the merits and expansion of modern agriculture, of establishing land banks, land-holding societies, dairy-farming, fodder farms and manure works. Agricultural interests in Malabar, instead of being extended and improved in these directions have been severely damaged and shattered. Of all occupations, tilling of the soil should perhaps be the most regular. Instead of that, agricultural workers are breaking away from the land in Malabar and it is becoming so common as to constitute a national disaster. This is partly due to the abjectness of the tenant before the scow of the landlord. He trembles like an aspen leaf at the dark look of the landlord, merely on account of the fear that he would be evicted from his house and the farm land. Such a state of things is most disgraceful in this democratic age, to the national well-being. The tenants of Malabar have lost all their independence and manliness. The question for the Council to consider is whether they must be set free or be ever kept in bondage. Until they are set free, we cannot expect anything very great of them in the way of agricultural improvement in Malabar. Their good qualities, I may point out, are only dormant, held in abeyance till the winter of their discontent is made glorious by the sunshine of the land reform. Unless and economic conditions in Malabar will ever remain book, the social and economic conditions in Malabar will ever remain a dire misery for the tenants; even the very house in which they live is subject to eviction at the slightest displeasure of the janmi. A life of constant peril and hardship, their own remuneration, after meeting janmi's demands being barely sufficient for their own food and clothing, the absence of anything like enjoyment, restrictions upon personal liberty of action which the janmi at times imposes and to which the tenant must submit or emigrate largely as he now does—such is the kind of life the tenants have to lead. This is indeed a gloomy picture. What is the result of all this? Surely a remedy must be found. No scope is given to show originality and skill and hence the profession of agriculture is neglected. No educated man takes to it, nay, even the villagers regard it as a profession with a perpetual brand of social inferiority. Are you going to leave things in this gruesome condition? Is it not necessary to create a class of modern farmers by endowing them with some security of land tenure, so that the present tenant and his posterity may think that they have an interest in the concern in which they work? As long as rack-renting and evictions go on, there cannot be good farming. In the case of *verumpattamdars*, what is going on is a system of annual tenure.

[Mr. C. Gopala Menon]

[21st August 1924]

This system is absolutely against good cultivation. The tenant wants, besides fair rents, reasonable fixity of tenure, freedom from restrictive covenants as to tillage and proper compensation for improvements. The question for consideration for the Members of this Council is whether a land-reform Act to remedy the present state of affairs by making the landlord pay adequate compensation both to the outgoing tenants, who had made improvements increasing the value of the farm, and to those who were evicted from their holdings for causes other than the non-payment of rent or the refusal of reasonable conditions of tenure, is necessary. The tenants of Malabar are not asking to transfer back the full ownership of their holding which they have lost by the mistakes committed by the early British administrators and the civil courts, from the landlord to the tenant, just as it was done by a legislation enacted by the first Irish Land Act of 1870 during the Gladstone ministry, which in a similar case ordained full ownership by his holding. But, on the other hand, Malabar tenants' humble request is to place their relationship with the landlord on a more equitable basis by the legal recognition of the three F's—fair rents, free sale and fixity of tenure.

"It must be the duty of the legislators to free the tenants from the oppression of the janmi and relieve him from misery and poverty and steer him on his onward march to a better economic condition and his material and moral advancement. I can only sing with that great poet, Percy Bysshe Shelley :

Many a green isle needs must be,
In the wide deep sea of misery
Or the Mariner worn and wan,
Never thus could voyage on,
Day and Night, Night and Day.

"Sir, I appeal in these noble words to the sense of humanity, fairness of treatment and civilization of this democratic House to right a growing wrong under which a considerable section of our suppressed fellowmen have groaned so long owing to an irony of what I may call provincial case law."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, in the course of his extremely able and, if I may say so, illuminating remarks yesterday, Mr. Krishnan Nayar, made himself responsible for one assertion with which I shall deal to start with. He referred to the circumstance—may I say, the alleged circumstance—that the door—the mental door—of the Government of Madras had grown rusty, so much so that the natural play of that door had ceased to exist. It is because I do not desire that such a reproach, in so far as it is justifiable, should be continued that I rise before those who may have occasion to oppose that measure have anything to say, in order to make clear the attitude of the Government in this matter,—in order that there may be no misapprehension as to what they mean to do, and what they will be glad to do.

"Now it is not on account of any unwillingness to face the problem directly—and the problem, it will be admitted, is an extremely complicated one—that the Government have not themselves moved in the matter, as the hon. Member for Malabar invoked the Government to do. In short, it may be said that it was on account of the complications and the difficulties of the problem and the difficulties, moreover, of reconciling the various interests and conflicting claims, that the Government have felt themselves unable, especially

[21st August 1924] [Mr. C. P. Ramaswami Ayyar]

when expert differed from expert and when committee violently disagreed with committee, to take a step forward. But they realize, Mr. President, that the problem is a serious one and has assumed an accentuated character by the events and agitation of the last few months or years. The first remark that I desire to make is this : that as matters at present stand, there are one or two matters as to which the Government finds it cannot agree with the Bill. Moreover, it is the duty of the Government to place before the House the difficulties which they feel, not merely for the purpose of taking an obstructive or hindering attitude but for making it clear that what the Government is concerned with is the bringing about of concord between the two classes of people who have joined issue and are fighting a number of points ; and any attempts that the Government can legitimately make at this stage will be in order to produce the concord and bring about that agreement, I may assure you, Mr. President, that the Government is perfectly willing and ready to tackle the question. Now, let me, at the risk of being misunderstood, recapitulate some of the difficulties of the Bill. In so doing, let me not be understood that I take the role of a captious critic. That is not my intention at all. My intention is rather to point out the difficulties, so that they may be surmounted, and before I narrate or reckon those difficulties, let me say by way of prefatory remark : The Government have been impressed by this by way of prefatory remark : The Government have been impressed by the opinions as regards the tenure of the land in Malabar, with one feature, namely, the difficulty of those having homesteads and the necessity of security for persons in the possession of homesteads and giving them a certain amount of fixity of tenure in the matter of those homesteads. The Government have also been impressed by another fact which has been referred to in the speech of the hon. Member for Malabar, viz., the necessity to safeguard or rather enlarge the rights of the actual cultivator of the land. The Government would have rejoiced if it were possible ; and they still think that it is not beyond the bounds of possibility to have a kind of agreed measure on points on which there is little or comparatively little difference between the contending parties, leaving it open for negotiation to take place as to matters both with regard to fact and to law as to which issue has been joined continuously and for a long time, so that on those latter matters a compromise might be later on attained. It might be asked that if a compromise was not possible from the time of Sir Madhava Rao's Committee and other committees, how we expect the compromise to take place between now and two or three months hence. All that I can say is this : that at no stage had the matter come so much within the range of actuality and had arrived at the arena of controversy in such a clear cut and clarified series of issues as now. I am not without hopes that now it is not impossible to attain to some kind of compromise in this matter. Now I suggest some such course to the hon. Member from Malabar.

"It was not my intention originally to refer to what happened at Coimbatore when His Excellency received the deputation of the tenants, but as very often happens in these matters, everything that happened there has been published in the newspapers, even though the reporters were excluded. Therefore, I am now mentioning certain things, which otherwise I would not have done. The position, therefore, that I must summarize at the outset is this : On two points the Government feel that there has been a case made out for progress towards legislation, viz., the case of homesteads and the case of the actual tiller. With regard to the third and a very important class of tenureholder, namely, the kanamdar, opinion is very varied. Contradictory opinions have been expressed for a series of years and it has been stated

[Mr. C. P. Ramaswami Ayyar] [21st August 1924]

that it would be impossible for any legislation merely to be forced on one party against the other. But the Government hope and trust that it is just possible to achieve some kind of compromise by negotiation."

Mr. C. RAMALINGA REDDI:—"On that matter, does it mean that Government themselves intend to bring in a measure?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If my hon. Friend would wait for a few minutes, he will know that. There are difficulties in the way. Government should not be misunderstood in the matter. They do not want to be understood that they want to postpone the matter *sine die* and that they are merely making a vague promise. By all means let this Bill be in the archives of the Legislative Council. (Laughter from Mr. Satyamurti and some other hon. Members.) I say archives, because I do hope for a compromise which will make this remain in the archives and if my hon. Friend for the University will wait until I have detailed some of these things, he will see that it must be only in the archives, according to my humble submission."

Mr. C. RAMALINGA REDDI:—"May I ask whether this compromise cannot be effected at the select committee stage with the help and counsel of the Government?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is possible. Now I shall summarize the position. It is possible to arrive at some such compromise as in the case of the Irrigation Bill. But if it is insisted that the principles enunciated in this Bill are what may be called the minimum and you cannot negotiate in respect of those principles, and the second reading means the acceptance, for instance, of the inalienable right of the kanamdars who may or may not be a mere mortgagee, then a compromise cannot be effected in the select committee stage. The Government is entirely dependent upon the will of this House and upon what procedure it will take, and at this moment. I am concerned with only pointing out certain possibilities and certain difficulties and after I have indicated those difficulties, I shall formally suggest the proper method to approach this problem."

"Let me at once proceed to the difficulties. Whatever the ancient history of this matter might be, whether as Mr. Krishnan Nayar said the janmi originally was not the proprietor of the soil, whether there was division between the janmi and the kanamdars and verumpattamdars or not, at least for 50 or 60 years it has been generally accepted that the janmi has got a proprietorship in the soil. This has been enunciated in a series of decisions and my hon. Friend from Malabar has stated with vigour that the janmi is an usurper of hereditary proprietorship. In view of this fact, I ask whether it was necessary for Mr. Krishnan Nayar to proceed on that basis and say that that right must be negatived; whether it was necessary for him to say that the history of the past 30 or 40 years must be rewritten, that he must be allowed to go back to the history of the janmis and kanamdars which he claims to do. After seeing that Mr. Krishnan Nayar's arguments proceeded on the assumption that there was only one class of subordinate holding in the Coimbatore deputation my question to him was whether it was necessary for him to rely on the theory that the janmi had no proprietary right. He said, 'yes.'"

Diwan Bahadur M. KRISHNAN NAYAR:—"I contradict my hon. Friend. I asserted in fact that the janmi originally had no special right but that he has right now, and I still maintain it. But I did not assert that he has no proprietary right now."

21st August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"He says they have some rights but they are not entitled to those rights."

"My point is this: If a man gets a certain right by way of prescriptive title, if that right exists for the last 40 or 50 years, and if any Bill is introduced taking away such a right, then there must be compensation for the confiscation of that right. The Bill proceeds on the basis that there should be no compensation to the janmis. When I introduced the Irrigation Bill one predominant objection was that when the Government took away any existing right of a party there should be compensation for that. I was in fact pressed with that argument and it came to this: that we had to provide for compensation in very many cases. Now all that I am saying is that this Bill proceeds on the following three arguments: that the janmis originally did not possess rights of proprietorship but the judges have made them possess some rights; that these rights are not their real and legitimate rights, and that they must be demolished without giving compensation to those who are affected by this Bill."

Sriman BISWANATH DAS Mahasayo:—"May I know what are the kind of rights which janmis have to be compensated for?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Those rights which the Courts have declared. What I say is that any class of His Majesty's subjects having been in possession of certain rights should be given compensation if those rights are taken from them. According to this Bill there is no compensation for the janmis."

Sriman BISWANATH DAS Mahasayo:—"Are we to understand that the wish of the Government is that the kudivaram rights which were conferred on the kanamdars or the janmis should be purchased from them?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There are no kudivaram rights here as in other parts of the Presidency. So far as zamindaris are concerned when the Estates Land Act was passed certain kudivaram rights were recognized. But this is a case where, owing to miscalculation or misinterpretation or otherwise, the present theory is that rights analogous to both the kudivaram and melvaram right rest in the janmi. That theory may be wrong. But are you going to say that the decisions of the last 60 or 70 years are wrong? Those decisions state that all proprietary rights are inherent in the janmi, and if the Council say that a certain interest must be carved out without compensation, let it do so. This is one of the difficulties which the Council will have to face, and there is no parity of reasoning in comparing a zamindar and a janmi. The zamindar is a holder under a sanad, but a janmi is only a ryot."

Diwan Bahadur M. KRISHNAN NAYAR:—"Do the Government think that they have got a sort of superior right in relation to the janmis of Malabar?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The question is whether the right of the janmi can be affected. Is his right a sanad? The answer is 'No.' It may be that the residual right which the Government asks is asserted in other parts of the Presidency. But here in Malabar it has been abandoned or given up or has not been asserted."

Sriman BISWANATH DAS Mahasayo:—"Could you not compare the janmis to the inamdars or permanent settlement holders?"

[21st August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Not at all. In all cases of sanads or permanent settlement there is the fixity of relationship between the Government and the inamdar or the sanad-holders which does not appertain to the janmis. The janmi is an anomalous proprietor, and the Government have stated that they have no residual right over them."

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

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The mere denial of a statement or its assertion does not carry the matter any further. I am putting certain difficulties which the Government feel it incumbent upon themselves to place before the House, so that these difficulties might be faced by them. I may say here at once that the attitude of the Government is this: they point out that these are the difficulties which the Council will have to face and surmount; that the Government is not going to side either the janmi or the tenant, but that they are going to support the Bill in so far as that support is possible; and if the House will not accept the proposition of the Government put on behalf of the janmis, and if the Government find it necessary to oppose the Bill, its ultimate powers will be used according as the House takes one view or the other. We are powerless in this Assembly, but we do wish to place certain difficulties which we feel vitally affect a particular interest."

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member whether he will give any indication at this stage of the attitude of the Government on this specific question, viz., that this Bill do go before the Select Committee?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have already stated the attitude of the Government and my hon. Friend was not here when I opened my remarks."

"To resume the discussion, what I was saying is this: that this Bill is beset with difficulties. Rightly or wrongly during the last 70 or 80 years, call it by judge-made law if you like, the janmi has been given certain rights and this Bill seeks to abrogate those rights without an element of compensation. I ask the House to very carefully consider this matter and see whether it is not necessary that, before depriving or diminishing the rights of persons who are entitled to them as tenure-holders, their rights for compensation should be upheld or at all events recognized."

Mr. B. MUNISWAMI NAYUDU:—"When the Estates Land Act was passed, the Government conferred on the ryots certain occupancy rights."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"But the whole point with regard to the discussion of the Bengal Tenancy Act and the Madras Estates Land Act was this: And this also appears from the statement of Sir Subrahmanya Ayyar that the judicial opinion was that the right of occupancy had existed from anterior period, existed in the whole period of history, and that in regard to the zamindari tenures there was an occupancy right in existence which it was sought to recognize and formulate rather than create."

Diwan Bahadur M. KRISHNAN NAYAR:—"That was my contention in respect of kanam."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I am obliged for this interruption. I am generally obliged to the interruptions of Mr. Krishnan Nayar which generally help rather than hinder."

21st August 1924] [Mr. C. P. Ramaswami Ayyar]

"The point is now clear, that it is necessary for Mr. Krishnan Nayar to assert that the kanakkars had a right always; but that is admittedly not so according to his speech. Because, he said that for 80 years it was not so. All that I say is that if we have to go back 80 years and assert a right which for 80 years was not asserted, the non-existence of that right for 80 years must also be recognized. All that I am concerned with is this: I grant for the sake of argument every word of what Mr. Krishnan Nayar says. The janmi was a squatter. He had had no rights. The kanakkars and verumpattamdars divided between themselves the proprietorship of the soil. For 70 years these janmis had been recognized as possessing certain rights and on the basis of those rights, people have bought lands from them. People have bought janmam lands within the last 70 years relying upon the decisions of courts and upon the general consensus of opinion in the country. What is to be done now? They did not come originally into the lands. They were not the original janmis. They bought lands thinking that they were the proprietors of the soil. They have been in enjoyment for 70 years. Now you say, 'give up your interest in the land.' You must compensate them. The first point therefore is that this Bill is gravely defective inasmuch as having recognized, in the first instance and in the first place, that for 70 or 80 years, by a process if you like to call the process one of mal-adroit and misconceived judge-made law, certain persons have acquired rights to which they had no original right, yet, it does not proceed to compensate them for the loss or diminution of those rights."

"There are two exceptions in the Bill, viz., clauses 33 and 39. These two clauses are really only with reference to the speedy method of realization of the rent and have nothing to do with the proprietorship of the soil itself."

"There is a new point introduced in the present Bill. In the old Bills only long-standing kanam tenants were included. I want the House to consider this point."

"Mr. Logan's scheme of 1882 provided that there should be first of all no occupancy rights in respect of kanam tenants. I am taking it historically. There should be occupancy rights in respect of actual cultivators of small holdings. That was in 1882."

"Then, Sir T. Madhava Rao's Commission granted occupancy rights in respect of kanamdars of over 30 years' standing and of tenants who had held lands for thirty years unreclaimed. Sir Charles Turner was not for granting occupancy rights for kanamdars. He was in favour of granting occupancy rights to the actual cultivators, people holding certain limited areas. Mr. Master's Committee considered that sixty years old kanams must have occupancy rights."

Diwan Bahadur M. KRISHNAN NAYAR:—"Is my hon. Friend going in the order of time? May I know what the alternative scheme of Mr. Logan was as regards occupancy rights?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am sorry I cannot give it."

Diwan Bahadur M. KRISHNAN NAYAR:—"My friend is referring to printed notes. Then he cannot refer to it at all."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I thought my hon. Friend had a few papers on his table when he was delivering his speech yesterday. Would he place his papers on the table of the House?"

Diwan Bahadur M. KRISHNAN NAYAR:—"Oh, yes."

[21st August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The moment Mr. Krishnan Nayar places his notes on the table I shall also place my papers on the table." (Laughter.)

"Mr. Master's Committee of 1885 . . ."

Mr. S. SATYAMURTI :—"I am rising to a point of order. Your distinguished predecessor ruled that Members of Government while quoting from their documents should place them on the table of the House so that non-official members might have access to them."

The hon. the PRESIDENT :—"The hon. the Law Member is not reading from a paper though he holds one in his hand. I do not think anybody here imagines that he is reading it."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am referring only to certain notes printed for my use by my department."

Mr. S. SATYAMURTI :—"Are they exact?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"They may be exact or inexact, or they may be facts. (Laughter.) I am reading from those notes as Mr. Krishnan Nayar read from pencilled notes in his hands. If I am referring to any document or quote extracts, then my hon. Friend is entitled to ask it to be placed on the table of the House. This morning I dictated to my shorthand-writer certain notes for my reference and, if I am to be told that I should circulate them or I should not refer to them, it is impossible for any one to approach a complicated problem such as this; and, the plight of those who are reading written speeches in this House would be pitiable."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The point is this, Mr. President. The hon. the Law Member is referring to various reports of the past which are not laid on the table of the House."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"They were all placed on the table."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The report of Mr. Logan is not placed in our hands."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Thirty years ago it was placed on the table. It is a printed document."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"My submission is that the hon. Member is not entitled to refer to the contents of any report which is not placed before the Members of the House."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I will take your ruling, Sir, on the point."

"I am referring only to the documents referred to by Mr. Krishnan Nayar. If objection is to be taken to this, Mr. Krishnan Nayar had no business yesterday to refer to Mr. Logan's report. I am placing on the table the papers to which I referred."

Mr. C. RAMALINGA REDDI :—"What is meant by placing on the table? Is it placing papers like that (in a bundle)?"

The hon. the PRESIDENT :—"I understand that so far as Mr. Logan's report is concerned it is a published document. There was a question about the Innes' report and the hon. Member said that it was confidential. Was there any quotation from that?"

[21st August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—"No, not yet. I said I was not going to quote it."

Diwan Bahadur M. KRISHNAN NAYAR :—"He wanted to refer to it."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Before objection was taken."

"Now, I would recapitulate because of these interruptions. Mr. Logan's scheme of 1882 provided no permanent occupancy rights in the case of kanamdars. It provided permanent occupancy rights in the case of the actual cultivators of 35 years' standing."

"Raja Sir T. Madhava Rao's Commission provided permanent occupancy rights in the case of kanamdars of 30 years' standing."

"Sir Charles Turner recommended no occupancy right in the case of kanamdars and verumpattamdars."

"Now I come to the Cochin Regulation . . ."

Diwan Bahadur M. KRISHNAN NAYAR :—"I am very sorry to interrupt my hon. Friend. If he calls these things historical, I must say that Mr. Logan also recommended an alternative scheme. In his later scheme he said that all tenants who were in actual cultivation should be given occupancy rights."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"My point is about kanamdars. Mr. Logan did not suggest any permanent occupancy in favour of kanamdars. He suggested permanent occupancy in respect of the actual cultivators for a certain period and to a certain extent. That is a point on which I am fortified by very good authority."

"The Cochin State Regulation of 1914 provided permanent occupancy in the case of kanams of 30 years' standing and nothing in the case of verumpattams. In the case of the Travancore Regulations, the position is this: occupancy rights for kanams of 25 years under Brahman janmis and for kanams under others of 30 years. Under it, there is no permanent occupancy right for verumpattamdars. Therefore, both in the Cochin State Regulations and in the Travancore Regulations there is no permanent occupancy in the case of verumpattamdars. Mr. Krishnan Nayar's old Bill sought to confer this right on kanamdars of 20 or 25 years' standing and no permanent occupancy in the case of verumpattamdars. The present Bill seeks to confer this right on all kanams and six years old verumpattams. All that I am concerned with is this: that neither in the Cochin Regulation nor in the Travancore Regulation nor in any other Bill of the kind was there any attempt to give permanent occupancy to all kanamdars, whether they may be mere mortgagees or mortgagees plus cultivating tenants, and to verumpattamdars of six years' standing. Now, what I want to say is it cannot but be admitted that there are certain kanamdars who may be assimilated to the position of mortgagees and mortgagees alone and there are others who may be assimilated to the position of cultivating tenants. Kanamdars are, *ipso facto*, entitled under this Bill to occupancy rights."

"There are certain other things which I desire to emphasize. What would be the result of this Bill if passed in this form? It is a matter which the House should guard against. The possible results are that the landholders will not allow verumpattamdars to continue for more than six years."

[21st August 1924]

Diwan Bahadur M. KRISHNAN NAYAR:—"Is it a prophecy?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is not a question of prophecy. Human nature being what it is, if permanent occupancy is given to the verumpattamdars of six years' standing, the landlords would send away the verumpattamdars at the end of four or five years. If you want really to achieve your purpose, do it one way or the other; but this would really mean that at the end of four or five years there would be constant series of litigations to get rid of the verumpattamdar, so that he cannot achieve permanent occupancy rights. Janmis will not create fresh kanams, because the moment they do so, they would encounter this difficulty. My submission on this point therefore is that there are many difficulties surrounding this Bill and it is necessary, therefore, for the House to discuss these matters from every point of view and not confine itself to the principles of this Bill which are, that all kanamdars are entitled to permanent occupancy and also verumpattamdars of six years' standing. These are not and cannot be unalterable and fixed principles. Therefore, the Select Committee should further consider this matter."

"Now, as reference has been made more than once to Cochin and Travancore, I may point out that there are marked differences between the conditions here and there. As for Cochin, as I have stated, permanent occupancy rights were given only to kanamdars of 30 years' standing. We find that 51 per cent of the lands in Cochin belong either to the State or State temples. Private janmis own 46 per cent and of that 31 per cent are verumpattam. So that, under 16 per cent of the lands of the State were kanams to which the Regulation applied; and, in Travancore, one-sixth of the area of the State is private janmam land. These are the only facts which I desire to bring before the House. In the result what I have sought to say is this: that the Government feel it very difficult to accept the principle that persons who have actually enjoyed certain rights should have the right curtailed or diminished without the benefit of compensation; that there are many grave difficulties in the way of accepting a provision which would give rise to endless litigation and make the landlord evict the verumpattamdar at the end of every four or five years in order to prevent his getting occupancy rights. In the face of all these difficulties what the Government were anxious and, I may say, sincerely anxious to do was to see whether on two points, viz., homesteads and actual cultivators of the soil—leaving the broader questions to be debated upon in the Committee—they could not find a way out by means of negotiation. They have not been successful in their efforts. It is my duty to point out what the efforts of the Government were in this direction and what their hopes still are so that the House may be apprised of all these circumstances and that it may not level against the Government the charge which Mr. Krishnan Nayar levelled against it when he said that the hinges had grown rusty in regard to the windows and doors of the Government's mind."

Mr. K. PRABHAKARAN TAMPAN:—"Sir, I rise to oppose the motion for the introduction of the Malabar Tenancy Bill. I have to beseech your indulgence for a patient hearing as the subject is one of vital importance to the community to which I have the honour to belong and which I have the privilege to represent here. What I have to say in the beginning must be necessarily dry and uninteresting as I propose to read at length the authorities in support of my case. But I assure you, as I proceed, and as we warm into the subject, you will not find me uninteresting. I wish also to emphasize at the outset that the system of land tenures in

[21st August 1924] [Mr. K. Prabhakaran Tampan]

Malabar is so closely inter-related with and dependent upon the social, religious, marital and other customs of the district that any incautious interference with one part of the structure of our existence is bound to have the disastrous and fatal effect of bringing down the whole edifice. Without a correct appraisal of the peculiarities of the whole structure of our society one can hardly understand how the kanam and other tenures came into existence, how they are permitted to continue and why they should not be interfered with.

"In dealing with the Malabar tenancy problem, the one fundamental thing that should always be borne in mind is the respective rights of the janmis and tenants in the soil. I said at the first reading of the Bill when leave was accorded to my hon. Friend to introduce it that the janmis had absolute and sovereign right in the soil, a right superior to that of the ryotwari landowners who held lands under the Government and of the zamindars who were entrusted with the task of collecting revenue for the Government. There is no Government land in Malabar except what was escheated and acquired, all the land including forests being private property. The janmi's right to possession of the soil and to make any use he thought fit has never been denied. The janmi can cultivate it himself or place any tenant over it whom he could dispossess as he likes and reassume possession unlike the zamindars who have only a melvaram right in the soil. This view has been uniformly recognized by all authorities, ancient and modern. On the last occasion I referred to the several authorities. I must crave your indulgence now to examine what these are and quote extracts from them. I do not propose to go so far back as the 16th century and read portions from the treatise known as the Vyavaharamala and extracts from the notes of Vasco de Gama and other foreign visitors to Kerala. It was in 1743 that Jacob Canter Vischer, a Dutch traveller, visited Kerala and left his impressions. He refers to the absolute right of janmis in the land and the kanams being redeemable. That was fifty years before the district came into the hands of the British Government. In the year 1793 directly the Government assumed control of the district, Mr. Farmer who was deputed to report on the nature of land tenures and other matters of Malabar wrote that the janmi 'held his land either by purchase or by hereditary descent.' We find in Major Walker's Report in 1801: 'The janmakaran possesses the entire right to the soil and no earthly authority can with justice deprive him of it. But his right is confined to the property, and he possesses neither judicial nor political authority' and he proceeds to say that 'this much is certain that in no country in the world is the nature of the species of property better understood than in Malabar, nor its rights more tenaciously maintained. It is probable that the possession of janmam land was originally unalienable and confined to one or two castes. At present, however, any person possessed of money may become a purchaser of janmam. There seems to have been no regular tax anterior to the Muhammadan invasion.' The Fifth Report in 1803 treats janmam as 'resembling the freehold tenure under other feudal systems; and kanam as usufructuary property acquired by mortgage which may be compared to copyhold.'

"Thackeray in 1807 speaks of the general rights of the janmis 'who consider them just as valid and sacred as the country gentleman in England. The janmam right conveys full absolute property in the land, and is not liable to become extinct by laches or desertion. The janmakar or proprietor can dispose of his land as he pleases; by executing the deeds of transfer, he

[Mr. K. Prabhakaran Tampan] [21st August 1924]

transfers it to an individual; by treason, he forfeits to the sovereign. If he dies intestate without heirs, it escheats to the State.' That the authorities in England and the Board of Revenue were acting upon this view could be seen from the Minute of the Board of Revenue, dated 5th January 1818. 'In the province of Malabar the exclusive right of the ryot to the hereditary possession and usufruct of the soil is known by the term janmam or birthright and originally belonged exclusively to the natives of that province. The janmakars were the independent owners of the land. They held by right of birth, not of the prince, but in common with him and therefore may be considered as having possessed a property in the soil more absolute than even that of the landlord in Europe.'

"In Chapter II of his minute on the draft Tenancy Bill in 1885, Sir Charles Turner, the Chief Justice of the High Court, says: 'It appears to me impossible to resist the conclusion that whatever the origin of the title, the janmis were, and for centuries before British rule had been, the owners of the soil in full proprietary right.' The British Government expressly disclaimed at the time of annexation of Malabar any desire to act as proprietors though, it must be confessed, endeavours are being made, of late, to encroach upon their rights. (See *Secretary of State v. Veerarayan*, 9 Mad., 195, and *Secretary of State v. Ashtamurthy*, 13 Mad., 89.)

"The Sudder Adalat Court in its proceedings in 1854 laid down for guidance of the subordinate courts that the janmi's right of absolute ownership is paramount and since then all judicial authorities have recognized it.

"In a recent case in the High Court the question of Government ownership in river-beds and porambokes came up for decision and it was held 'that the right claimed by the Crown was opposed to what had been laid down in decided cases regarding janmi's rights in Malabar and that it had been recognized that Malabar janmis were undoubtedly proprietors of the soil and that Malabar was a land of private proprietors.' (12 Law Weekly, page 371.)

"I have quoted enough to show that the janmi's allodial rights have been recognized throughout by the judicial and administrative authorities of the land and any interference with his rights will be revolutionary. It is true that most of the janmis do not cultivate their lands for various reasons but lease them on several kinds of tenures, each having its own distinct and characteristic features. But it must be said, to quote the words of Sir Charles Turner: 'In no country with which I am acquainted had the land tenures been more minutely systematized than in Malabar. Looking to the deeds which bear date antecedent or subsequent to the Muhammadan invasion and to the treatises on Malabar law which have survived that event, we find that janmakars, in dealing with all the subordinate holders of land, resorted to the use of documents. These documents declared the rights they were intended to convey, and if they did not express specifically the incidents of several tenures they created, they were prepared in such a form as to leave it beyond dispute that they involved the incidents which the custom of the country attached to the tenures. These incidents were generally of a highly equitable character. There are many features of the Malabar law respecting land tenures which compare most favourably with those noticeable elsewhere in Hindustan.'

"It is sufficient for the purpose of this Bill to deal with the kanam and verumpattam tenures. What is kanam and what are the incidents attached

[21st August 1924] [Mr. K. Prabhakaran Tampan]

to it? Kanam is described in the Sudder Court proceedings as mortgage with possession, the mortgagee recovers interest on the money he has advanced from the produce of the land and the balance is paid over to the janmi as net rent or michavaram. In most cases provision is made also for the Government assessment and the michavaram is only nominal. The amount advanced as kanam is a security for rent and that is why the kanam partakes of the nature of both a lease and a mortgage. The peculiarity of the kanam is that it is never foreclosed and is redeemable after the lapse of 12 years on payment of the amount advanced and the value of improvements, if any. The gross rent fixed for the land, the interest allowed for the kanam amount and the provision for land revenue are all such as to allow the kanamdar a very large profit in the holding. I shall illustrate it by referring to two kanam demises which I myself hold under my senior uncle. The one is in Pudukkottai in Palghat. It is about 15 acres including wet and dry, and fetches nearly Rs. 1,500 a year. The Government assessment including cesses will be Rs. 100 and the rent to the janmi all told will be about Rs. 40. The kanam is Rs. 1,000. I have paid about Rs. 4,000 including the kanam and the improvements of the old tenant and the renewal fee. At the time of eviction I am entitled to get the whole of my kanam and the value of improvements. The other holding which I purchased for Rs. 600 is in my own village in Walavanad in which kanam is Rs. 100, Government assessment Rs. 18, rent to the janmi is Rs. 11 and the income from the holding is about Rs. 200. Hon. Members can easily see how profitable the holdings are to me. In the first instance I get an annual net income of Rs. 1,360 for an investment of Rs. 4,000, i.e., 34 per cent, while the janmi's share is only Rs. 40 per year. In the latter case for Rs. 600 I get Rs. 171 or 28½ per cent. Of course all kanam holdings are not so profitable but most of them are. The holdings under minor and small janmis must be necessarily less profitable. Originally all the kanams were given to one's own dependants by way of advancement. As time went on their relations and money-lenders took advantage of the existence of such an institution and adapted it to suit their own purposes. Whatever may be the origin of this form of tenure, the kanam to-day in its operation discloses an unfair advantage reserved for the kanamdar to the prejudice of the janmi. The only chance for the janmi to come into his own is by the exercise of his right to redeem and that is precisely what the Bill proposes to take away. My hon. Friend the Mover of this Bill maintains that the janmi's right to redeem was but a creation of the British courts and arose out of ignorance or misapprehension of the real nature of Malabar land tenures. Let us see if there is anything in it. The earliest record extant is the Dutch traveller Jacob Cantervisscher's Writing in 1743, he says: 'kanam is a mode of loan which is very common and can only be explained by example. Thus, supposing a man has a garden worth 10,000 panams he demises it for 8,000 or 9,000 panams retaining for the remainder of the value the right to the proprietorship of the estate. For these 1,000 panams or 2,000 panams the purchaser must pay an interest. If the seller wishes at the end of some years to buy back the sum of money that restore the 8,000 or 9,000 panams and pay in addition the value the improvements made shall have been fixed by men commissioned to value the improvements made upon the property in the interim by fresh plantations of cocoa palms or other fruit trees.' (Major Drury's translation, page 72.) It is significant that even so early as the 18th century the janmi claimed for himself the fullest possible benefit of his land and was generous to allow the tenant the value of the improvements effected by him.

[Mr. K. Prabhakaran Tampan] [21st August 1924]

"In the very next year after the British came into possession of the district (28th October 1793) there was a proclamation in which we find 'If the kanakars do not consent to pay this (i.e., the rent) they (the janmis) may then sue in the Adalat Cutcherry and obtain possession of their realms, when the time they leased them for expires, or, taking from the kanakars the pattam agreed for and settle with the Sirkar for the Nikuthi.'

"Thus Dr. Buchanan in 1800: 'When a man agreed to advance money on a mortgage, the proprietor and he determined upon what was to be considered as the net produce (viru pattam) of the land to be mortgaged. The person who advanced the money and who is called kanamkar took upon himself the management of the estate and gave a sum of money the interest of which was deducted from the net produce; the balance, if any remained, was paid to the proprietor. The proprietor always reserved a right of reassuming the estate whenever he pleased by paying up the sum originally advanced and no allowance was made for improvements'

"Reporting on the condition of Palghat and other divisions of the district of Malabar on 19th March 1801 Mr. Warden says: The common tenure upon which the ryot holds the ground of the janmakar is upon what is called kanam; 'this is a species of tenure greatly resembling a mortgage, but the land is always redeemable upon the janmakar repaying the money which he originally received from the kanamkar. This redemption has been seldom known to occur, unless it is when another person offers to the janmakar a larger sum for the ground in pledge than what the ryot in possession gave for it.'

"In the general report of the Board of Revenue dated 13th January 1803, the kanam is treated as a tenure by mortgage and declared that 'at the expiration of the lease the janmakar has the right of resumption on paying the renter for buildings and wells according to appraisement and for the plantation at fixed rates.'

"Mr. Warden, Collector of Malabar, reporting to the Board of Revenue on 12th September 1815 treats of kanakkars in the same terms. As regards the renewals of kanams, he says: "It was a prerogative (and is still claimed) inherent in the janmam right that the kanakkar should renew his kanam deed after the lapse of a certain number of years. The renewal entitled the janmakar to a remission of a fixed percentage on his original debt. By such periodical renewals and concomitant deductions the land in process of time became disencumbered of its kanam and the lease naturally fell in, unless the heirs in succession may have been satisfied (that has become the custom now with levying a fee in money instead of granting a renewed lease with a reduced kanam. It seemed to be sufficiently well understood as the established custom of the country and formed the great prerogative of janmakar which gave to him and heirs a never ceasing interest in the janmam.

"The Board of Revenue in its minute, dated 8th January 1818, writes of kanam:—'This peculiar kind of perpetually redeemable mortgage, though not unknown in Tamil country, is still prevalent chiefly in the Western Coast; but in Malabar it possesses the peculiarity already noticed, which elsewhere is not attached to it, namely, an inherent principle of self-redemption. It was formerly considered and is still claimed and partially exercised as the prerogative of the Malabar janmakar, that all kanam or mortgage deeds shall be renewed after the lapse of a certain number of years.' It is from

21st August 1924] [Mr. K. Prabhakaran Tampan]

Greame's Report on the District of Malabar published in Mr. Wigram's Commentary of Malabar Law and Customs (pages 106-108) that we find how renewal fees were levied 'The Polichelettu (renewal fee) payable under this deed seems intended as an equivalent for the tenant's profit named *chirlabham* which he has derived from the land. On the demise of the tenant, it is a fine of entry to his successor; the amount of it and the frequency of its renewal seem to depend upon the quality of the soil and the *chirlabham* which has been enjoyed by the tenant. The latter is generally ascertained by the competition of neighbours who offer better terms to the proprietor.

"This is exactly what is happening to-day with the exception that the renewal which was standardized after the promulgation of the 1-15 p.m. proceedings of the Court of Sudder Adalat in February 1854 takes place only once in twelve years. It is obvious therefore that the custom before and after the British advent was that the kanams endured only for a certain fixed time, after which they were either redeemed or renewed on receipt of a fee or premium.

"I must say at this juncture that Malabar was not unaccustomed to the system of giving occupancy rights to tenants. Even in pre-British times, big families used to give lands on a permanent basis. There are thousands of instances of *Saswatham*, *Atima*, *Anubhavam*, *Karayma* and such other demises all of which are of a permanent character. If such leases alone were permanent in character, it naturally leads us to the conclusion that the ordinary kanams were not so, and there is nothing in the argument that the ouster was introduced by the British law courts. From the earliest times all district munsifs and sub-judges were recruited from the tenant class in Malabar and though there have been many distinguished judges among them no one seems to have hesitated to administer the law as promulgated in 1854. If the custom of the land was otherwise, I am sure they would have protested and got the law amended. Further, the other side has not been able to adduce, since the agitation began in 1881, any evidence in support of their contention. My hon. Friend can have absolutely no case if reliance is placed on past history and custom.

"Let us now see what class of people it is that will be benefited by this measure. There are three classes of kanamdars in Malabar at the present day. Firstly, there are people who have been long in possession. Their number is admittedly small. Secondly, there are those that have taken assignments from old kanamdars and made purchases at court sales. Thirdly, there are those to whom new demises have been given by the janmis. The first set who have had to submit themselves to several renewals and adapt to the present state of affairs are not in need of protection. The second and third class have entered into the holdings with the distinct understanding that they are tenable only for twelve years and that they would have either to surrender them or pay the renewal fee after that. The vast majority of kanamdars do not cultivate their lands themselves but give it on leases to tenants under them. They are out for the profit and to squeeze a commercial rent from the tenants under them.

"I have prepared a statement which I shall place in the hands of hon. Members, if this Bill has the misfortune to go into the committee stage. It gives full details as regards the number and names of kanamdars under my family in the village of Karimba in Walavanad showing the extent of

[Mr. K. Prabhakaran Tampan] [21st August 1924]

land in each holding, the rent, land assessment, michavaram due to the janmi, date of possession, purchase value, the net profit derived from the holding, and those cultivated by kanamdars themselves and those given to tenants under them. It will be a very interesting and instructive statement and will help the members to come to a proper conclusion as to whether the kanamdars stand in need of any legislative protection. Out of 52, only 6 cultivate their lands and among them they cultivate only 15 acres or so. The rest are middlemen following their own avocations in life and enjoying the fruits of their profitable investments. There are Government servants such as Munsifs, Deputy Collectors and Registrars, merchants big and small, vakils and so on who care a pin for the agricultural or economic prosperity of the land.

"My hon. Friend dealt at length on the previous history of the tenancy agitation. They found a staunch protagonist in Mr. Logan. What has Mr. Logan himself said? He was not for giving any sort of occupancy rights to the middlemen or kanamdars. He advocated only the cause of the cultivator who, in his own words, 'finds the labour and capital necessary for cultivation and who accepts the risks and takes the profits of cultivation work to which that labour and capital are applied'. I propose to quote some paragraphs from Mr. Logan's report with your indulgence:

"The first and by far the most important conclusion to be drawn from the evidence is that it is absolutely necessary to devise some means for giving to the actual cultivator of a small holding full security that if he plants trees and if he reclaims land from the waste he will be left free to enjoy the profits of his labour and capital. It is the position occupied by the actual cultivator which deserves the most careful consideration at the hands of the Government.

... If the consideration of who pays rent and who receives it is brought in, the problem becomes infinitely more difficult of settlement, because the ground under foot, so to speak is so shifty. The man who cultivates and pays rent this year may next year be a man entitled to rent for the same ground from somebody else. It is not necessary to legislate for people who are mere investors of their money and who contribute nothing towards the wealth of the country. I do not see how this policy, however fortuitous may have been its origin, is now to be reversed, for apart from other considerations, the Government has itself sold its janmam rights in Rs. 30,00,000 worth of escheat lands and the purchasers have been treated as proprietors of the soil."

"Stated shortly, his conclusions were:

(a) the only person interested in the soil to whom the Government should look is the actual cultivator;

(b) the landlord's (that is, the janmi's or the kanamdar's) power of ouster must, in the public interest, be curtailed;

(c) the landlord is perfectly entitled to take a competition rent, provided he is dealing with capitalists;

(d) the tenants must be entitled to the value of improvements of their holdings.

"It was Sir T. Madhava Rao's Commission of 1884 on which by the way there never was any janmi representative that submitted a draft Malabar Tenancy Bill. Sir Charles Turner, the then Chief Justice, subjected it to a severe and trenchant criticism which is looked upon as the *Magna Carta* of

[21st August 1924] [Mr. K. Prabhakaran Tampan]

the janmis. He justified the janmi's power of ouster on economic and other grounds and set forth in unmistakable language that the proposal was inexpedient and revolutionary. I must quote a paragraph or two:—

"The janmi can hardly be accused of a wanton exercise of the power of resumption, if he has taken advantage of his own improved circumstances or of a favourable money market to rid his self of, or make better terms with his mortgage creditors."

"The janmi whose land was in the possession of a usufructuary mortgagee has been able to make better terms than he formerly obtained and his credit is now so good that a lender is content to take an hypothecation of the land and does not insist on the security of its possession. There may be instances in which a janmi has converted what was a kanam interest into a simple lease. But what does this mean? It means that he has paid off the debt which encumbered his estate. It surely cannot be contended that he was bound to continue the charge on the land. If he has offered the kanamholder the use of his land as a tenant he has not withdrawn it from the market; and if he has replaced one kanamdar by another who has given him better terms, this circumstance would surely not be sufficient to justify legislative interference unless it were far more clearly established than it is at present that any kanamdar not to speak of the kanamdar who has been ousted, had a substantial title to hold the land in perpetuity. I admit that there are a class of kanamdars whose interests are practically not greatly considered by the committee, who are entitled to some greater protection than the existing law affords them, and who are, I believe, the persons on whose behalf Mr. Logan is most anxious for legislative interference. I refer to the persons who hold small plots of land on kanam for the purpose of cultivation. These persons are in fact agricultural tenants who have given their landlord a security for his rent in the shape of an inconsiderable advance. If such persons have held land as cultivators for a series of years the same reasons justify the conferment of rights of occupancy as exist for conferring such rights on tenants so holding on simple lease. But I can see no reason why the State in legislating for a class which is more or less tied to the soil, should confer on quite another class rights which I believe they have never enjoyed and which I am certain that for 90 years it has been known the law does not concede to them. The kanamdar renewing his engagement every twelve years has been aware on the occasion of all recent renewals, that he entered into a contract determinable at the option of the janmi on the expiry of twelve years. I venture to think that it will be found on inquiry that where a tenant holding under a kanam has been an actual cultivator of the soil, he has not been subjected, as a general rule, to wanton eviction."

"If I am rightly informed, the present movement in Malabar is only the termination of the constant struggle of the wealthy kanamdar to get possession of the land, which Major Walker states was active in 1801, and which has become the more intense in proportion as the wealth of the kanamdar has exceeded the quantity of landed security available for investment."

"How the whole matter was subsequently referred to another committee consisting of Sir T. Muthuswamy Ayyar, Messrs. Hutchins, Sheppard, Stokes and others, all eminent statesmen and jurists, how that committee again came to the unanimous conclusion that no Tenancy Bill was necessary but the question of compensation for improvement alone was to be adequately

[Mr. K. Prabhakaran Tampan] [21st August 1924]

dealt with and how the Tenants Improvement Act of 1887 and the amended Act of 1900 came to pass, are all matters of history with which hon. Members ought to be familiar. My hon. Friend, the mover of the Bill declares that that measure was a half-way house and did not give adequate protection to the tenant and that evictions are still on the increase. I honestly believe that it is not so. It has more than justified itself and has very well served the purpose for which it was enacted. In the absence of official statistics as to the number of eviction suits filed against kanamdars, I have collected some particulars. I have got figures from some big and middle class janmis of Malabar regarding the number of kanams under them and the number of suits filed by them during the last three years, 1920, 1921 and 1922. I have got their signed declarations which I shall be glad to place on the table of the House, if any hon. Member wants to see them. I have arranged it in a tabular form :

Name of janmi.	Total kanam holding.	Eviction suit.		
		1920.	1921.	1922.
1. Desamangalam	1,203	..	1	1
2. Vamanjeri	380	..	..	1
3. Olappamanna	943	1	1	..
4. Verikemanjeri	1,496	..	..	..
5. Motapilapalli	425	..	1	1
6. Kizhakekovilagam	4,804	26	10	6
7. Kavalappara	1,831	3	..	2
8. Kannambra	150	..	..	..
9. Kuthiravattam	2,290	5	6	5
Total	13,522	35	19	16

Mr. J. A. SALDANHA :—" May I point out, Sir, that it is not the number of actual evictions that is the cause of the Bill, but the dread of evictions ? "

Mr. K. PRABHAKARAN TAMPAN :—" I am now referring to the number of eviction suits actually filed to show that the 'dread' is more fancied than real."

Diwan Bahadur M. KRISHNAN NAYAR :—" How many kanams expired during those three years ? "

Mr. K. PRABHAKARAN TAMPAN :—" I have not got the figures with me now. I will supply him with the figures and I will not keep back anything from my hon. Friend."

" It will be seen that out of a total of 13,522 kanam holdings there were 35 suits for evictions in the year 1920, 19 in 1921, and 16 in 1922, which when worked out shows that the percentage of evictions of kanam holdings in 1920 was '26, in 1921, '14, and in 1922, '12. During the three years together there were, '52 evictions for every hundred holdings."

" Among these there are five Nambudri janmis who are said to be more oppressive than others; and it sufficiently indicates that evictions are not so notoriously large as to necessitate legislative interference. Perhaps when the official statistics come, the number may appear large on the whole; but we have to consider that the figures are not for few, but for 220,680 janmi pattadars in Malabar. I would even go to the extent of saying that Act I of 1900 has not only restricted evictions but

21st August 1924] [Mr. K. Prabhakaran Tampan]

has also tended to expropriate many a janmi. I know several instances of holdings in which the tenant has put up big dwelling houses and other improvements which it would not be worth while for the janmi to pay for and resume his land. What I wish to impress upon the hon. Members is that the 'Tenants' Improvements Act is more than sufficient to meet the legitimate demands of the kanamdars. Inasmuch as the Act awards compensation not on the basis of the amount expended by the tenant on the improvement, but on the increase in profit, it is certainly sufficient incentive for the tenant to effect improvements of all kinds. Indeed many an investor has to my knowledge gone in for such holdings as are capable of development and improved them. It pays them to be evicted. I hold that since Act I of 1900, which was the outcome of the deliberate policy adopted by Government after long and careful investigations, was passed, the condition of tenants in Malabar has greatly improved and any further step to restrict the janmis' powers will be tantamount to confiscation. In spite of his special pleadings, the hon. Mover has failed to make out a case.

" As regards the proposal to give occupancy rights to the verumpattandar or the real cultivator, I have already said on previous occasions that on principle I accept it and am prepared to go even further than the Mover of this Bill himself. His interests must be protected whether he shouts for it or not. It is he that feeds the nation by his labour, it is he that runs the risk in an unfavourable season, it is his cattle that dies in an epidemic and it is he that lies year in and year out under the canopy of the skies watching the crops. The Malabar janmi must be credited with a heart to feel for such ones. As a matter of fact, verumpattam lands held directly under the janmis are comparatively more favourable to the cultivator than those held under the kanamdars. But the question is whether the Bill affords any relief to such class of people. I have already said that the pattam or rent in all holdings are fixed at the highest possible pitch so that there is absolutely no salvation for the cultivator. In other words, without fixing what a fair rent is for each land the Bill does no good to him. Unless that principle is agreed to by the Mover I cannot be a party to refer the Bill to the select committee, even for the sake of the verumpattandar."

" Sir, I will now beg leave to criticise the grounds for which my hon. Friend the Mover has chosen to bring forward this measure. He maintains that land in Malabar is tied up closely and continuously in the hands of janmis and there is no distribution or diffusion of landed property. It is a pity my friend avails himself of such stock arguments without regard to facts. On the last occasion I said that according to the last administration report there were 220,680 janmi pattadars in the district—their number in 1818 was only 44,378—and that in respect of the number of patta-holders, Malabar was the tenth in the Presidency. Malabar does not compare unfavourably with other districts in that respect. Any one looking into the statistics of the Registration Department for 1923 can easily find that on the other point also my friend is wrong and misleading. The statistics are instructive enough. In the district of Malabar there were 191,590 registrations, affecting immovable property including gifts, sales and mortgages in the three registration divisions together, which is more than double of 99,014 in Tinnevely which comes next in the Presidency, Coimbatore having 76,843 and Tanjore 70,169. The aggregate value dealt with is 429 lakhs in Malabar, 430 lakhs in Tinnevely, 504 lakhs in Coimbatore which heads the

[Mr. K. Prabhakaran Tampan] [21st August 1924]

list and Malabar ranks as the third in the Presidency. Obviously the janmi does not obstruct Goddess Lakshmi's *chalanam*. As most of these are voluntary transactions, these figures also prove beyond doubt that the Malabar tenant does not 'cling to their holdings with a fondness and tenacity perhaps unknown in other parts of the Presidency'.

"The Mappilla rebellion is another reason to which the hon. Mover has very cheaply resorted to enlist the sympathy of the House in his cause. I can understand the anxiety of hon. Members to see that no more outbreaks such as we had last time take place in future. But, is the outbreak due to any agrarian discontent? What is the total number of the Mappilla population in Ernad and Walavanad, what percentage of it live on agriculture, how many are cultivators? I have not the official figures but I am certain a very large percentage are petty traders, coolies working in forests as wood cutters, drawers of wood, cartmen, etc. and artisans, and only very few are tenants. Such as are tenants must be merely cultivating tenants and I have no doubt that this measure can have no effect on the Mappilla rising, which is entirely due to religious fanaticism and ignorance. If the janmi's eviction is the cause of these outbreaks and if evictions began only after 1854 as my hon. Friend maintains, how does he account for the series of outbreaks in the early British days and before that? Surely, my friend can't have it both ways. Mr. Strange, who was deputed specially to enquire into the cause of these outbreaks has said in no uncertain language: 'It is apparent that in no instance can any outbreak or threat of outbreak that has arisen be attributed to the oppression of tenants by landlords. . . . I have given the subject every attention, and am convinced though instances may and do arise of individual hardships to a tenant, the general character of the dealings of the Hindu landlords towards their tenantry, whether Mappilla or Hindu, is mild, equitable and forbearing'; and he added: 'A feature that has been manifestly common to the whole of these affairs is that they have been one and all marked by the most decided fanaticism, and this, there can be no doubt, has furnished the true incentive to them'. To-day this is as true as it was in 1852.

"In their judgment in the celebrated case of the rebel Ali Musaliar the three eminent Judges of the Special Tribunal at Calicut after tracing out the various causes which led to the recent outbreak in Malabar come to the conclusion that 'it was not mere fanaticism, it was not agrarian trouble, it was not destitution, that worked on the minds of Ali Musaliar and his followers. The evidence conclusively shows that it was the influence of the Khilafat and Non-co-operation movement that drove them to this crime'. To my mind it requires uncommon courage, on the part of any one, particularly a Malayali, to say that a tenancy Bill of this kind will prove to be the panacea for Mappilla outbreaks.

"The Native States of Travancore and Cochin are pointed out as models for us to copy. Conditions are altogether different in those places. These States are administered more by personal law than by any system of constitutional Government and whatever the ruler does, cannot be questioned by any one and the British Government does not interfere with the internal administration. The Tenancy Regulation of 1867 in Travancore only codified what was more or less the custom that was prevailing in the country and did not attempt to subvert *stare decisis*. That was Sir T. Madhava Rao's view of it. Both in Travancore and Cochin the States are the largest janmis and the States did not lose anything by giving occupancy rights to the tenants

[21st August 1924] [Mr. K. Prabhakaran Tampan]

under them, as at the time of every settlement, they could raise the rent in the shape of land revenue. That is an aspect which my hon. Friend and his party fails to note. The Cochin janmis have not that kind of absolute and sovereign right in the soil which we have here. They have no private forests, and all teak, jack and blackwood trees on private janmi's lands belong to the Sirkar. Many of the rulers in Kerala such as the Zamorin, the Rajas of Chirakkal, Palghat and Walavanad and many Naduvazhis or chieftains were formerly politically of the same status with the Raja of Cochin, and there is no point in comparing the janmis of Cochin with us in Malabar.

"Another plausible argument advanced in support of the Bill is that it will promote agriculture. The contention seems to be that because of the fear of evictions large tracts of land which would have been brought under cultivation have remained neglected. The area under cultivation in the district is steadily on the increase. I have the figures for the last decennium, fasli 1323 to fasli 1332. The area under cultivation according to column 18 of statement No. 4 of the Land Revenue Report ten years ago in Malabar was 1,270,378 acres. Last year it was 1,335,809 acres showing an increase of 65,431 acres, while in the adjoining district of Coimbatore it was 2,260,207 acres in fasli 1323 and 2,296,769 acres in 1332, the increase being 36,562. When worked out the percentage of increase in ten years in Malabar is 5, while in Coimbatore it is only 1½. Malabar compares very very favourably in this respect with other districts where irrigation projects were not introduced.

"Having dealt at length with the general principles involved in this measure, I don't propose to treat the various sections in detail at this stage. But this much must be said: Provision for the enhancement of *michavaram* is not adequate. No one on earth can deny the janmi's right to raise the *michavaram* to the fair rent of the land agreed upon in the demise, due allowance being made for the interest of the *kanam* advanced. There can be no reason why the incubus of a *kanam* amount should be allowed to remain even if the land is permanently in the hands of the *kanamdar*. One cannot ask the janmi to be always a debtor. If he is in a position to pay back the mortgage money, by all means allow him to do so and the provision made for its interest be given over to the janmi as additional *michavaram*. Fixing of renewal fees as contemplated in section 11 is really very risky. The *kanam* is arbitrary and depends upon the need and whim of the janmi. An acre of land has *kanam* varying from Rs. 5 to Rs. 1,000, and it would be folly to fix 25 per cent of the *kanam* as the renewal fee. People who have heavily mortgaged their estates will get large sums, while those that have raised only nominal *kanams* will get absolutely nothing. Conversely the *kanamdar* who gets more profit will have to pay less, and those that get a meagre margin of profit will be mulcted with a heavy renewal fee. The renewal fee must be fixed on the profit derived by the *kanamdar* from the holding. The question of *melcharth* does not arise if the main principles of the Bill are allowed. Section 39 regarding summary powers is going to be a really dangerous provision. Assaults and murders are not rare even now when the *amins* go to the interior villages for the execution of decrees of civil courts. Though I welcome such a provision from a janmi's point of view, I am afraid the special police stationed in Ernad and Walavanad will have to be continued for ever to enforce it. Even my esteemed friend, the hon. Sir Arthur Knapp, the Member in charge of Malabar affairs, need hardly attempt to convince me that breaches of peace will not occur when this section begins to operate.

[Mr. K. Prabhakaran Tampan] [21st August 1924]

"Let us now see what will be the effect of this legislation. I have already said that it aims at depriving the janmis of their right to redeem and of increasing rent. Kanam holdings become highly valuable by a stroke of the pen because the unearned and inequitable profits attaching to them become for ever unalterably secured. On the other hand, the market value of the janmam property automatically comes down as it could command only a value of the nominal michavaram paid therefor. In other words, you deprive the janmi of a large portion of the value of his land and give it to the kanamdar. That is confiscation pure and simple and I strongly object to that. The Bill, if passed into law, will reduce the janmi to the position of a mere rent charger, and creates a multiplicity of such chargers on the land. There are at present the janmi, the kanamdar under him, the sub-kanamdar, the lessee and lastly the cultivator under him. I will quote a case in illustration. The Vellalpad Raja of Walavanad owns some lands close to my village. They are demised on kanam to the Dharmoth Panikkar's family on Rs. 2,000 kanom and 200 paras of paddy as michavaram. The Panikkar has parcelled out the land and demised his interest among seven or eight persons on a kanam of Rs. 12,000 and 2,200 paras of paddy michavaram. One or two of these kanamdars in their turn have demised their interest on still larger kanam and michavaram. There is the lessee under them who has undertaken to cultivate the land paying a security deposit or mumpattam for the regular payment of rent. Then lastly there is the actual cultivator under him who raises the crop on the land and pays his superior some extra profit. There are thus six sets of people interested in the land besides those to whom each of these have mortgaged their rights. To whom does the Bill contemplate to give occupancy right? Whom does the author of the Bill propose to ignore, or does he give it to all? I know of several other holdings of this kind. Some of the big kanamdars near my village under the Vadakanadham Devaswom have similarly created sub-kanams. Kattusseri Mootha Nayar's properties in Kalladiode village are likewise demised. In giving occupancy right to anyone, I am afraid the ground becomes shifty and one cannot be sure where one is. Speaking of dual proprietors, A. J. Balfour, Prime Minister of England for many years, says: 'If you forbid me to use my land in the manner in which it has hitherto been used—if you prevent my being full owner of my property—take the ownership yourself. You will avoid the system of jointed-ownership which you have tried in Ireland and found to fail. If you object to landlordism, in the sense of large proprietors, by all means, after due consideration, substitute for it small proprietors, but do not attempt to substitute this absurd scheme of small proprietors held in joint ownership.' (Hansard, Volume 304, page 942.) That was about dual ownership. I wish he were here to speak of triple and quadruple ownerships.

"Hon. Members have understood how this Bill interferes with and restricts the freedom of contract. All advantages of competition have been lost to the janmi for ever and he has to remain content with what his ancestors had settled with the old kanamdars. There is another aspect to the question. There are several purchasers of the janmi's equity of redemption who will be made to lose heavily. I will explain myself. A has some lands demised on kanam to B, C and D on a nominal rent of 250 paras of paddy. The lands are capable of yielding 1,000 paras. They can be redeemed from the kanamdars only four years hence. A was in difficulties and sold his janmam right to E with the right of redeeming the land

21st August 1924] [Mr. K. Prabhakaran Tampan]

from B, C, D, having paid A, say, Rs. 20,000, the capitalized value of 1,000 paras of paddy, taking a rebate in the interest for the four years' time. If the Bill passes into law, E will have to rest content with only 250 paras every year, because he is prevented from redeeming the kanam and raising the rent. He loses thus Rs. 15,000 or the capitalized value of the balance of 750 paras for which also he has paid, for no fault of his. There are many sales of this kind, the Government themselves having sold escheat lands to the value of 30 lakhs more or less on this basis. Is this sort of interference by the legislature conducive to the progress of the people? I could develop this point further if I had the time for it. I can only say in no civilized country in the world can be seen a parallel to this Bill. Nicholson in his political economy says 'it is a fundamental maxim of political society, that the State has a right, in the interests of the public, to undertake any expropriation whatever. On this there can be no dispute. But in estimating the interests of the public, the question of compensation is always present. The State cannot set the example of robbery and plunder without affecting industrial security and the greater the development of industry and credit so much the more important is security. . . . If the State has recognized legally certain forms of property and certain rights, if it has enforced contracts founded on these rights, even if it has tacitly permitted certain rights in property to grow up under laws that have fallen into desuetude although not formally repealed, then full compensation ought to be given'. The principle enunciated in this is clear enough, and is on all fours with conditions in Malabar. The state has recognized the janmi's right, and if it thinks the kanamdar stands in need of a permanent right for political necessities it must acquire the janmam lands from the owners giving them the full market value thereof. That is the safest and proper course and not a resort to Bolshevik measures of the kind contemplated.

"My hon. Friend the Diwan Bahadur has created the impression that the janmis are few and that they are rolling in wealth. Of course, as in every other district, there are a handful of big landholders in Malabar. But the vast majority of them are poor and janmis only in name. Look at the electoral roll for the district. There are 223 voters for the landholders' constituency which I have the privilege to represent here. Not more than 8 per cent can be said to be rich and above want; 20 per cent may be said to be able to keep the wolf from the door. The rest are practically poor. It would be invidious to mention names. Some of them are even malikhana holders. Their women are working in the fields and breaking metals on the roadside. Their properties are all given on kanams and though there is still considerable scope for increasing their resources by redeeming the kanams, the karnavan does not care and the law of the land does not compel him to do it. If the Bill passes into law, they are eternally doomed. In the words of Diwan Bahadur Kelu Eradi: 'If a janmi was at one time in well-to-do circumstances and who has demised his lands on favourable terms of kanam to a tenant is now in reduced circumstances and by necessity is compelled to convert the kanam tenure into verumpattam in order to utilize the whole income of the land for the maintenance of his family, I ask what justification is there to say that he should not do so and that he and his family should rather starve than disturb the possession of his tenant who has been allowed to enjoy the land for 30 years or upwards on favourable terms. Numerous instances of this kind may be stated, but I think it is unnecessary to state in detail the extent of hardship that may be caused by the proposed

[Mr. K. Prabhakaran Tampan] [21st August 1924]

change to the janmis who are mostly Nambudri Brahmans who depend on landed estates as the source for the maintenance of their family and seek no employment in public service or engage in trade.' If any hon. Member takes the trouble to go and see these poor janmis in their own houses, I am sure their cause will be safe in his hands. I appeal to every Member of this House with all the strength that I can command that the interests of these poor unfortunates should not be permitted to be jeopardized.

"The case put in a nutshell is this: The janmis have very much helped to bring into being a middle class people by giving profitable kanam holdings by marriage ties and numerous other ways. That class has become rich, educated and influential in the land. Like the cobra fed on milk and honey striking the hand that nursed and nurtured it they, in sheer ingratitude, turn to snatch away what little that still remains sticking to the hands of their benefactor. May I ask whether you will help them to perpetrate this gross injustice? Pardon me for saying so, but I have a great misgiving as to the extent of your acquaintance with the general conditions in Malabar and especially with the system of land tenures obtaining in that part of our Presidency. I trust I have said enough to show that the Bill relates to a subject requiring special knowledge based on systematic investigation, that no case has been made out for the enactment of the present measure, that the Bill attempts to do what was deliberately left undone by a long series of distinguished statesmen, administrators and jurists, and that the effect of the Bill, if passed into law, will be most disastrous socially, politically and economically. In all humility, I would request you to be cautious in attempting to decide what is good for us, and I would request you to be doubly cautious in altering a law under which we have for centuries lived and flourished. I would implore every hon. Member not to treat this as a party question. On a matter like this, we must earnestly ask ourselves this question: 'Do I know anything of this affair, and will I be discharging my duty if I vote for this motion?' If in your heart of hearts you can find an answer in the affirmative, by all means vote for it. But in the name of everything that is sacred, I request that you will not do so otherwise."

Mr. K. Uppi Sahib:—"Mr. President, Sir, it would have been my proud privilege to-day to stand sponsor to this Bill, had it not been for the fact that an abler and more experienced and a distinguished Member of this Council, Mr. Krishnan Nayar, had not placed this measure on the legislative anvil. During the election to this Council, the one question that was put to me by one and all the constituents whom I approached was whether I would introduce tenancy legislation, for some busy bodies taking advantage of the fact that I am born and bred up as a janmi, had circulated a story that I would be opposed to the introduction of any Tenancy Legislation. So, if you find me now in this place, it is because that I have given to my constituents in South Malabar a pledge that I would introduce a Tenancy Bill and therefore I rise to give my whole-hearted support to this. Being myself prepared to shoulder the responsibility for the whole Bill, I shall not be seen shirking my responsibility to place before this House the direct relation of the present iniquitous system of land tenure in Malabar to the several Mappilla outbreaks as cause and effect which the hon. the Mover left, for reasons best known for himself, to the 'Mappilla Members' to deal with.

"Sir, in venturing to do this, I have a depressing sense of being overwhelmed and overpowered. When I read the opening speech of His Excellency the Governor to whom we all look for protection and found His

21st August 1924]

[Mr. K. Uppi Sahib]

Excellency's anxiety to protect the interests of the minorities, I really felt the odds were against us. The only hope is His Excellency is new to Malabar and when His Excellency comes to know the methods adopted by some of the landlords of Malabar, His Excellency would realize that the helpless majority is to be protected against a most powerful minority. A single-armed ruffian can kill a whole village consisting of thousands of defenceless people and when he is supported by a machine-gun and Howitzer, he can destroy a whole country. Will His Excellency protect the interests of the helpless and defenceless or that of a well-armed minority which is on the offensive?

"I need not argue much to establish the point that it was want of a proper tenancy legislation that turned some of the Mappillas into so-called rebels. It is acknowledged on all hands and it is a matter of history that the Mappilla outbreaks and the eviction of tenants as a matter of right on the part of janmis were not heard of before the British advent and the foolish application to Malabar land tenure of the ideas of landlord and tenant obtaining in other parts of the world and never a feature of Malabar, and created agrarian discontent among the people who were enjoying the lands without the bogey of eviction which manifested itself in rebellions and outbreaks since 1838, after which date only the new conditions began to prevail.

"Being deluded into the belief that religious fanaticism alone was responsible for these outrages—the most outrageous piece of legislation in the world—the Mappilla Outrages Act was passed which incorporated powers for enforcement of practices like the burning of the dead bodies, most repugnant to the Muhammadan religion. This, instead of improving the situation, only tended to aggravate it. Realizing that it was a wrong remedy, further investigations were made which led to the ultimate discovery by competent authorities, including Mr. Winterbotham, that agrarian discontent was at the bottom of them. Though the Committee appointed recommended tenancy legislation wholesale, owing to influences over which tenants had no control which must even now be at work, some half-way measure was adopted in 1887. The only out-passing the Malabar Compensation for Tenants Act in 1887. It was found that the Act after 1887 was one which occurred in 1896. This defect was rectified of 1887 was defective in certain important particulars. This defect was rectified by the amendment of the Act in 1900 which gave further relief to the tenants and ever since 1900 there was no outbreak until 1921. I shall now pause to examine what exactly was the real as well as the immediate cause of that rebellion in 1921 which shook Malabar to its foundation and in spite of assertion to the contrary, prove that it was the oppression of the tenants by the landlords. It may be remembered that only a few months before this tragedy the tenants who were becoming increasingly articulate about their grievances and becoming more and more desperate for want of protection of their interest gave vent to their feeling in unmistakable terms at a conference assembled at Ottapalam where two methods were advocated to get their grievances redressed. One was to agitate for legislation and the other to non-co-operate with the janmis. The janmis who in their heart of hearts knew that they are only usurpers and not sure of their becoming victorious in the coming struggle to counteract the effect of the possible legislation began to file eviction suits galore. An enquiry as to the number of eviction suits filed within a few months before the rebellion, will, I am confident, substantiate my statement. We have now found that plentiful crops of eviction suits were there just before the rebellion, and I shall now

[Mr. K. Uppi Sahib]

[21st August 1924]

show by looking into the events in sequence that the primary object of the attack of the rebels was janmi and the attention of the rebels was found directed towards the records of the janmi which were invariably destroyed. The next centre of their attacks was places where the records of their bondage might be found preserved. You will admit that the sub-registry office and munsifs' courts which were the next objective are the places where they could be found. They began to attack them and destroyed the records. No doubt, the hon. the Home Member may exclaim the police stations were also looted, but that was only for the purpose of getting arms. At a later stage the rebellion might have taken several shapes, but in tracing the real cause of the rebellion, we are to be guided by the events during the first phase of it and immediately before it and not the later complications brought about by thousand-and-one incidental causes which were not originally in existence.

"So the main cause of the Mappilla outbreaks which culminated in the last conflagration of 1921 was agrarian or rather was the oppression of the tenants by the so-called landlords. The position is now this. The tenants were enjoying certain rights which they were deprived by the interference of the British Courts on account of the ignorance and misconception of Malabar land tenure, and landlords for the same reason were vested with powers which they were not entitled to and which they never dreamt of in the past and which they began to use with tyranny and rapacity. The pretention of the landlord to the proprietorship of the land is not based on anything other than on the folly of the British judiciary which first decided in favour of the landlord in Malabar. Therefore it behoves the Government to make amends for its past action which produced a situation which at any time threatens to devour Malabar. Therefore in the interests of justice, in the interests of the economical development of the land, in the interests of peace and order I appeal to the Government and to the members of this House to pass this measure of bare justice to the people of Malabar and save the people from the clutches of rack-renting land-grabbing landlords among the janmis of Malabar. Of course, while agreeing with the principle of the Bill I may differ in certain details, but it is a matter for the Select Committee. In this connexion I cannot help mentioning that North Malabar never gave rise to any rebellion chiefly because the land tenure and the relation between the landlord and the tenant were entirely different from those obtaining in South Malabar. For instance kanam in North Malabar is mortgage pure and simple. This may be seen from the fact that the kanam amount for the kanam lands generally are 90 per cent of the price of the land given on kanam and the yield to the kanamdars was never more than 6 per cent interest for the money advanced. The relation between the verumpattam tenure and the janmi is also similarly different. The land in North Malabar is not looked up in the hands of a few persons as is the case in South Malabar. There is no michavaram also in North Malabar.

"So this Bill except in the matter of preventing melchharths is as unnecessary and injurious to North Malabar as it is necessary and urgent for South Malabar. I know the feeling—and I claim to know it much better than any of you here—of my constituents in this subject, and I may give a fair warning to the House not to be guided by the blandishments of the landlords, and if something is not done to remove the grievances the tenants of Malabar are groaning under, grave risk lies ahead."

21st August 1924]

The hon. Sir ARTHUR KNAPP:—"May I ask my hon. Friend whether I understood him rightly in suggesting that if the conditions of North Malabar were introduced in South Malabar it will be all right?"

Mr. K. UPPI SAHIB:—"I would support it so far as the grievances are concerned. In North Malabar the grievances are melchharths. I will go so far and say that it could even be penalized."

The hon. Sir ARTHUR KNAPP:—"May I ask my hon. Friend if I have understood him rightly in suggesting that if the conditions of North Malabar were introduced in South Malabar it would be all right?"

Mr. K. UPPI SAHIB:—"Yes; I vouch for it. So far as North Malabar is concerned, the grievances are with regard to melchharth. I go further and say that melchharth must be penalized."

Dr. JOHN MATHAI:—"Sir, I feel rather nervous to join in this discussion because there has been unfortunately a great deal of feeling introduced on this matter, so that at this stage looking at the cloud gathering round it one finds it a little difficult to consider the subject dispassionately and clearly. Nevertheless, I want to say one or two things about it, because this subject has an aspect which is quite as important as the legal aspect which has been discussed at such great length in this House.

"Now, the first thing that I want to say with regard to the problem which has been raised is that in my opinion there is undoubtedly a strong case for the reform of the system of land tenure in Malabar, and I base that statement on the ground that there is at present something like a monopoly in regard to land in Malabar. I do not want to put the case quite so strongly as my hon. Friend, Mr. Krishnan Nayar, put it, because I think, in the circumstances, any statement that you make with regard to the character of the land in Malabar must necessarily be a qualified statement. Even in the areas where the problem does arise, you find there are circumstances which distinguish a very considerable class of janmis from that other class of janmis to whom the principles of this Bill are sought to be applied. What I mean is this: with regard to a considerable number of janmis it would be unfair to say that their holdings are anything like a monopoly. The word 'monopoly' is a pretty wide term. But I do believe that it is a perfectly safe proposition to make that, over the greater part of Malabar, a very large part of the land is, so far as the ownership or the right of property is concerned, held by a very small class of people. Therefore, I do maintain there is what may be called a relative monopoly in land in Malabar. But I do not want to go so far as to say that there have been actually cases of misuse of this right of monopoly on the part of the janmi class as a whole. Various stories have been current from time to time, especially since this Government has been established. I do not think it is necessary for us at all to consider these cases, because a strong case could be made for reform apart from the truth which may reside in those stories. That there is a relative monopoly with regard to land in Malabar and that there is therefore a liability to produce evil, is sufficient for the purpose of maintaining a case for land reform in Malabar. Now, wherever you have something like a monopoly—take any part of the world,—there has been, if not a positive case for reform, at any rate a very strong agitation for reform. Now as I look

[Dr. John Mathai]

[21st August 1924]

at it, I find that the situation in Malabar is in many respects peculiar. There are circumstances in Malabar which make the case one for urgent reform. One of these circumstances is this: even if you take a country like England where a large part of the land is in the hands of a very small number of people, you find there is agitation for reform; but in a country where people depend mainly on agriculture for subsistence, the question of land monopoly is a pressing problem. If you take the Madras Presidency which is one of the distinctively agricultural provinces in this country, you find Malabar is one of the most densely peopled areas. If you leave the deltaic areas of Gōdāvari and Tanjore, Malabar is perhaps the most densely peopled, and therefore necessarily the question of the way in which land is held is a question which must receive a considerable amount of public attention. There is another circumstance also in regard to Malabar. In most countries where land is desired, it is desired as a mark of respect, sometimes because you want to build houses, largely because you want it for cultivation purposes. But in Malabar there is a circumstance, over and above all these circumstances, and that is the fact that every inhabitant of Malabar has a certain sense of space; he loves his homestead; he wants his homestead to be surrounded by as large a garden as possible. You may brush aside this consideration. But the fact stands out that Malabar is one of the parts in the Madras Presidency where you never had the system of village communities. It is likely that even where you get familiarized with the system of village communities, there is desire for space. Except in certain parts of the Punjab you find no other part in India where people love to have their own homesteads in the same way as in Malabar. Therefore, that sense of space intensifies the craving for land. I consider therefore that if in Malabar there is a relative monopoly in land that matter certainly requires looking into.

"Another thing I wish to say which, in my opinion, makes the case urgent is this. If you talk about the reform of land and if you are allowing it to lie in a few hands, you are doing a very serious disservice to the country, because land is a thing on which material wealth so much depends. Therefore, if you allow the present state of things to remain you are rendering yourself open to most economic evils. It is not merely that land is one of the most ancient forms of property, but the sentiments of the people have a way to attach themselves to land, and therefore if you leave the question of land in a state of suspense, it will mean that you are leaving the question of relations in a state of unsettlement. From an economic and social point of view, it seems to me a very serious misfortune to put off the question of land reform in Malabar.

"The next thing I want to say is this. I should like to say with due deference to my hon. Friend, Mr. Krishnan Nayar, that personally I am not satisfied with the Bill as it stands at present. But it does sufficient justice to all the parties involved in this measure. I am not a legal expert; as a lawyer I am defunct. I do not think as far as the position of the janmi is concerned that the question of compensation can be set aside as my hon. Friend Mr. Krishnan Nayar seems to think. The only ground, at any rate the strongest ground, on which you can brush aside the question of compensation is the assumption that there is really no substantial right of property in the janmis as a class; that is to say, you have to depend mainly on historical facts. Historical investigation has been resorted to in the course of the discussion in various ways for the purpose of maintaining that one class has

21st August 1924]

[Dr. John Mathai]

rights and another class has no rights. I would just say this: historical investigation is a method of demonstrating property rights; it is all very well when you are considering the rights of a particular family. But when you are trying to consider the rights of a whole class of population, it seems to me that historical investigation is a very doubtful kind of establishing the truth. In this matter, if you only carry your investigation sufficiently back, I think you will find that every class will be found to have just as good rights as any other class, that you have in view ('hear, hear'). For all practical purposes, it seems to me not safe to proceed on the assumption that the parties who have rights now have really no rights. But I do not wish to lay very much stress on the point because I am not competent to speak on it. But with regard to the verumpattamdar, it is necessary to stress that he has a right which must at all costs be safeguarded. Public opinion in this country wants the actual tiller of the soil to be regarded not merely with fairness but, it may be said, with generosity, as possessing certain rights.

Sriman BISWANATH DAS Mahasayo:—"Are we to understand from the hon. Member that he wants that even the verumpattamdars should pay compensation to the janmis?"

Dr. JOHN MATHAI:—"What I want to say is that the actual provisions contained in the Bill with regard to verumpattamdars is a matter which requires serious consideration. I am not now speaking on the question of compensation.

"Now, I come to the class of people for whom the Bill has been conceived, namely, the kanamdars. I want to take first, Sir, the ground which has been urged against the kanamdar. There has been a great mistake made by those who are arguing that the kanamdar is a person whose presence need not be seriously taken into account, when you are considering land reform in Malabar. The kanamdar in my opinion has a place which is of extraordinary importance. In the first place, it is said that the kanamdar is as a rule an absentee landlord, and when you have an absentee landlord that a landlord ceases to have any claims for consideration at the hands of a public authority. There is just one thing I want to say with regard to the absentee landlord, especially when the term is applied to the kanamdar. What actually is of importance is not that the landlord actually should till the soil but that the landlord is able to give a certain amount of personal attention to the business of the land. When in Ireland they spoke of absentee landlords, it was said that it was a horrible feature of the land system. What was meant by that was that the people who were landlords were, not merely not the actual cultivators but they were not in a position to give any personal attention to the land. It seems to me that as far as the kanamdar is concerned—I am speaking from my general impression of the conditions I have seen in Malabar—it is a safe proposition to lay down with regard to the bulk of the kanamdars that if they do not cultivate the soil themselves they are able to give their attention either personally or through their relations, through some member of the family. With regard to this matter, the unit ought not to be the individual but the family. If, for example, a person is employed in Madras who has a kanam in Malabar, and if he is able to give that attention through some member of his family that the land deserves to get, it seems to me that you ought not to bring him within the scope of the absentee landlord.

[Dr. John Mathai]

[21st August 1924]

"Another thing that is said about the kanamdar is that he is a middleman. There is really no phrase in the whole course of this controversy which has been so much misunderstood as the term 'middleman'. If you apply the term to a man, you do not necessarily condemn him at once. Nothing of that kind. In the modern economic organization the middleman is not a person that you can do without; what is wrong about a middleman is not that he is a middleman. You can make a series of charges against the kanamdar, but you cannot condemn him because he is a privileged middleman. Bankers and traders are all middlemen and they cannot be done away with. The point really with regard to the kanamdar as far as I understand it is this: at present, to a very large extent, with regard to the lands in Malabar, I do not think rural economy would really function without the assistance of the kanamdar. The credit of the landlord is a very large credit. But the fact is that that credit is to a very large extent not fluid. It is really the kanamdar that in a great many cases makes that credit a mobile credit. That I think is a very great advantage to agriculture.

2-15 p.m. "It is of very great importance that in great many cases the kanamdar it is who helps to finance the verumpattamdar who actually tills the soil. That is to say, the kanamdars act as the middlemen with fluid resources in their power. They are able to render a good deal of credit to the janmi on the one hand and the actual tiller on the other hand. What I would therefore venture to submit is that the kanamdar as a middleman is rendering service which is not merely useful under present conditions in Malabar, but I may even say that he is rendering a service which is indispensable. If he is rendering a service which is indispensable and useful, simply to call him a middleman is not exactly what is right. He has got his rights. It is necessary to look at this aspect of the matter. What is happening in Malabar is by no means a unique kind of movement. It is a thing that is happening in various parts of the world. We are having a large powerful middle-class people, increasing in their power, agitating for their proper place in society and it is futile more or less to turn down their aspirations. Wherever there has been that kind of agitation history can give us only one kind of answer and that answer I give to this House. That is substantially what I venture to suggest. We can never be able to suppress this agitation started in Malabar. Let not things go to an extent where it cannot be suppressed. In fact I wish to give a note of warning. I believe there is a case for them, and an urgent case. I am not altogether satisfied that the Bill as it stands will satisfy them. But this affords a convenient occasion for tackling the problem and arriving at a satisfactory conclusion. I hope very much, and I hope sincerely, that it will be possible for us to bring about this reform on a basis of compromise. I do hope that it will be possible for us to avoid as far as this matter is concerned the doubtful part of a hotly contested legislation. I want to make an appeal in that way. In recent years, Malabar has been passing through a variety of disturbances. What I want to say is this. Let us consider it our duty, our sacred duty, not to try and add to that mass of unavoidable suffering. This feeling of suffering which may necessarily flow from the supplying of a social valve must be redressed. I hope, Sir, very much that Malabar will not present in this House the same spectacle which Ireland presented in another House close upon a century. I hope we will have the wisdom to avoid this part of a doubtful virtue."

[21st August 1924]

Mr. T. M. MOIDOO SAHIB:—"The hon. the Mover has left nothing to be said on this Bill by anybody except the Mappilla representatives of this Council, and in that sense only has the rebellion benefited us. For Mr. Krishnan Nayar, possibly because of the horrible memories of it, was afraid of touching anything relating to the rebellion and left it to the charge of the Mappilla representatives. South Malabar has been crying for this Bill for the last century or so, but the cry has till now been a cry in the wilderness. Vested interests have, with all the weight of power and influence, ranged themselves against this measure so far successfully. The rebellion of 1921 which convulsed Malabar, and which took more than two years for the Government to quell, and from the devastating effects of which my district has not yet recovered, should have opened the eyes of the Government and made them realize the danger of allowing the problem of the janmi and tenant remain untackled for so long. Now at least that Mr. Krishnan Nayar has taken the initiative, I, as the chosen representative of the Mappillas, appeal to the Government to give its whole-hearted support to the Bill. He who has eyes to see and ears to hear must have been convinced by now of the justice of the tenants' cause. But, Sir, some here having eyes do not see and having ears do not hear; I appeal to them to see the miserable plight of the tenants of Malabar, the majority of whom are Mappillas, and hear their cries. If you discard this appeal and do not pass this Bill, the effect of it in Malabar will be serious. The strained feelings which this long agitation has intensified will certainly create a situation, which neither a stroke of the pen nor a whisper into the ear can deal with.

"I must say one word regarding the application of the Bill to North Malabar, where conditions are quite different from those in South Malabar. The fact that, in spite of all the assiduous harassment of the Police during the rebellion in some parts of North Malabar, they could not get a single Mappilla to rebel in North Malabar is proof positive of this. The author of the Bill has given me an undertaking that North Malabar will be exempted from the operation of these clauses of the Bill which are not necessary for that place.

"Only one word more. Protect the birthright of a helpless and down-trodden majority from the oppression of a fierce, formidable and omnipotent minority and remember that the trodden worm may turn."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I strongly support the motion that was exhaustively moved by the hon. Member, Diwan Bahadur Krishnan Nayar and enthusiastically supported by the hon. Member, Mr. Gopala Menon. Sir, Members of this Council may think that it is presumption on my part to speak about the Malabar Tenancy Bill when there are here so many Malayali gentlemen. I am bound to speak on this Bill because of a resolution passed in the non-Brahman Federation held last year and also a resolution passed in the first non-Brahman Conference in Malabar over which I had the honour to preside. We are not concerned here with the ancient history of either the janmis or the kanamdars or the verumpattamdars; but, as legislators, we are concerned only with the agrarian discontent which may develop into political disturbance.

"Sir, the hon. Mr. C. P. Ramaswami Ayyar wanted a compromise and he was speaking about the various rights of the various parties: That is rather a detail that can be settled in the Select Committee stage. I am extremely obliged to my hon. Friend, Dr. Mathai, for having put the question of

[Mr. C. Natesa Mudaliyar]

[21st August 1924]

Malabar, especially of the question of kanamdars, in a beautiful way that is very well understood by all the members here. Many of us were thinking that kanamdars had a status and I was considering whether my belief was true or not. It is clear now that kanamdars bear the brunt of the whole burden. Sir, it is said, in pre-British days the tenants of Malabar had enjoyed occupancy rights. In fact, they were co-sharers in the produce of the land. Their position became insecure with the advent of the British Government, an element of landlordism was introduced and the idea of eviction with it. Excess of landlordism was carried on to an extraordinary extent; there was discontent everywhere which assumed considerable proportions in 1880. Since then the tenancy question of Malabar has been engaging the anxious attention of the Madras Government and almost all the Collectors of Malabar were for legislation in this direction. In 1881 Mr. Logan was appointed special Commissioner; in 1884 a special committee was appointed with Sir T. Madhava Rao as its President. That special committee anticipated so long ago as 1884 the rebellion which took place in 1921. Here the committee reports 'The political necessity (for interference with the janmi's rights) we believe to exist in the grave discontent prevailing among the agricultural classes regarding the growing insecurity of their tenures, in the fact that among one class of community agrarian discontent fanned by fanaticism is ready to develop at any moment into agrarian outrage and in a system of tyrannies practised by some janmis and apprehended from others.'

"That fact that rebellion is due to agrarian discontent is now corroborated by my two hon. Friends Messrs. Uppi Sahib and Moidoo Sahib. Although such an eminent man as Sir T. Madhava Rao wanted that permanent occupancy rights should be given to the tenants of Malabar it was delayed on account of the opinion expressed by one of the then High Court Judges, probably the Chief Justice, Sir Charles Turner. That judge was transferred to the Madras High Court from Allahabad. Most probably he was not sufficiently acquainted with the conditions of this Presidency especially in the District of Malabar. In 1885, the committee was appointed, and as the result of the deliberations of the committee there was the Malabar Compensation for Improvement Act I of 1887 which, in spite of all the amendments it underwent in Act I of 1900, did not give satisfaction to the tenant to the degree he was entitled to. Many attempts were made for bringing in Bills and all of them failed. Sir, my late revered leader, Dr. T. M. Nair, also drafted a Bill and I think my hon. Friend Mr. Krishnan Nayar was cognisant of it. The present Bill is for conferring permanent occupancy rights on the tenants of Malabar and thus to extend the salient features of the Estates Lands Act.

"That it is the policy of the Government to do justice to the tenants and protect them from eviction was well demonstrated in the City Tenants' Protection Act which was recently passed in the Council. Sir, if tenants of the Madras city require that relief, why should we grudge it in the case of the tenants of Malabar? The Estates Land Act applies to all parts of the Presidency except the Presidency town, the district of Malabar and some portions of the Nilgiri district called South East Malabar. Now, the Presidency town has got a special Act and it follows as a logical sequence that Malabar also should be given a similar privilege. Our Government is far behind the Native States of Travancore and Cochin in this respect. These States have given occupancy rights to their tenants.

[Mr. C. Natesa Mudaliyar]

21st August 1924]

Whatever differences there may be, whatever distinctions there may be between one kanamdar and another, these States have got occupancy rights and we cannot boast of such a thing in Malabar. Now, there are three classes of persons involved in the agrarian disputes, the janmi, the kanamdar and the verumpattamdar. It is desirable that the janmis and their lessees, the kanamdars, should come to a permanent agreement, so that the kanamdar will have the incentive to improve the land under his control with ease and security. As long as there is this mutual distrust, the economic value of the land will not increase and the material prosperity of the district will suffer. The improvement of the land is impossible and is inconceivable where the tenant is always in dread of being turned out of his property at any moment at the whims and fancies of the landlord, and where he is not sure that he is going to enjoy the profits of his labour. So, in the interest of all the three, legislation is required, and I hope this Bill will satisfy all the requirements. My complaint against this Bill is this: that when compared with the Estates Land Act and the Madras City Tenants Protection Act, this Bill is more in favour of the landlord than the tenant. I hope that when the Bill comes out of the Select Committee, it will be in a form most acceptable to the House. Moreover, in safeguarding the rights of the janmis and the kanamdars, the claims of the verumpattamdars should not be overlooked. I hope this House will pass the introduction of this Bill by a large majority—I say large majority, because there are some janmis here who may oppose this Bill; otherwise I would have said 'unanimously.' Government have already promised to be neutral."

The hon. Sir ARTHUR KNAPP:—"I do not think that we have promised that we would accept it in the form in which it is now presented."

Rao Bahadur C. NATESA MUDALIYAR:—"That is what I understood from the speech of the hon. Mr. C. P. Ramaswami Ayyar. If they are not willing to be neutral let them support the Bill. I think it is better that the Government remains neutral in this matter and allow us to settle our differences among ourselves."

Mr. C. MADHAVA RAJA:—"Mr. President, Sir, after the very exhaustive speeches of the hon. Mover and the hon. Member representing the janmis of Malabar nothing is gained by my going over the same ground and taking up the time of the House. But I shall not be discharging my duty if I do not express my own views as one of the elected representatives of Malabar.

"The Mappilla disturbances out of which so much capital has been made gave the occasion for several committees and inquiries and on all those occasions it was found that the religious fanaticism of the people more than agrarian discontent lay at the root of the outrages. Even the last rebellion was unmistakably caused by the Khilafat and Non-Co-operation movements rather than by agrarian discontent. This theory of agrarian discontent is only a fake trumped up specially for the occasion when the problem of tenancy legislation was mooted. I would only ask the House to remember that even in the days when Tippu Sultan ruled over Malabar in the latter part of the eighteenth century the Muhammadan Kurikals of Manjeri rose in rebellion against Assad Baig Khan, the Muhammadan Governor of Malabar, appointed by Tippu. Thus the causes of the Mappilla outbreaks are unconnected with agrarian discontent. To discover the real causes, a search must be made in entirely different quarters.

[Mr. C. Madhava Raja]

[21st August 1924]

"It is urged by the advocates of Malabar Tenancy Legislation that at one time the kanamdars were joint owners of land along with janmis and that it was only as the result of an error of judgment and understanding that British Courts came to regard the kanam as a mortgage redeemable on payment of the kanam amount. Since about a hundred years kanam has been invariably held to be a sort of mortgage and therefore redeemable. What conditions prevailed prior to the past hundred years no one is in a position to say at this period. Sufficient inquiries must have been made before the first crop of decisions was given. However, what is proved to have existed for more than a hundred years must be presumed to have existed from time immemorial. The burden of proving that kanam was an irredeemable tenure prior to the advent of the British lies heavily on those who assert it; and in the absence of any evidence to prove this the existing state of affairs must be presumed to have prevailed all along.

"At any rate, there is no denying that for the last hundred years the kanamdar has been a mere mortgagee that lent his superfluous cash to the janmi in return for a definite and fixed interest in land. With open eyes he contracted to get a certain right and he got it. But how is he entitled to get anything more than he contracted for and paid for? Legally he is bound to surrender his land when he is repaid his loan. He did not want the land himself for purposes of actual cultivation, for generally the verumpattamdar is the actual cultivator, and all that the kanamdar aimed at was to secure a safe and good investment for his money. His title legally begins from the time he paid the kanam and his interest is limited to the terms agreed upon. But he now seeks to argue that because tradition says that over hundred years ago kanamdars like us were co-proprietors of the land with the janmi we must be given the same rights. This certainly was not the truth: it goes against law and equity.

"In this connexion I request the attention of the House to page 25 of the book supplied to us in connexion with this Bill where the Collector of Malabar says:

"My second comment on the description given by Mr. Krishnan Nayar in the Statement of Objects and Reasons is that, so far as the kanam tenants are concerned (and, I believe, this applies to the whole district) the problem is not entirely, or even mainly, an agrarian one. Mr. Krishnan Nayar says that 'the janmis themselves do not usually cultivate their lands,' the implication is that the kanam tenants do. This, I believe, vitiates the case for the kanam tenant by putting it on a wrong basis. I trust I may be excused for quoting again from my Tenancy Report (page 23). "A vast extent (perhaps most) of the land under the estate is held by the middle-class Hindu; Nayars and persons of similar caste (Panikkar, Variyar, Nambisan, etc.) predominate and in Palghat taluk there are many Pattar Brahman tenants. The Zamorin, in fact, is the pillar of the middle classes of South Malabar. The old tarwads and their branches (tavazhis) and the Brahman families, which supply the bulk of the professional and official classes of Malabar, depend largely for their prosperity on the profits they derive from the easy tenures of the estate. And these families sub-let most of their lands. They are middlemen rather than agriculturists."

"The kanamdars are mere middlemen and money-lenders that secured limited interests in the land by means of their money and got the verumpattamdar to cultivate. Instead of the actual cultivator paying the rent to the janmi, as it ought to be normally, he pays to the kanamdar instead—neither the janmi nor the kanamdar doing a spade of work on the land at any time. The kanamdar seeks to get as much out of the land as the janmi, and if at all either of them is hard on the verumpattamdar the former is the more so. It is this middleman and money-lender that the present Bill

21st August 1924]

[Mr. C. Madhava Raja]

proposes to help and benefit. This is the first time that a popular body is called upon to legislate for the benefit of money-lenders and middlemen, and I hope we shall not be pioneers in this direction.

"Before any measure is placed on the legislative anvil a sufficiently strong case has to be made out for it. Has that been done in this case? I say, no. On the other hand, the facts and figures now available all tend the other way as I have already shown but too clearly.

"The various provisions of the Bill bid fair to open up an unending avenue for litigation. Courts in Malabar are going to be requisitioned, if this Bill were passed into law, not only to enforce contracts but also to make them for the parties. The freedom of contract is taken away and at every stage the courts will be called upon to prescribe the proper line of conduct whenever any difficulty arises. Already abundance of litigation has become the bane of Indian life and 'fresh fields and pastures new' are sought to be opened up now. The Bill, if passed, will, to a certainty, impoverish both the landlord and the tenant. The weaker party will be ruined sooner and ultimately both may have to disappear.

"The problem of Tenancy Legislation is nothing new either in the history of Malabar or the old Legislative Council of Madras. The Mappilla outbreaks, the alleged agrarian discontent and the need for tenancy legislation, have time and again successively engaged the attention of the Madras Government. Commissions, committees and special officers, had been appointed to enquire into and report upon these matters. It is to be noted in this connexion that in not one of these investigations has it been suggested that the janmi should be deprived of any of his rights in land as recognized by customary law and usage since strengthened by judicial decisions. The result of the various investigations, inquiries and reports, have been considered and were summed up in the Malabar Tenants' Improvement Act. This Act provided for the payment of adequate compensation to the tenant for all improvements on the land at the time of his eviction, even for trees of spontaneous growth. Such compensation is payable in every case of eviction rightly or wrongly effected, and the sum is always fixed on a liberal and even generous scale. So, the Act has proved a sufficient check on indiscriminate evictions, and effectually relieved the tenants from all hardships arising from such evictions. It must be remembered in this connexion that at the time of passing that Act it was distinctly understood that any further encroachments on the powers and privileges of the janmi were unthinkable. So, the situation was accepted by all parties concerned.

"Since then, with the Reforms came an enlarged electorate and the prospect of tenancy legislation was availed of for electioneering purposes. The Bill has no other importance just as the supposed acute agrarian discontent in Malabar has no real existence. If there is agrarian discontent in Malabar it is found in every part of India, especially in every district in this Presidency, and if that discontent is to be relieved at all a Bill covering the whole Presidency in its scope should be introduced. The special privileges now sought to be conferred on Malabar tenants should not constitute any special right in them. Every cultivator in this Presidency is entitled to similar privileges. If an Act affecting the whole Presidency is passed by this House the same would affect Malabar also. We would cheerfully accept

[Mr. C. Madhava Raja]

[21st August 1924]

the situation then. But it passes all comprehension why Malabar, of all places, should be singled out for experiments and demonstration with the chances of ultimate ruin.

"In this connexion again I wish to quote the opinion of a member of the Board of Revenue, Mr. N. Macmichael, printed on page 92 of the book. He says:

"Another serious objection to the Bill, as it stands, is that the necessity for tenancy legislation, if it exists at all in ryotwari tracts, is probably quite as great on the East Coast as in Malabar, if not greater. In many respects the Malabar janmi stands in the same position as regards his tenants as the East Coast pattadar does to his sub-tenants. So far as my experience goes, the position of the verumpattam tenant in Malabar is better than that of the most of the cultivating sub-tenants on the East Coast. Therefore, in my opinion, before any such legislation is attempted a full and impartial enquiry is necessary to examine the necessity for tenancy legislation throughout the ryotwari tracts of the Presidency. The Legislative Council, containing as it does only a few members who know anything about Malabar, is not a suitable body to undertake the detailed examination of such a Bill as Mr. Krishnan Nayar's."

2-45 p.m.

"For the information of this House I quote the opinions and recommendations of some expert committees and officers:

"1. The Master Committee wrote on the nature of the kanam tenure:—
'The committee by a majority come to the conclusion that the theory (of attributing irredeemable character to kanam by custom originally and subsequent change of law by courts) was untenable and that there was evidence to show that so long as a century ago the kanam had been a renewable and consequently a terminable tenure; while it was admitted by the exponents of the theory that it was impossible to produce proof that the tenant was at that period legally entitled to a fixed share of the produce'

"The same committee wrote against any Government interference or legal modification as follows: 'The committee believe the best solution of agrarian questions to be that which involves least interference and is of opinion that should Government declare its determination to decline further enquiries and its resolution not to go beyond the legislation now recommended, more will be done to quiet the public mind in Malabar than would be accomplished by any number of Acts.'

"2. The late Chief Justice Sir Charles Turner wrote as follows in regard to land tenure in Malabar:

'In no country with which I am acquainted has the land tenure been more minutely systematized than in Malabar.'
(Paragraph I, Chapter 3 of his minutes.)

"3. Sir T. Muthuswami Ayyar on the same subject wrote:

'I agree with the learned Chief Justice (Sir Charles Turner) that there is considerable evidence to show that kanam tenures have been considered to be redeemable at all events from the commencement of the present century. I may add that old documents have now and then come before me in regular and second appeals which treated the kanam as a redeemable tenure. Further, I feel a difficulty in accepting the view that the Courts have recently changed the law on the subject from misconception.'

"4. The hon. framer of this Bill representing the janmis said on the same subject:

'In this matter I can reply without consulting them (the janmis present). A janmi leases out his land on the kanam because he is in need of money. If he can somehow pay up the amount that is itself the necessity for eviction. Moreover if it is said that there is complete ownership in a thing, it would be unjust to limit the right of disposition over it. Such being the case one has the right to evict even without a ground.'

21st August 1924]

[Mr. C. Madhava Raja]

"If you will look into this printed Bill at page 58 you will find thus:

'In North Malabar the kanam does not present much difficulty where the kanamdar looks to his money with interest rather than to the land. In South Malabar it is different. There the kanam appears to be a lease and the kanamdar considers himself a tenant. Whether a kudiyan is a kanamdar, kushikanamdar or verumpattamdar permanent occupancy right should be conferred upon him by legislation when he is the actual cultivator of the soil, especially in respect of homesteads. In my humble opinion, non-cultivating kanamdar should not be given permanent right of occupancy.'

"Whereas the Municipal Chairman of Palghat writes on page 54 thus:

'I have not discussed all the provisions of the Bill. I agree in the central principle of the Bill giving permanent rights to kanam tenants and to tenants having substantial interest in the land but not to simple tenants at least in the Palghat taluk.'

"In conclusion, I must once more point out to the House that the proposed Bill is highly revolutionary in character, confiscatory in effect, and must, sooner or later, prove an insurmountable barrier to the social and economic progress of Malabar. The Bill seeks to deprive the janmi of his vested interests without compensating him for his loss. Disastrous results are sure to follow upon the passing of the Act. For these reasons I strongly oppose the introduction of the Bill. If this recommendation of mine is unacceptable to the Council, I suggest that before any action is taken to alter the position of tenancy in Malabar, a strong and thoroughly representative Committee be instituted to enquire into the conditions prevailing and to report. Anything done prior to this is premature and I appeal to the House to consider seriously before recording its final decision on such a conflicting problem as this, and to delay the consideration of the Bill pending the report of a Committee."

Rao Sahib P. V. GOPALAN:—"Mr. President, Sir, I have very great pleasure in supporting Mr. Krishnan Nayar's Bill and in doing so, it is in the fitness of things that I should offer some remarks about the circumstances that necessitates urgent legislative interference in Malabar land tenure. Hon. Members of this House who do not come from my district are to be congratulated on that, for it is their good fortune that they have not had to face this most vexed tenancy problem as we unfortunates of Malabar have been confronted with for nearly a century. This good fortune of our friends is however our misfortune. For it is extremely difficult to bring home to the hon. Members the intensity of the sufferings that the cultivating classes of Malabar are enduring to-day at the hands of janmis and under the sanction and authority of the Law. However I would request the hon. Members to take an interest in this question and to approach it sympathetically.

"Sir, the people of Malabar are essentially agricultural, the cultivating classes forming 80 per cent of the total population of the district. Their economic, social and political disabilities constitute an inglorious landmark in the annals of British Malabar. The condition of Malabar tenants is admittedly very miserable. The land is indeed rich but the tenant is extremely poor. He is ill-fed and ill-clad and has very little staying power. The peculiar land tenure system is alone responsible for making the condition of the tenants so very wretched.

"The tenant in Malabar is nothing better than a slave. The janmis tyrannise over the poor tenants by cruel and arbitrary eviction by rackrenting and by extorting exorbitant renewal fees. There is no limit for his wanton and cruel treatment of the tenant. The tenant is no doubt entitled to compensation when evicted, but compensation is under the present

[Mr. P. V. Gopalan]

[21st August 1924]

condition bound to be inadequate. The landlord is rich and influential and few tenants are in a position to go to Court and obtain suitable compensation.

"The janmis who do not get all that they require by these means usually resort to the wonderful system of melcharth by which he invests a third party with power to sue and oust the tenant on payment of compensation—a power which appeals to and is most readily sought by greedy moneyed men or malicious neighbours of the tenants. The conditions tend to extreme insecurity making the tenant absolutely dependant on the whims of the landlord. The result is not only injurious to the tenant but, what is perhaps even more regrettable, the land gradually deteriorates owing to want of inducement to agricultural improvement. There is a widespread agrarian lions of which the history of Malabar is so full. The landlords in Malabar possess an amount of social power and influence that can hardly be understood outside Malabar. The landlord can at any moment bring about the tenant's social ruin. The tenant is robbed of his self-respect and is little better than the worst serf of the feudal days. The rigid caste rules and the inhuman contempt with which the labouring classes are treated, the helplessness of the tenant to improve his social condition, these have made Malabar the despair of all social workers. A great reformer once called it a lunatic asylum. With due deference to the hon. janmi Members in this House, who are certainly honourable exceptions, I must say that the janmis are as a class an anachronism in Malabar. With little learning and less experience of the outside world, these interesting people who trace their pedigree from none other than God Parasurama still stick to their antediluvian ways and punish with ruthless severity the least spirit of independence or any sign of progress among their tenants whom they have long been accustomed to regard as mere chattel. This social and economic dependence of the tenant upon the sweet will and pleasure of the janmi has naturally brought in its train his political dependence and degradation. The vote of the tenant is really not his. It is his janmi's. The tenant cannot exercise his free will. In all elections, whether Municipal or Provincial, the tenant has to obey the dictates of his janmi on pain of losing his family house containing the hallowed remains of his ancestors and often his family gods, or he might lose the plot of land which is often the only means of eking out his livelihood, the land probably in which he has invested his all, his energy as well as money. So long as these conditions prevail, the Reforms which have for their object the progressive realization of responsible self-government in India as an integral part of the British Commonwealth of Nations, sound mere mockery and must remain a mere sham so far as the toiling millions of Malabar are concerned.

"Sir, it is to the credit of our Government that the land problem of Malabar has been engaging their attention off and on from almost the very beginning of British supremacy in the land. Far be it from me therefore to belittle the efforts that they have made to solve this thorny problem. In 1884, Mr. Logan was appointed Special Commissioner for Malabar mainly for the purpose of inquiring into tenant rights in connexion with Mappilla disturbances. In his elaborate report Mr. Logan, than whom there is no greater western authority on Malabar matters, refused to accept the theory of a Brahman theocracy and the alleged absolute right over land, and held

[21st August 1924]

[Mr. P. V. Gopalan]

that janmam and kanam were originally political offices conveying each a right to a definite customary share of the produce. After a careful examination of all the available materials on the subject, he came to the conclusion that the claim of the janmi to absolute proprietorship of the soil was untenable. Mr. Logan's report was referred to a Commission consisting among others of Raja Sir T. Madhava Rao and Mr. (now Sir) C. Sankaran Nayar. This Commission while it disagreed with some of the opinions of Mr. Logan agreed with him in holding that the tenant (kudiyan) had permanent rights of occupancy. Unfortunately for the tenants of Malabar, the proposals of this Commission were left severely alone, shut up in the bulky volumes of the report. From this time onward began a policy of indecision and vacillation on the part of the Government. Commission after commission was appointed and numerous committees sat. Elaborate inquiries were made. The mountain laboured and brought forth a mouse, a deformed and unfinished mouse.

"The Compensation for Tenants Improvement Act of 1887 and a new Improvement Act of 1900 which is but a modification of the former Act were the only outcome of all these deliberations. These Acts hardly touch the very fringe of the land problem and so far as they go they have perhaps succeeded in making the position of the tenant worse than it was before. The evils are there. And what have the Government done to remedy these evils? Since 1900 they merely shelved the question. I admit that the problem is a very complex one. It requires great tact and skill for its solution. But I venture to say that shelving the question to-day will not make its solution easy to-morrow. It is statesmanship to study the signs of the times and to tackle the problem now instead of putting off the evil day to perhaps a still worse to-morrow. In this matter, let this Government take lessons from Travancore and Cochin where the land problem is equally difficult, being much the same. Thanks to legislative interference, the existing conditions are much better there than in Malabar. What was possible in those States must be possible also here. The wealth and influence of the landlord always stood in the way of any reform. The landlords run amok whenever legislation is proposed. The reluctance of our Government to alienate the feelings of the janmis who always largely associate with Government and Government officers is according to public opinion the main cause of Government's non-interference in tenancy matters. If this is so, I submit with all humility that favouritism to the chosen few should not be at the cost of the struggling thousands. Rightly or wrongly, the tenants of Malabar think that the report of Mr. Innes on the Malabar tenure submitted to the Government a decade ago is in their favour; nay! that it cannot but be in their favour if it were impartial. This they think is the reason why the Government still treat the report as confidential. It were to be wished that Government allayed such discontent and suspicions by publishing that report.

"Sir, the existence of such a tenant class as we have in Malabar is a disgrace to any civilized Government. It is a danger. I feel very strongly for them, because I know intimately their great sufferings. Even if it is conceded that the janmis have absolute property in the soil, I maintain that it is no reason why Government should not interfere when the janmis abuse their rights. Sir, eviction was unknown in Malabar in olden days, and the idea of absolute right was a mere graft

3 p.m.

[Mr. P. V. Gopalan]

[21st August 1924]

from the West—being entirely a foreign idea. In these days, when States justify their existence by increasing interference with individual rights with a view to commonweal, the policy of *laissez faire* on such a vital question as ours is dangerous neglect of duty, to put it mildly. Mr. Krishnan Nayar seeks to remedy the disabilities of the tenants without infringing the reasonable rights of the janmis. I would appeal to the Members of the House who have at heart the prosperity of the people, the protection of their rights and liberties, to accept this Bill and put an end to the Malabar serfdom. With these few remarks, I express my concurrence with the principles of Mr. Krishnan Nayar's Bill."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I do not propose to take up more than two or three minutes of the Council's time in my reply. Various points, both for my motion and against it, have been mentioned by my hon. Friends who have spoken on it. I do not wish to reply to them in any detail. I may refer only to two important statements—one made by my Friend Mr. Prabhakaran Tampan who is naturally the chief opponent of the Bill, and the other by my Friend the hon. the Law Member. Both of them, without going into the details, have admitted that it is necessary to give occupancy rights on homesteads and also to verumpattam tenants. Mr. Prabhakaran Tampan, both when the Bill was introduced, and when leave was granted to introduce it, stated that it is necessary and that he is prepared to grant occupancy rights to the actual cultivating tenant. My hon. Friend the hon. the Law Member said to-day that the Government think that it is necessary, apart from all the details, to grant occupancy rights to the holders of homesteads and verumpattam tenants. So that these two statements, one made by the chief opponent of the Bill and the other on behalf of the Government, show that there is need for the Bill to go before the Select Committee. Of course, neither my Friend Mr. Prabhakaran Tampan, nor my Friend the hon. Mr. Ramaswami Ayyar agreed to all the provisions that I have inserted in my Bill. I may state, as I have stated on more than one occasion before, that I am prepared to accept all reasonable amendments in the Select Committee. I am glad that my Friend the hon. the Law Member offered, in a way, the olive branch, but he will permit me to say that I do not quite like the way in which it was offered. Nevertheless, I am thankful to him for it, and I shall have his assistance, when the Bill goes to the Select Committee. If he puts forward his suggestions, Members of the Committee including myself would certainly consider his suggestions and I shall derive considerable assistance from him. I am not at all committed to all the details of the Bill. As Dr. Mathai put it, so to say, this is only a skeleton Bill and discussion may proceed on the provisions now existing, viz., that it is necessary to grant occupancy rights to certain class of persons. I do not want to refer to any controversial matter at all. With these few words, I repeat my motion that the Bill be read in Council."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I propose that the question be now put."

Rai Bahadur T. M. NARASIMHACHARLU:—"Mr. President, on a point of order I wish to say that I am sorry that when I wanted to speak on this motion and that against it, I was not given an opportunity to do so. You called upon Mr. Krishnan Nayar to speak in reply and so I was deprived of my right."

[21st August 1924]

The hon. the PRESIDENT:—"I was fully aware that quite a number of hon. Members were anxious to speak including several gentlemen from Malabar and the two hon. Members who have been nominated as special Members on this Bill. The House would have been glad and willing to hear them all, but since there is a feeling that there has been enough of debate, I do not think that I can reasonably resist the motion for closure."

Mr. C. RAMALINGA REDDI:—"I did not speak either."

Rai Bahadur T. M. NARASIMHACHARLU:—"Those that had that feeling might have expressed it openly so that it might be protected. This is a very important Bill and I submit that sufficient time was not given for the discussion. It is open to the House now to declare its opinion."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"All that is proposed now is to put to the House the motion for closure."

Mr. K. PRABHAKARAN TAMPAN:—"Sir, I oppose the closure motion. May I say a word?"

The hon. the PRESIDENT:—"The motion will be put to the House presently."

The motion for closure was put and declared carried. On the motion of Rai Bahadur T. M. Narasimhacharlu a poll was taken and the result was as follows:—

Ayes.

- | | |
|---|---|
| 1. Mr. R. W. Davies. | 19. Sriman Sasibhushan Nath Mahasayo. |
| 2. Dr. John Mathai. | 20. Mr. M. Sootayya. |
| 3. Diwan Bahadur P. Kesava Pillai. | 21. " R. Srinivasa Ayyangar. |
| 4. Rao Bahadur T. A. Ramalinga Chettiyar. | 22. " Nami Venkatachalam Chettiyar. |
| 5. Mr. C. Ramalinga Reddi. | 23. " S. Satyamurti. |
| 6. Rao Bahadur A. S. Krishna Rao Pantulu. | 24. " K. Adinarayana Chettiyar. |
| 7. " C. V. S. Narasimharaju. | 25. " C. Maruthavanam Pillai. |
| 8. Mr. A. Chidambaram Nadar. | 26. Rao Sahib U. Rama Rao. |
| 9. " K. Koti Reddi. | 27. Mr. B. Venkataratnam. |
| 10. " P. Anjaneyulu. | 28. " Abbas Ali Khan. |
| 11. Sriman Bhawanath Das Mahasayo. | 29. " Muhammad Ghous Mian Sahib. |
| 12. Mr. M. Gangaraju. | 30. " Abdul Hye Sahib. |
| 13. " S. Muttayya Mudaliyar. | 31. Khan Bahadur P. Khalif-ul-Jah Sahib. |
| 14. Dr. P. Subbarayan. | 32. Mr. P. M. Moidu Sahib. |
| 15. Mr. V. C. Vellingiri Goonder. | 33. " Muhammad Moosa Saib. |
| 16. " G. Gopala Menon. | 34. " T. N. Bava Ravattar Muhammad Sahib. |
| 17. " P. Peddiraju. | 35. " K. Uppi Sahib. |
| 18. " J. A. Saldanha. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Arthur Knapp. | 17. Mr. N. Devendrudu. |
| 2. " Mr. C. P. Ramaswami Ayyar. | 18. Rao Sahib S. Ellappa Chettiyar. |
| 3. " Mr. R. A. Graham. | 19. Diwan Bahadur P. C. Ethirajula Nayudu. |
| 4. " the Raja of Panagal. | 20. Mr. L. C. Guruswami. |
| 5. " Sir A. P. Patro. | 21. " Mahabala Hegde. |
| 6. " Diwan Bahadur T. N. Sivagnanam Pillai. | 22. " V. Madhava Raja. |
| 7. Mr. P. L. Moore. | 23. " T. Mallesappa. |
| 8. " F. Noyce. | 24. " P. N. Marthandam Pillai. |
| 9. " G. F. Paddison. | 25. " R. Muniswami Nayudu. |
| 10. " Abdulla Ghatala Sahib. | 26. " C. Muttayya Mudaliyar. |
| 11. " S. Arpudadaswami Udayar. | 27. Rao Bahadur U. M. Narayanan Nambudripad. |
| 12. Rao Sahib T. C. Tangavelu Pillai. | 28. Mr. T. M. Narayanaswami Pillai. |
| 13. Mr. T. R. Ramachandra Ayyar. | 29. " B. Obalesappa. |
| 14. " Ankineedu Prasad. | 30. " K. Parabhakaran Tampan. |
| 15. " H. B. Ari Gowder. | 31. " P. P. Rajan. |
| 16. " P. K. S. A. Arumuga Nadar. | 32. " P. S. Rajappa. |

[21st August 1924]

Noes—cont.

- | | |
|--|--|
| 32. Mr. B. Ramachandra Reddi. | 40. Mr. P. V. S. Sundaramurti. |
| 34. Bai Bahadur T. M. Narasimhaachari. | 41. Diwan Bahadur K. Suryanarayana-murti |
| 35. Sir K. Venkataréddi Nayudu. | Nayudu. |
| 36. Mr. K. Sarvarayudu. | 42. Mr. E. Veerian. |
| 37. " K. Sitarama Reddi. | 43. " K. Venkatachala Padayachi. |
| 38. " K. Srinivasan. | 44. Diwan Bahadur W. Vijayaraghava |
| 39. " Chavadi K. Subrahmanya Pillai. | Mudaliyar. |

35 for and 44 against; the motion was lost!

Diwan Bahadur M. KRISHNAN NAYAR:—"I just want to submit a statement, Sir."

The hon. the PRESIDENT:—"Is the hon. Member making a personal statement or is he asking a question?"

Diwan Bahadur M. KRISHNAN NAYAR:—"I am indifferent about the result of the poll we just now had. I am one of those who did not vote one way or the other. If discussion is to go on I claim the privilege of a further reply. Because, when you called upon me to reply I thought that nobody was going to speak and so I made my reply."

The hon. the PRESIDENT:—"As the hon. Member has already had a very large extension of his time, I do not think that he should be allowed to speak for a third time. I have no objection to any other hon. Member speaking for him. The Standing Order says that a Member who has moved a substantive motion may speak again by way of reply at the end of the debate. I think the hon. Member, Mr. Krishnan Nayar, has exhausted his right of reply. If I should allow him to speak again, I think it would be far more exceptional than for him to close his remarks with what he has already said."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I submit one word, Sir? Whether I have the right or not is another matter. I am sure you can understand the peculiar circumstances in which I rose to reply and I promise that if it becomes necessary—after all the necessity may not arise—for me to reply, I shall not take up much of the time of the Council. If you think that I have not got the right, I would put it to you, Sir, on the ground of justice, equity and good conscience that I may be allowed to say a few words, I shall not call it by way of reply, but by way of a final say on the matter. I would have liked to speak after all hon. Members had addressed the House; but when you called upon me, I thought I was bound to reply."

The hon. the PRESIDENT:—"I am very much obliged to the hon. Member for his appeal. I am entirely in the hands of the House and I shall as far as possible conform to the dictates of the House. I will consider the matter again at the end of the debate. I do not think that he will be entitled as a matter of right, particularly if more hon. Members of the House are going to support him."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I draw your attention, Sir, to Standing Order No. 31 (3) which reads: A member who has moved a substantive motion may speak again by way of reply and if the motion is moved by a non-official Member, the Member of the Government to whose department the matter relates shall if the mover has replied have the right of speaking whether he has previously spoken or not."

[21st August 1924]

Mr. C. RAMALINGA REDDI:—"May I submit to you, Sir, that this question does not arise now at all? It may be taken up at the close of the debate."

Mr. S. SATYAMURTI:—"Now that the House has decided to continue the debate, may I beg of you to enforce the time limit strictly and allow no speech to exceed 10 minutes? There is some very pressing non-official business and we have already given nearly two days to this Bill and it is but fair to this House that this Bill should not be allowed to take up more of our time."

Mr. B. MUNISWAMI NAYUDU:—"Sir, on a point of personal explanation. It was not our intention to ignore the other non-official business of a pressing nature that we have before us when we voted against the closure of the debate. We only wanted to hear the views of the expert members on the Bill before we could make up our minds. We wanted to hear Mr. Ramachandra Ayyar. We have no more interest in the Bill than our other hon. Friends here. We do not want to hear any more speeches than those of the special members nominated for the purposes of this Bill."

The hon. the PRESIDENT:—"The point of order raised by the hon. Member, Mr. Krishnan Nayar, is certainly an important matter. The latter part of Standing Order No. 31 (3) says that the Government Member shall have the right to speak whether he has already spoken or not. It gives him the right to speak for a second time. But it does not deny to other hon. Members the right of speech for the first time if the President so decides. That is how I read the rule."

Diwan Bahadur M. KRISHNAN NAYAR:—"What is the use of a reply then?"

The hon. the PRESIDENT:—"The hon. Member has replied to a certain amount of the discussion which at the time the hon. Member was called upon to reply was deemed by the President and by a certain portion of the House to be sufficient."

Diwan Bahadur M. KRISHNAN NAYAR:—"I entirely bow to your ruling, Sir."

Mr. J. A. SALDANHA:—"Sir, I rise to support the Bill. Agrarian discontent in Malabar among 95 per cent of the agricultural population held down by an aristocracy of landlords of only 5 per cent in social, religious and political degradation, is so intense, deep and widespread that one visiting Malabar and living amidst its masses feels that things are approaching rapidly to something like the state preceding the Bolshevik revolution in Russia. Elsewhere in India, after a policy of alliance with the landed aristocracy and after muddling through by the application of the analogy of landlord and tenant conditions in England to land tenures in India of quite a different kind, the British Indian officials afforded the required relief by the enactment of Tenancy Acts, the earliest of which was Act X of 1859, which provided that where any tenant had continuously held the same land for 12 years he should be regarded in all cases as an 'occupancy tenant'. The rule became the charter of the cultivating classes in the two old provinces of Bengal and Agra and in due time gave the coveted status of occupancy tenant with protection against arbitrary eviction and rackrenting and hereditary right, to a very considerable body of the tenants. This Act with the amending legislation is a law in the provinces of Bengal, Bihar

[Mr. J. A. Saldanha]

[21st August 1924]

and Orissa and the United Provinces. Similar enactments have been passed for the benefit of tenants in the Central Provinces and the Punjab. In Bombay under the Khoti Act of 1880 the old resident tenants in the Rhatnagiri district are protected like occupancy tenants elsewhere. In Madras, under the Madras Estates Land Act, section 46, the status of a permanent right of occupancy has to be conferred on a non-occupancy ryot, on his application subject to the payment of certain sums.

"It is a matter for wonder why there should be any difficulty in the way of somewhat similar legislation being applied to the discontented tenantry of Malabar. The people affected are the old indigenous population who must have existed for ages before the Aryans settled in Malabar. These people must have brought the fertile lands of Malabar into cultivation before Parasurama or any other powerful potentate gave away the country to the Aryan aristocracy. Surely, under any natural or moral law, the Aryan conquerors could not have displaced the old cultivating and landholding classes and could have acquired the rights of superior overlordship only subject to the vested rights of the former class. Be it as it may and whatever might have been the changes in the tenures, there could have been no idea of the ejection of the old resident tenants, provided they showed their fealty to the overlords and paid what must have been at first only a nominal quit-rent and were prepared periodically, i.e., once in 12 years, to pay a fee called now kanam as a token of their submission to their overlords.

"This kanam bears such a small proportion to the value of the land held by the kanam tenant that, being not required as a loan by the janmi landlord, it can have no relation to anything like a mortgage, for there can be no mortgage without a debt. That there should have been British officials who committed the blunder of misapplying the English legal terminology to a set of facts which they little understood is not strange, for greater luminaries, as pointed out by Sir Henry Maine, blundered more egregiously in Bengal in converting what were mere farmers into zamindari landlords. And if Madras British officials have shown a sneaking regard for the janmi aristocracy of Malabar there is nothing surprising in their attitude, calculated as it is in their opinion to strengthen the hands of the bureaucracy. But the state of things in which barely 5 per cent of the agricultural population hold under themselves 95 per cent of the cultivating population cannot be tolerated any longer inasmuch as under the light of education, the people under a sense of their appreciation of their status as man and woman so long held under the thralldom of the most haughty and overbearing aristocracy in India, if not in the world, under constant dread of unmentioned and perhaps unmentionable exactions, inflictions and servility of the most humiliating kind, must revolt against this intolerable servitude. It has to be borne in mind that it is not the quantity of rent or kanam or renewal fees that the tenants mind, but numerous other requisites on ceremonial and other occasions that swell the amount payable to the landlords. All these sources of anxiety and worry combined with the terror of eviction and persecution render the life of the tenantry in Malabar one of continuous misery that can hardly be compared with anything like it in the rest of India.

"That the aristocracy of Malabar should hug with all their force at their command of the old privileges and should avail themselves of the power of eviction with renewed zeal in order to introduce as much of tenancy at will

21st August 1924]

[Mr. J. A. Saldanha]

as possible is but natural and their opposition to this Bill all the more natural, but the legislature has its duty of humanity as well as justice to a class of people, no doubt a vast population of several lakhs, but who are like flies caught in the cobwebs of powerful spiders—no doubt a minority but a minority of giant spiders. I stand as a member of this party for humanitarian legislation and this Malabar Tenancy Act will be one of the pieces of this Council's legislative activities in the interests of the well-being of the masses."

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I oppose this motion. As a disinterested and impartial member of this House who has nothing at all in the Malabar district, I feel constrained to remark that the Mover of this Bill and those who supported him have appealed more to sentiments, feeling and passion than to reason. They have referred to past history as if past history had anything to do with their present rights.

"Rightly or wrongly, the janmis do possess certain rights which are well recognized by the courts of our land. Now, if this Bill is passed into law, one fine morning the janmis will wake up—to find that they are the poorest in the country and the kanamdars and other tenants will wake up to find that they have grown enormously rich. Now, a question is put behind my back 'Why not?' I will put a question in reply to that. Suppose a man comes to you against your will and takes away your property and gives it to your neighbour, can I say 'Why not?' And the person who does this thing, namely, a person who deprives another person of his existing right and gives it away to another, you know what to call him in the Indian Penal Code. I submit that that is the policy underlying the introduction of this Bill. I am thoroughly opposed to demolishing existing rights. I quite remember, Sir, how hard Members of this Council Members of the Select Committee on the Irrigation Bill have been fighting not only for asserting existing rights but also for protecting some higher rights, potential rights or imaginary rights and all sorts of rights. Well I wish that the Council is consistent on the same lines and behaves in the same way in regard to this Bill also. It is not because that the kanamdars are suffering, and it is not because that the tenants are suffering. For the matter of that, the tenants elsewhere in the Presidency are equally suffering. My opinion is that the janmis approach more closely the position of mirasidars and pattadars of the ryotwari tracts. We hold the pattas and there are tenants under us. If this Bill is going to be the law of the land, our tenants will become permanent tenants and we will become illusory landlords. I submit, Sir, that this kind of legislation is unknown to any jurisprudence, and I do not think even the Soviets or Socialists will dare to enact such a piece of legislation (hear, hear). I submit, Sir, that, taking advantage of the composition and temper of this House, this Bill has been introduced as was the Religious Endowments Bill (laughter), and I submit, Sir, that before we give away the rights of parties who have got vested interests, when the courts declare that they have vested interests and rights, we have to pause and consider whether what we are asked to do is consistent with justice, equity and good conscience, as has been alluded to by the hon the Mover. I submit that this Bill is subversive of all such ideas of justice, equity and good conscience. And again, Sir, is the Bill going to be of any use to the country for which it is intended? I submit it is not. As soon as the Bill becomes law, the present kanamdars

[Mr. T. M. Narasimhaacharlu]

[21st August 1924]

become permanent tenants, and tenants of six years' standing will become permanent tenants. What then? Well, there will be no more kanam tenancy afterwards. After that will any person lease his lands for more than five years? Therefore, the only effect of this Bill will be that the existing kanamdars, whatever may be the duration of their kanams, even if it be one day, and the existing tenants who are on the land for six years will become permanent tenants. There this Act of Legislature will stop and goes no further. Therefore I submit it will be futile to proceed with this Bill any further and it is unnecessary for me to dilate more upon the details of its provisions, because I oppose its very principle as it takes away property against the will of a person and gives it to another. I say, Sir, that the very name of this Bill is simply monstrous, because it says 'Bill to amend the law relating to landlord and tenant in the Malabar district, etc.,' as if Malabar consists of only landlords and tenants and no owners of lands. And in the whole of this Bill the word janmi is not at all to be found. Why is it ignored? Is it a red rag before the Mover and the supporters of this Bill? Why should you ignore the word 'janmi' in the whole of this Bill? Why should you ignore the rights of the janmi in the whole of this Bill? What has become of them? The Mover of this Bill has assumed that the whole of Malabar consists of one set called landlords and another set called tenants. Sir, if this is his conception of the population of his own district, I can only say that I am very sorry that he has got a very poor conception of his own district. I submit that on these considerations I oppose this Bill with all my might."

Mr. T. R. RAMACHANDRA AYYAR:—"Mr. President, it will be my earnest endeavour to place before this House some facts which are necessary for the purpose of understanding the problems that are now engaging the attention of the House. I have been watching the discussion very carefully, and I did not want to speak until I have had a fair opportunity of knowing in what state of knowledge the Members were. It has been necessary for me to do that because, if really they were in possession of the real facts, it would have been scarcely necessary for me to speak. If they were not, I thought it was my duty to speak as one who has paid some attention to this question and who is connected with Malabar and who has been a vakil and a judge for the last 30 or 40 years, and I feel that in regard to questions connected with Malabar, I am somewhat competent to speak. Now, I find, and I am really sorry to find, that the question has been absolutely misunderstood by many hon. Members. They seem to know and admit that Malabar is a peculiar country, but they do not seem to know much about it (laughter). I thought that probably Malabar is one of the districts of the Presidency the position of which seems to have been well understood, but as a matter of fact I find that the reverse is the case. Now, Sir, three words have been used often. One is kanam, the other is janmi and the third is verumpattam. Some of the hon. Members did not know their meaning, and some others did not understand what they are, or they were trying to understand but could not. Now let us see what these words, kanam, janmi and verumpattam connote. Janmam means absolute right but Diwan Bahadur Krishnan Nayar says 'No'. Kanam is either a lease in plain language or a mortgage. It is either the one or the other. It will be lease if the amount of the kanam is small and it depends on the fact whether the amount is paid as security for payment of rent. Kanam really at first began as a lease, but when the janmi was in need of money and

21st August 1924] [Mr. T. R. Ramachandra Ayyar]

the tenant in a position to advance money and also to advance more money if necessary, it became a mortgage. Gradually when that money became a substantially big amount, he retained the property till the janmi could redeem it. Let us also see what is generally done in the case of the kanam. By common agreement between the parties a certain sum of money is fixed as kanam pattam as it is called, which is always a favourable rent. That is to say, if the gross rent or the net rent which the simple tenant is able to pay is Rs. 100, the kanam pattam might be Rs. 50 or even Rs. 20, or even a little less. The real rent payable on the land may generally be five times the kanam pattam. That is taken as the income that is to be derived, because the janmi is a person who is inclined to help the kanam tenant more as a matter of grace. In regard to this question, what we have got to do is to consider and try to know what these terms mean as a matter of fact. We must first get at the actual facts, and there is no use in trying to play on the feelings of gentlemen who do not know about them. It has been said, I think, that this House is the highest tribunal, superior even to the High Court. By all means let it be so, and therefore hon. Members should realize the gravity of the situation, and they should know what the value of their vote is. They should realize what amount of injury they would be inflicting upon a particular class of people by passing this Bill. We are not all of us sitting here for the purpose of giving A's property to B. That would really be a peculiar kind of charity indeed, and many people may be prepared probably to indulge in that kind of charity, as it is of course very easy to give away other's property as charity as it would involve them in no loss. What I am afraid is that the result of this Bill if passed would be like that.

"Now let us come to the existing facts. There is, as I said, the kanam pattam which is only a fraction of the real rent. Out of this the Government assessment is paid. Then a reasonable rate of interest, say 10 per cent, is deducted on the amount advanced, and the balance is given to the janmi as michavaram. So that, after all, what is the position of the kanam tenant? The kanam tenant is a person who gets the bulk of the income for himself. He gets interest on the money he has advanced and gives the balance to the janmi as michavaram. The janmi being generally well-off, does not care what amount he is getting from his land. He simply gives a lease of the land but does not give a permanent lease. The hon. the Mover says that if kanam is a lease, it is a permanent lease and if it is a mortgage, it is a permanent mortgage. We do not hear of permanent mortgages anywhere under such terms. Hon. Members must also know that in Malabar they have got a number of permanent tenures called *anubhavam*, *adima*, *kudima*, etc., and all these have been subjected to the decisions of the courts. Whenever a contention is raised that a particular tenure is of a permanent character, what the High Court usually does is to refer it to the courts below to take evidence on the point and to decide it upon such evidence as was adduced to establish such tenure. Now, with regard to kanam, you will be surprised to hear that the contention has never been put forward in any court of law at any time nor any attempt made to prove that there is any permanency in it. I ask, if really kanam is a permanent tenure, would not the vakils for the tenants—and there are vakils available both to the landlords and tenants to fight out their respective cases—raise this question before the courts? Has not the question of permanency been raised in so many other classes of cases? What is the consequence of that position, I ask? Why has not the kanam tenant raised this question

[Mr. T. R. Ramachandra Ayyar] [21st August 1924]

in the courts? Now I challenge the other side to show a single instance of that sort. What is the use of blaming the courts and saying that all the courts, perhaps including the High Court and the Privy Council, have all gone wrong? And again, who constituted these courts and who were the judges in the district of Malabar? It is the very person who comes from the class of tenants, Nayars and Menons. These very gentlemen sit there as district munsifs and subordinate judges. (A voice:—'Brahmans?') And there were Brahmans too, persons who were thoroughly acquainted with the language and customs of that part of the country as well as these janmis and kanamdars. These gentlemen deliberately arrived at the conclusion that kanam after all was a mortgage or a lease; redeemable in the one case, and liable to be terminated by eviction in the other case. And invariably there was the practice of paying the value of the improvements effected by the tenants on the holdings. Now, when this is the state of things, the tenants thought 'we are at times turned out from our holdings and it is very inconvenient, though in every case the value of the improvements was given.' We see from all the decisions that the courts thought that the proper way to treat the tenants would be to give them reasonable compensation which will be the market value of the improvements they have effected. In other words, they treated the improvements as the property of the tenants and gave them their value. A commissioner was usually appointed to ascertain the value and the courts were, as usual, very liberal in the matter of compensation. They erred more on the side of the tenants than on the side of the landlord. In 1887 the Malabar Tenants Improvements Act was passed and it was amended by another Act in 1900, and these Acts, I think, must have given satisfaction to the tenants and the people. Now, Mr. Krishnan Nayar says that kanam has been existing from the earliest times down to the present day and that it may be that the courts have gone wrong in interpreting its meaning. I say that, even granting that the kanam tenants had a permanent right, they have now lost it. Now, what would you, gentlemen of common sense, gentlemen with a knowledge of law, and gentlemen who know how to decide a question like this, think? For a period of over 75 years, the courts, tenants, janmis and everybody else in the world have been thinking that the janmi is the absolute owner and the kanamdar is only a tenant or a mortgagee. But now, all of a sudden, you come and say 'no, he is not the real owner. He may be the mortgagor, but the real owner is the kanamdar and the janmi comes nowhere.' Now, Mr. Logan's report has been referred to in the speeches here. The ridiculous position taken up by Mr. Logan is this. He says that from the earliest times all land in Malabar must be said to have belonged to three classes of people, the janmi, the kanamdar and the tenant. So that, if there is one parcel of land in Malabar, it belongs to these three people. Is it reasonable, I ask? With regard to every piece of land, will there be three classes of persons who own it? But, according to him, wherever there is a piece of land, these three people must come in and take their respective shares. In sharing the produce, what they do is this. The janmi gets one-third share *minus* the interest on the amount advanced to him by the kanamdar; the kanamdar gets his one-third share *plus* his interest, and the tenant gets his one-third share. So that the janmi gets the least out of the land. And who is Mr. Logan? He was Collector of Malabar for a long time. Speaking of Sir Charles Turner, Mr. Krishnan Nayar says that he never set foot in Malabar at all. If he has not set foot in Malabar, what about the whole body of

[21st August 1924] [Mr T. R. Ramachandra Ayyar]

Malabar lawyers? Sir Charles Turner was an eminent Judge with large experience. He had got every material placed before him and he heard the parties and came to his conclusion. Now, let us see what the learned Judges have done in regard to this matter"

The hon. the PRESIDENT:—"I am very sorry to interrupt the hon. Member. We proposed to rise at quarter to 4 this afternoon, because there are many gentlemen here who are attending the Convocation to-day. The hon. Member will be at liberty to continue his speech to-morrow after question time."

"Before adjourning the House, I have to inform the House that at the next month's meeting, which will be the second and last meeting of this session, the number of days allotted for non-official business will be four days. Six days have been allotted for this session: two days are being taken up now and four days will be due next month. So that in addition to whatever number of days the Government may reserve for their business at the end of September, there will be four days for non-official business."

Mr. C. RAMALINGA REDDI:—"Will it not be possible to prolong the non-official business to Saturday also, Sir?"

The hon. the PRESIDENT:—"Hon. Members may take the sense of the Government to-morrow. I think we have settled to go on for two days."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Speaking for myself, Sir, I have fixed certain other engagements on the basis of the meeting finishing to-morrow. I am meeting a deputation from the Madras Corporation on Saturday, for instance, and I know that some other hon. Members have also got other engagements, so that I am afraid it will be difficult to arrange for our sitting on Saturday."

The hon. the PRESIDENT:—"It was for that reason that I decided to fix four days for non-official business for next month, although at one time it occurred to me that we might have three days for this meeting and three days for the next. We have to respect the engagements of hon. Members."

Mr. S. SATYAMURTI:—"May I be permitted to make one submission, Mr. President, as to why we should sit on Saturday also? By our sitting on Saturday we shall be consulting the highest interests of the country, because there is a very important motion on the Lee Commission's Report coming up. If we do not discuss that motion now and record our considered opinion on it, no useful purpose will be served by doing it later, because if we discuss it during the September session, we shall be discussing it after final orders have been passed on it. I therefore appeal to every section of this House, including Government Members, that if we are to give this House any opportunity to give its opinion on this very important matter, it will but be fair, equitable and just that we should meet on Saturday, and I appeal to you, Sir, to use your good offices to see that we sit on Saturday and decide on this matter."

The hon. the PRESIDENT:—"It will perfectly be possible for the House to reach the Lee Commission Report to-morrow and take it up. We shall probably have occasion to recur to this point to-morrow. At present we adjourn on that understanding."

The House then adjourned to meet at 11 o'clock the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 22nd August 1924.

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.) in the chair.

I

QUESTIONS AND ANSWERS

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

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

(2) The questions and answers shall be arranged in order of subjects.

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

The hon. the PRESIDENT :—" We have to start with the questions left over yesterday. Hon. Members will kindly remember that this is our last day and we have to get through as many questions as we can. If any questions are not finished by 12 o'clock, the remainder will go into the official report. Consequently, I would ask hon. Members to limit themselves most strictly to what is absolutely necessary and put off what can be put in the form of separate questions."

Mr. S. SATYAMURTI :—" Before we go to that, may I be permitted to raise a point of order, Sir? Perhaps I may be too late in raising that, but I think we can never be too late in raising points of order. Rule 10 confers on hon. Members of this House the right to ask supplementary questions, and so long as the questions have been admitted and are to be answered on the floor of the House, I respectfully submit that no order made by you, so long as the rules under the statute are there can really take away from us the right which is vested in us by those rules to ask supplementary questions for all the questions answered on the floor of the House. I quite recognize that there is some difficulty, and I may assure you on behalf of those on this side of the House, that we will co-operate with you in any measures that you are called upon to take to restrict the number of questions to be answered on the floor of the House. I would suggest that you may, as in the House of Commons, allow us to star those questions which we desire to be answered with the privilege of asking supplementary questions. The other questions might go into the official report. But, till the rules are altered, I submit that your order that all the questions which are not answered should go into the official report is *ultra vires*, as your powers stand now."

The hon. the PRESIDENT :—" The hon. Member is probably aware that all these matters that he has mentioned have been considered; in fact, they have been before the House. My difficulty first of all is that the standing orders have not yet been so amended as to admit of starred questions. Secondly, there is another standing order which says that the first hour of every sitting shall be available for the asking and answering of questions. At one

[22nd August 1924]

particular sitting I allowed questions to be answered during the whole of the forenoon and on other days they have been answered in fact for about five or ten minutes beyond the first hour. But it is necessary that I should pay some attention to Standing Order No. 8, and I have already stated in due exercise of my powers, that I intend to limit the answering of questions, to the first hour for which there is authority in Standing Order No. 8. It is not possible to allow supplementary questions to be asked after the time for asking questions has expired; and it is in view of that that I said that I would endeavour to put down for every day just so many questions as could be answered within the first hour. The possible average is somewhere between 70 and 100 questions, and beyond that it would not be possible to conform to the wishes of hon. Members unless they limited their supplementary questions. We could deal with a larger number of questions than 100 if supplementary questions were carefully regulated. And because we have no rules for starring questions, and hon. Members would naturally wish that all questions that are ready for answer should be answered on the day on which they are ready, it is very often necessary—it has been necessary for the last two days—to put down more than 100 questions every day. We are in the presence of a physical difficulty, and I have to use my discretion and powers. I think I have used them to the best advantage of public interests and to the convenience of the House. I hope that before long we shall come to an understanding about starred questions. I have already thrown out a hint in my remarks at the beginning of this session that it is desirable that some hon. Member should take up that question. It does not at all matter whether it is an hon. Member on this side of the House or on the other side, but somebody should initiate the proposal and then we shall be able to come to an understanding which would probably be more conducive to the asking of supplementary questions."

Mr. S. SATYAMURTI:—"Arising from your statement, may I make one submission, Sir? I expect that we shall soon have some arrangement for starring questions. But we shall have to make some amendment of the rules to effect that which is not in the power of this House, and that can be done only by moving the proper authorities. Legislative Council Rule 10 gives the right to the Members of this House to ask supplementary questions to every question. It seems to me, subject to what the hon. the Law Member may say, the matter must go to the Government of India before that rule can be amended and I would like you to move the proper authorities in that direction in order that we might amend the standing orders with regard to starring questions. Otherwise it may be *ultra vires* and against the rules."

The hon. the PRESIDENT:—"I will very carefully consider these matters and consult not only the hon. the Law Member but also the Member for the University who has started it. It is a matter which will require some thinking."

Adi-Dravidas and Adi-Andhras called Panchamas and Paraiyas.

420 Q.—Hony. Lieut. N. MADURAI: Will the hon. the Minister for Education be pleased to state why the term 'Panchamas or Paraiyas' has been entered in the column under 'Applications for admission to the F.L. and Pleadership classes'—Part I-B, page 648, *Fort St. George Gazette*, dated the 15th July 1924, while the Government of Madras Order No. 817, Law (General), dated 25th May 1922, clearly authorizes the adoption of the term 'Adi-Dravida,' 'Adi-Andhra,' instead of 'Panchamas or Paraiyas'?

[22nd August 1924]

A.—The Government have now seen the notification and have drawn the attention of the Principal, Law College, to the orders in the Government Order referred to.

Excise.

Toddy-tapping by Nadars in Nanguneri taluk.

421 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the Nadars in Nanguneri taluk, who are tapping for sweet toddy only, are harassed by the subordinate officials in Abkari Department by institution of cases for illicit toddy-tapping with a view to compel them to tap for toddy;

(2) whether the Nadars have made any representation to the Government on the matter; and

(3) what action the Government have taken on such representation?

A.—(1) to (3) The Government have caused inquiries to be made and are unable to ascertain that any cases have been wrongfully brought on with the intention suggested in the question.

Mr. A. CHIDAMBARA NADAR:—"With regard to clause (2) of my question I find no answer. May I know, Sir, whether the Nadars have made any representation to the Government or to the hon. the Minister?"

The hon. Rao Bahadur Sir A. P. PATRO:—"A representation was received."

Mr. A. CHIDAMBARA NADAR:—"With regard to that was it not represented to the hon. the Minister that a security case has been foisted upon them because the Nadars did not tap for toddy?"

The hon. Rao Bahadur Sir A. P. PATRO:—"Enquiries were made and the answer is given."

Mr. A. CHIDAMBARA NADAR:—"May I know, Sir, the nature of the enquiry and by whom the enquiry was made?"

The hon. Rao Bahadur Sir A. P. PATRO:—"It was made by the Assistant Commissioner, Excise, and the Inspector-in-charge of the circle."

Location of toddy shops in Tinnevely municipality.

422 Q.—Mr. R. VERRIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that mahazars signed by about 60 Adi-Dravidas were submitted to the following authorities on the 16th May 1924 for removing the toddy shop from Kandiapperi Mandiramurthi Adi-Dravida street:—

(1) Collector of Tinnevely,

(2) Excise authorities, Tinnevely,

(3) Chairman, Tinnevely Municipal Council;

(b) if so, whether the Tinnevely municipality has passed a resolution to remove the toddy shop as stated in the mahazar from its present site to some unobjectionable place;

[22nd August 1924]

(c) whether the matter has been considered by the Excise Advisory Board under the Chairmanship of the Tinnevely District Collector;

(d) whether the mahazar submitted to the District Collector has been forwarded to the Chairman of the Municipal Council, Tinnevely, for the Council's opinion;

(e) whether the mahazar has already been considered by the Excise Advisory Board and, if so, its decision thereon; and

(f) if the Government have no information, whether the Government will be pleased to call for the information?

A.—(a) No mahazars were received by either the Collector of Tinnevely or the Excise authorities, Tinnevely, but one was received by the Chairman, Municipal Council, Tinnevely, on 8th May 1924.

(b) No. The municipal council has passed a general resolution that no toddy shop should be located within municipal limits.

(c) No. The matter was not brought before the Excise Advisory Committee at all.

(d), (e) & (f) Do not arise in view of the replies given to clauses (a) and (c).

The Excise Advisory Committee.

423 Q.—MR. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) the names of the members who are on the Excise Advisory Committee at present;

(b) the evidence given by the non-M.L.C.'s since November last;

(c) how many meetings of the Excise Advisory Committee were held since November last;

(d) the opinion given by all the M.L.C.'s of the Advisory Committee since November last, in full;

(e) whether any effect has been given to the opinions given by M.L.C.'s of the Advisory Committee as well as by the non-M.L.C.'s examined as witnesses since November last; and

(f) whether it is a fact that one of the M.L.C.'s has said that drink is very essential for depressed classes?

A.—(a) The hon. Rao Bahadur Sir A. P. Patro Garu, President.

Members.

- (1) M.R.Ry. A. V. Bhanaji Rao Garu, M.L.C.
- (2) „ C. V. Venkataramana Ayyangar Avargal, M.L.C.
- (3) „ Rao Bahadur P. C. Ethirajulu Nayudu Garu, M.L.C.
- (4) „ H. B. Ari Gounder Avargal, M.L.C.
- (5) „ C. Ponnuswami Nayudu Garu, M.L.C.
- (6) J. D. Samuel, Esq., M.L.C.
- (7) A. E. Rencontre, Esq., M.L.C.
- (8) M.R.Ry. A. Ramaswami Mudaliyar Avargal, M.L.C.
- (9) „ Rao Bahadur A. M. Murugappa Chettiyar Avargal, M.L.C.

22nd August 1924]

(10) Zamindar of Kurupam, M.L.C.

(11) Mr. R. Srinivasan was also taken in as a co-opted member, and

(12) Secretary to Government, Revenue Department, (ex officio) Secretary to the Committee.

(b) The evidence of witnesses so far examined has not been printed. The question of publishing it will be considered when the Excise Advisory Committee completes its work.

(c) There have been no sub-committee meetings. The Excise Advisory Committee has held five meetings since its constitution in January 1924.

(d) & (e) The Committee has not yet drafted its report as the examination of witnesses is not yet complete.

(f) No.

Mr. S. SATYAMURTI:—“ May I ask the hon. the Minister for Education why all the members of the Advisory Committee except Mr. C. V. Venkataramana Ayyangar are ministerialists? ”

The hon. Rao Bahadur Sir A. P. PATRO:—“ Because it is so; because the Committee was so formed.”

The sugar factories in the Presidency.

424 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Education and the hon. the Minister for Development be pleased to state—

(1) what are the principal sugar producing factories (with names) in this Presidency;

(2) (a) in which of these factories is liquor produced as a by-product from the refuse,

(b) what are the various kinds of liquor produced, and

(c) up to what quantity approximately was it produced in 1923–24;

(3) what is the policy of Government as to encouraging sugar industry with liquor as a by-product;

(4) which (if any) of the factories in this Presidency produce (a) whisky, (b) rum, (c) brandy and (d) beer, and what was the outturn from each of them in 1923–24; and

(5) what was the quantity imported into this Presidency in 1923–24 of (a) whisky, (b) rum, (c) brandy and (d) beer produced in other parts of India including Mysore?

- A.—(1) (i) The Aska Sugar Works and Distillery, Aska, Ganjam.
 (ii) Deccan Sugar and Abkari Co., Ltd., Samalkot, Godavari.
 (iii) The East India Distilleries and Sugar Factories, Limited, Nellikuppam, South Arcot.
 (iv) The East India Distilleries and Sugar Factories, Limited, Tiruvannainallur, South Arcot.
 (v) The East India Distilleries and Sugar Factories, Limited, Kulasekharapatnam, Tinnevely district.
 (vi) A.R.A.R.S.M. Sugar Mill, Tachanallur, Tinnevely district.
 (vii) The A.R.R.M.N. Lakshmi Sugar Mill, Alwartirunagari, Tinnevely district.

[22nd August 1924]

- (2) (a) In the factories mentioned in (i), (ii), (iii) and (vi) of clause (1) of the question.
 (b) Arrack and locally made foreign spirits resembling in colour and flavour whisky, brandy, gin and rum and denatured spirits.
 (c) The Government have no information.
 (3) The meaning of the question is not clear.
 The Government do not consider that any encouragement of sugar industry from the point of view of the manufacture of spirits is called for.
 (4) Samalkot and Nellikuppam distilleries produce whisky, brandy, gin and rum. Figures as to quantity of liquor produced are not available.
 (5) Figures for 1922-23 are given in the Imperial Return No. IV-A appended to the Excise Administration Report for 1922-23 which has been placed on Editors' Table with G.O. No. 1712, Revenue, dated 21st November 1923. Figures for 1923-24 are not yet available.

The location of a liquor shop in Ootacamund.

425 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether his attention has been drawn to the location of a liquor shop in Commercial street, Ootacamund, almost within the precincts of a Siva temple;
 (b) whether the Government have taken any steps to remove this shop; and
 (c) if not, why not?

A.—(a) There is no street known as Commercial street in Ootacamund but there is a road called Commercial road where there is no arrack or beer shop.
 (b) & (c) Do not arise.

Licence for a toddy shop in Tirukashikundram.

426 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) whether licence has been granted for a toddy shop in the agraharam of Tirukashikundram, Chingleput district;
 (b) whether it is a fact that people resent this; and
 (c) whether he has taken any steps to cancel this licence?

A.—(a) No.
 (b) & (c) Do not arise.

The closing of toddy shops in declared famine areas.

427 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Minister for Education be pleased to state—

- (a) whether the present Excise policy has provided for the closing of toddy and arrack shops in declared famine areas;
 (b) whether the local authorities or the Government ever exercised such a discretion; and

[22nd August 1924]

(c) whether, if there is no such discretion, it is contemplated to introduce suitable alterations in the present system so as to promote the well-being of the famished labouring classes?

A.—(a) & (b) It has not till now been customary to close shops in famine areas.

(c) The Government will consider the suggestion.

Prohibition of drink in famine-affected areas.

428 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is the policy of the Government to keep drink shops open even in districts declared to be famine areas;

(b) if not, why the shop in Sivaram village of Madakasira taluk of Anantapur district has not yet been closed, although it is in the famine area; and

(c) whether the renter of the abovementioned shop is practically compelled to keep his shop open by the authorities concerned?

A.—(a) & (b) The hon. Member is referred to the answer given to clauses (a) and (b) of question No. 427.

(c) The Government have no information.

Registration.

Treatment of subordinates in the Registration department.

429 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether severe punishments are inflicted upon sub-registrars for trifling irregularities;

(b) the number of sub-registrars and clerks appointed for 1922-23 and the number of Brahmans, Hindu-non-Brahmans, Muhammadans and Christians among them;

(c) the number of transfers of the sub-registrars in the years 1921, 1922 and 1923;

(d) the number of persons in the department who were granted leave on medical certificates in the years 1921, 1922 and 1923; and

(e) the reasons for stopping the publication of the "Registration Gazette"?

A.—(a) No.

(b) The number of sub-registrars and clerks appointed during the year 1922-23 classified according to communities was as follows:—

	Sub-registrars including probationary sub-registrars.	Clerks.	Remarks.
Brahmans	12	51	The percentage of Brahman clerks to the total number of clerks in the Presidency on 1st April 1923 was 58.16.
Non-Brahman Hindus ..	33	6	
Muhammadans	6	6	
Indian Christians ..	2	—	
Total	53	63	

[22nd August 1924]

- (c) Two hundred and sixty-three sub-registrars were transferred in 1921, 271 in 1922 and 237 in 1923, and of these transfers, 88, 61 and 40, respectively, were at request.
- (d) The number of sub-registrars and clerks granted leave during the years 1921, 1922 and 1923 and the total period of leave granted in each of these years on the production or otherwise of a medical certificate, is exhibited below:—

Sub-registrars.

		Leave on medical certificate.		Leave without medical certificate.	
		No.	Period in years.	No.	Period in years.
1921	..	90	33	205	35
1922	..	132	36	127	22
1923	..	127	36	125	17

Clerks.

		Leave on medical certificate.		Leave without medical certificate.	
		No.	Period in years.	No.	Period in years.
1921	..	318	90	902	147
1922	..	520	129	447	50
1923	..	639	159	473	44

- (e) The "Registration Gazette" was abolished as a measure of economy.

The sub-registrars and clerks in the Registration department.

430 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the sub-registrars and their clerks are not, even if eligible, granted leave except on the strength of medical certificates, even in cases where substitutes are not necessary, though the revised rules are applicable to all the departments of public service;

(2) whether it is a fact that registration clerks are not transferred to their sub-districts;

(3) if so, the reason for the same;

(4) whether it is a fact that a registration clerk at Srivilliputtur in the Ramnad district was deputed to act as sub-registrar of Rameswaram, when there were more competent and duly qualified clerks in the nearer stations such as Ramnad and Madura;

(5) how many Nadars are in the Registration department and whether any one of them has been taken into the upper grade; and

(6) how many sub-registrars within the last three years have been reverted as clerks, and the years of service put in by each of them as sub-registrars, and whether they have been informed of the mistakes committed by them?

A.—(1) No. In the year 1922, 127 sub-registrars and 447 clerks were granted leave without the production of medical certificates, the corresponding numbers for 1923 being 125 and 473 respectively.

[22nd August 1924]

(2) & (3) Registration clerks are not ordinarily employed in the sub-districts in which they possess immovable property, having regard to rule 10 of the Government Servants' Conduct Rules corrected up to 1st July 1923.

(4) A clerk of the Srivilliputtur sub-registry office in Ramnad district was appointed to act as sub-registrar of Rameswaram in the same district in April 1923, to give effect to G.O. No. 658, Public, dated 15th August 1922.

(5) It is presumed that the question relates only to sub-registrars. There are two Nadar sub-registrars, of whom one has passed the Intermediate examination and the other is the holder of a Secondary School-Leaving Certificate. There are none in the Upper Grade.

(6) No sub-registrar was reverted as clerk during the past three years. One probationary sub-registrar was reduced to a clerk's post in 1923 as he was declared by the District Medical Officer to be physically unfit to hold the post of a sub-registrar. The appointment of another probationary sub-registrar was terminated in 1924 on account of serious irregularities, but he was subsequently re-entertained as a clerk at his request. In both the cases, the officers concerned were informed of their faults.

Representation of Indian Christians in the services.

431 Q.—Sriman SASIBHUSHAN RATH Mahasayo: With reference to the statement that the Indian Christians were already over-represented in the service (vide answer to question No. 706, dated 21st March 1924), will the hon. the Minister for Education be pleased to give facts and figures on which this statement is based?

A.—The statement was based on the following figures:—

Population as per census of 1921	...	1,346,361
Percentage of the population	...	3.1
Representation according to population among 574 sub-registrars and 77 probationary sub-registrars.	(20/17: 8 + 2: 4)	
Total number of Indian Christian sub-registrars (31) and probationary sub-registrars (4)	...	35

Tours.

The tour of the hon. the Minister for Education in the southern districts.

432 Q.—Mr. J. A. SALDHANA: Will the hon. the Minister for Education be pleased to state—

(i) how many times and when he has toured through the districts of Trichinopoly, Madura and Tinnevely during his tenure of the Ministry for Education since 1921;

(ii) what were the special objects of his last tour through these districts in 1924;

(iii) whether the speeches given by him at Trichinopoly on or about the 17th June 1924 in reply to an address presented by the South Indian Liberal Federation on the position of the services and the Trichinopoly revenue settlement were the expression of his private views or the mature views of His Excellency the Governor with the Ministers or His Excellency the Governor in Council with the Ministers; and

(iv) whether the address had been shown to the hon. the Minister previously?

[22nd August 1924]

- 4.— (i) Particulars of the tours of Ministers were not brought on official record in the past and so it is not possible now to compile a statement of the kind asked for.
- (ii) To be in touch with public opinion on administrative problems affecting the departments he is in charge of.
- (iii) The speech was made as a Minister, Member of the Legislative Council, and not for the Government.
- (iv) The answer is in the affirmative.

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (1), may I ask the hon. the Minister whether, in view of the fact that this House must have some idea of the views of the Ministers, the Government will take steps to keep an official record of the tours of Ministers ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The suggestion will be considered.”

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (3), may I ask what is meant by the phrase ‘ the Government ? ’ Does it mean the transferred half alone or the whole Government ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ It means both.”

Agriculture.

The enforcement of the order for removing cotton plants.

433 Q.—Mr. A. CHIDAMBARA NADAR : Will the hon. the Minister for Development be pleased to state—

(1) whether it is a fact that the Cambodia cotton cultivators in Madurai district expect their crops in August and September when the order for removing the cotton plants comes into operation; and

(2) whether the Government are going to take necessary steps to mitigate the trouble which the ryots undergo on account of the order coming into operation in August and September ?

A.—(1) & (2) In view of the exceptional character of the season, the Government have as a special case postponed the date for the removal of Cambodia cotton in the Madurai, Trichinopoly, Coimbatore and Salem districts from the 1st August to the 1st September 1924.

Cattle-breeding Farm, Chintaladevi, Nellore district.

434 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU : Will the hon. the Minister for Development be pleased to state whether, in view of the statement in replies to question No. 787 put at the meeting of the Council held on 27th March 1924 and the supplementary questions thereto, he has made an inquiry as to the working of the Cattle-breeding Farm at Chintaladevi, Nellore district, and if so, to state the result of the inquiry ?

A.—Enquiries were made in regard to the working of the Chintaladevi farm. It was found to be the case that seven cows which have proved useless for breeding purposes were sold to a butcher in Madras as, although every effort was made to dispose of them otherwise, no one required them. The practice followed is the

22nd August 1924]

usually adopted on scientifically run cattle farms. Old and useless cows are weeded out, fattened and sold to the butcher. It is not economical to deal with them in any other way.

No specific report was called for from the Collector or the officers of the Public Works Department on the working of the cattle farm as the Government were satisfied from the reports submitted to them by the head of the department that the work done on the farm was being carried on on sound lines and that no useful purpose would be served by calling for reports from officers who have no technical knowledge of such work. The Development Minister proposes to inspect the farm himself at a very early date.

British Empire Exhibition.

The contribution of the Raja of Parlakimedi to the Madras Court of the British Empire Exhibition.

435 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

(a) the contribution of the Raja of Parlakimedi to the variety entertainment in the Madras Court of the British Empire Exhibition;

(b) the nature of the variety entertainment; and

(c) the number and the names of the Indians taking part in the same ?

A.—(a) The Government understand that the total cost to the Raja of Parlakimedi of the variety entertainment in the Madras Court of the British Empire Exhibition will be Rs. 50,000.

(b) The variety entertainment or the Madras Chow-chow as it was called at Wembley consisted of music, snake-charming, jugglery and drama.

(c) The party consisted of 20 persons but the Government have no information as to their names.

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (b), may I ask the hon. Minister for Development the name of the persons who are taking part in the item of amusement and drama ? I am asking specifically whether they include dancing girls or prostitutes.”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—“ Certainly not.”

Mr. S. SATYAMURTI :—“ Do they include women ? ”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—“ I do not believe there are any.”

Mr. S. SATYAMURTI :—“ Is the answer given on information or merely the expression of a pious wish ? ”

The RAJA OF RAMNAD :—“ I heard that some women left Dhanushkoti with Mr. Sundarachalu by the same steamer and they formed part of this dramatic company.”

Mr. S. SATYAMURTI :—“ I have also heard from people who visited the Madras Court at Wembley that they have seen women from Madras there. I am asking the hon. Minister to ascertain if it is a fact.”

[22nd August 1924]

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"The variety entertainment has been arranged under the orders of the Raja of Parlakimedi. So we have no information."

Mr. S. SATYAMURTI :—"I am very much surprised. This is a part of the Madras Court, though the Raja of Parlakimedi gives the money. I do suggest to the hon. the Minister that he has a right to control the kind of exhibition given there and the kind of men or women that get on the platform."

Mr. F. NOYCE :—"I may mention that, although the Raja of Parlakimedi is bearing the cost of the variety entertainment he is in this matter in exactly the same position as any private exhibitor. The Chairman of the Madras Committee of the British Empire Exhibition was directed to see that there was no objectionable feature introduced into the entertainments. I think that this gives the information the hon. Member requires."

Mr. S. SATYAMURTI :—"I am still asking whether there are any women taking part in the Madras Court. I want information on that matter."

The hon. the PRESIDENT :—"I think the best thing will be for the hon. the Minister for Development to make enquiries and let the hon. Member know in due course."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"I will call for the information."

Mr. S. SATYAMURTI :—"Much obliged."

Co-operation.

The representation of depressed classes in the inspectorate of co-operative societies.

436 Q.—Mr. R. VEERIAN : With reference to my question No. 866, clauses (a) to (g), will the hon. the Minister for Development be pleased to state—

(a) the reason for ignoring the applications of five candidates belonging to the depressed classes holding secondary school-leaving certificates and appointing four unpassed candidates belonging to other castes as inspectors of co-operative societies ;

(b) who is the appointing authority ;

(c) whether the qualifications of the four unpassed candidates of other castes were superior to those of the five passed candidates holding secondary school-leaving certificates belonging to the depressed classes ; and

(d) whether it is a fact that T. P. S. Syeil, a member of the depressed class, is an ex-clerk who had served during the Great War and whose application has also been ignored ?

A.—(a) The applications of the five candidates were not ignored but were duly considered with those of all other registered applicants. The reasons why the four unpassed candidates belonging to other castes were appointed were that one of them who had already held a permanent post under Government for 14 years possessed special knowledge of, and local influence in, the area for which he was selected whilst the other three were accorded preferential treatment on the ground that they had served in

[22nd August 1924]

the Army during the War. These three were appointed as inspector clerks in short vacancies only but the work of one of them was so satisfactory that he was subsequently appointed to a permanent vacancy as an inspector.

Of the five candidates belonging to the depressed classes referred to in the question, one has since been appointed as an inspector in June last to work under the District Labour Officer, Saidapet. Another was written to by the Registrar but he has not yet replied.

(b) The Registrar is the appointing authority. In regard to vacancies in offices other than his own, he takes into consideration the nominations of his assistants.

(c) Educational qualifications, as disclosed by a pass in public examinations, are not the sole test observed in making these appointments. Judged from the point of view of general fitness for the work which a co-operative inspector has to do, the qualifications of the four unpassed candidates were superior to those of the others.

(d) It is understood from the candidate's application for appointment that he served as soldier clerk in India and Mesopotamia. The applicant was interviewed by the Registrar but his knowledge of English was so elementary that he was considered unsuitable for appointment as a co-operative inspector either in the field or in office.

Co-operative societies for the benefit of Muhammadans.

437 Q.—Mr. V. HAMEED SULTAN MARAKKAYAR : Will the hon. the Minister for Development be pleased to state—

(1) what steps the Government propose to take to make the Muhammadans join the co-operative movement in large numbers ;

(2) whether it is a fact that the common co-operative credit societies are not freely admitting the Muhammadans as members on the ground that the Muhammadan Law of Inheritance is rather intricate ;

(3) whether any purely Muhammadan credit societies have so far been organized in the Presidency, and if so, what are their names and addresses ;

(4) whether it is a fact that no Muhammadan Deputy Collector has as yet been appointed as a Co-operative Assistant Registrar ; and

(5) whether it is a fact that the whole scheme of the Assistant Registrars is undergoing reorganization by the appointment of Deputy Assistant Registrars to each of the districts ?

A.—(1) The Government do not propose to take any special steps to make Muhammadans or any other particular community join the co-operative movement in large numbers. The Co-operative Department addresses its propaganda to agriculturists, artisans and persons of limited means irrespective of the caste or community to which they belong. This is in accordance with the object set forth in the preamble to the Co-operative Societies Act, 1912.

[22nd August 1924]

- (2) The Muhammadan Law of Inheritance has in some cases proved an obstacle to the admission of Muhammadans to primary credit societies on the unlimited liability basis. There are however other and more serious obstacles to the progress of co-operation among the Muhammadan community, e.g., some Muhammadans object on religious grounds to join and take part in the management of co-operative societies. Nevertheless, the percentage of Muhammadan members to the total membership in co-operative societies in this Presidency on 30th June 1923 was 5.93 per cent. This compares not unfavourably with the percentage of Muhammadans in the Presidency to the total population at the last census, viz., 6.77 per cent.
- (3) Twenty Muhammadan credit societies have been organized in the Presidency. A list of them is appended.*
- (4) One was appointed, but on the day he joined duty, he applied to be reverted to the regular line.
- (5) A scheme for the reorganization of the Co-operative Department is at present under the consideration of Government.

Co-operative credit societies for the benefit of the depressed classes.

438 Q.—Mr. M. RATNASWAMI: Will the hon. the Minister for Development be pleased to state—

- (1) whether there are any co-operative credit societies from which members of the depressed classes are excluded;
- (2) whether there are special co-operative credit societies for the benefit of the depressed classes only; and
- (3) whether it is the policy of the Government to prolong the existence of the caste system by allowing co-operative credit societies to be formed on caste lines?

A.—(1) There are no co-operative credit societies from which members of the depressed classes alone are specifically excluded by a provision in the by-laws.

There are co-operative societies on a caste or communal basis, the by-laws of which restrict admission to a particular caste or community. But exclusion from such societies is in no case confined to one particular caste or class and is not therefore confined to the depressed classes.

- (2) Yes. These have in many cases been formed in accordance with the express wishes of the depressed classes themselves or of their supporters.
- (3) It is generally recognized that homogeneity of membership in co-operative societies of all kinds and more particularly in co-operative credit societies makes for success. In accordance with this principle, it has sometimes been found desirable to form co-operative credit societies for particular castes or communities but such societies are comparatively few in number. In other cases, as for example amongst the depressed classes in

* Vide Appendix I on page 798 infra.

22nd August 1924]

certain areas, it has been necessary to organize societies on caste or communal lines because it is not possible in any other way in present conditions to bring the benefits of co-operation to the particular people concerned. The Government have necessarily to recognize the existence of the caste system but they do not consider that the formation of co-operative societies on a caste basis necessarily tends to perpetuate that system. It must be pointed out that the Registrar cannot legally refuse to register a primary credit society simply because it is organized on a caste or communal basis. Section 6 (1) (b) of the Co-operative Societies Act, 1912, contemplates the formation of primary credit societies either on the basis of proximity of residence or on the basis of membership of the same tribe, class, caste or occupation. But primary credit societies of all kinds, even those organized on a caste basis, generally join the ordinary local supervising union in which communal distinctions play no part. In a very few cases, there are supervising unions for societies belonging only to the depressed classes but such unions are not formed unless the societies require intensive supervision of a special kind and such supervision cannot be provided for through the ordinary union, or the societies in the area covered by the union are all confined to the depressed classes.

Mr. M. RATNASWAMI:—“With reference to the first two lines of the answer to clause (3), may I ask whether it is thought proper by the Government that these co-operative societies for the depressed classes are formed on caste or communal lines? Is it due to the fact that the amount of credit necessary for the running of these credit societies is not available? Credit is based on mutual trust and confidence. Are the Government opposed to the depressed class members being admitted to co-operative societies consisting of caste members as in that case the amount of mutual trust and confidence needed would not exist?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“As a matter of fact, the success of co-operative societies depends upon the mutual trust and confidence among the members, and unless there is that mutual trust there is no use in forcing the Government to form societies for particular classes of people. It is for that reason we have formed societies on the basis mentioned in the answer given. But I am unable to understand fully the real difficulty of the hon. Member.”

Mr. M. RATNASWAMI:—“The point I am driving at is this. Is it that Government fear that mutual trust and confidence do not exist between the members of the depressed classes and other castes? Do the caste members distrust the depressed classes, or the depressed classes distrust the caste members?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“That cannot be answered off-hand. The higher class members are very chary of admitting Adi-Dravidas into their societies.”

Mr. M. RATNASWAMI:—“Is it because of untouchability, or is it that the depressed class members do not possess that credit which is necessary?”

[22nd August 1924]

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"The fact is that the mutual trust does not at present exist in all cases and we have to proceed on that basis."

Mr. F. NOYCE :—"Shall I be in order, Sir, in going back to a question? I should like to give a more definite answer in regard to the question asked about the British Empire Exhibition."

The hon. the PRESIDENT :—"The hon. Member may make a statement at the end of question time."

Mr. S. SATYAMURTI :—"I am sorry I have to go back a little on this question. With reference to the answer to clause (1), may I ask if there are co-operative societies in which there are members belonging to all classes including the depressed classes, and if so how many are there?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"There are a number of such societies; if the hon. Member wants information as regards the number of societies, I shall have to ask for notice."

Mr. M. RATNASWAMI :—"May I know whether such societies exist in rural areas or in urban areas?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"As far as I am aware they exist in both areas."

Industries.

The Madras School of Arts.

439 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

- (a) the arts and crafts taught in the School of Arts, Madras;
- (b) whether there are graded classes for drawing and painting, design, etc.;
- (c) whether there are facilities provided for learning figure-drawing and figure-painting;
- (d) whether artistic anatomy, practical geometry, perspective and figure composition are taught;
- (e) whether there are classes for students intending to become professional painters and art masters;
- (f) whether instruction is given to students going up for Government technical examinations;
- (g) the qualifications of the Superintendent and the work he does; and
- (h) the qualifications of the Assistant Superintendent and his work?

- A.—(a) (1) Wood work (including cabinet-making, carving, inlaid and fret work);
- (2) Metal work (including casting, chasing or repoussé and inlaid work);
 - (3) Jewellery;
 - (4) Wood and copper plate engraving and etching and die-sinking;
 - (5) Lacquer work, painting and hand painting on cotton;
 - (6) Carpet weaving;
 - (7) Modelling and plaster cast moulding;

[22nd August 1924]

- (8) Life class and Geometrical Drawing; and
- (9) Drawing and Design in the respective departments to suit each profession.
- (b) The answer is in the negative. The students are started according to their individual ability.
- (c), (d), (e) & (f) The answer is in the affirmative.
- (g) The permanent Superintendent, Mr. W. S. Hadaway, was educated at the Malden Grammar School and High School (U.S.A.) for six years and attended the Museum of Fine Arts, Boston, U.S.A., for two years, the Central School of Arts and Crafts, London, for three years and the evening classes of the London Cass Institute for one year. He supervises the work of the entire school, gives the necessary instructions to the teachers and maistris and corrects the drawings of the pupils.
- (h) The permanent Assistant Superintendent M.R. Ry. N. R. Balakrishna Mudaliyar Avargal has passed the first and second stage examination in Drawing and the Intermediate Examination in Design. He also obtained a first class in the Technical Teachers' Certificate Examination (Intermediate) in Freehand Outline and Geometrical Drawing. He assists the Superintendent in supervising the work of the school, giving necessary instructions to the teachers and maistris and correcting the drawings of the pupils. He also arranges the purchase of the more important materials such as timber, gold and silver and assists the Superintendent in conducting Government Technical Examinations.

Mr. S. SATYAMURTI :—"With reference to the answer to clause (b), may I ask the hon. the Minister the reason why there are not graded classes for drawing, painting, etc.?" The answer says 'The students are started according to their individual ability'. That means in each class there are different grades of students. May I know the reason why?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"This is found to be all right in practice. If the hon. Member's suggestion is to be accepted, we should have to get the rules modified."

Mr. S. SATYAMURTI :—"With reference to clause (g) of the answer, may I ask whether the permanent Superintendent, Mr. Hadaway, has any knowledge of painting or of any of the various arts specified in clause (a) of the answer?"

The Jam Factory at Coonoor.

440 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

- (a) whether it is a fact that the working of the Jam Factory at Coonoor has resulted in a loss;
- (b) if so, the amount of the loss and the reasons for the same; and
- (c) the qualifications of Mrs. and Mr. Bryant, Superintendent and Business Manager of the factory, and their pay?

A.—(a) & (b) The hon. Member is referred to G.O. No. 516, Development, dated 25th March 1924, which has been placed on Editors' Table and G.O. No. 1217, Development, dated 3rd July 1924, which has been placed on the Council Table.

[22nd August 1924]

- (c) Mrs. Bryant's pay is Rs. 450 per mensem and that of Captain Bryant is Rs. 250 per mensem. Mrs. Bryant after working under Sir Frederick Nicholson for five months in 1919 in connexion with jam manufacture underwent a special course of study in England in various improved methods of jam and pickle manufacture. Captain Bryant has no technical qualifications but has had considerable experience in office management and control.

Mr. M. RATNASWAMI :—" With reference to clause (c) of the answer, may I ask whether Mrs. Bryant underwent a special course in jam manufacture with a view to appointment at the jam factory at Coonoor, or whether she had experience in jam manufacture before her appointment at Coonoor? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" She was trained for the purpose of managing the jam factory. "

Mr. M. RATNASWAMI :—" That is, when she was first appointed, she had no knowledge of jam manufacture? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" She had the experience necessary for this jam factory. "

Mr. M. RATNASWAMI :—" What kind of experience? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" She had been trained under Sir Frederick Nicholson. "

Mr. S. SATYAMURTI :—" Where did she undergo the special course of study in England, for what length of time and what kind of teaching had she there? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I want notice. "

Mr. T. ADINARAYANA CHETTIYAR :—" Did she draw any allowance during the course of study? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" To answer that question, I must have notice. "

Mr. T. ADINARAYANA CHETTIYAR :—" As regards Captain Bryant what sort of experience he had and where? "

Mr. M. RATNASWAMI :—" Is it in the interest of economic administration that the husband of Mrs. Bryant was appointed in charge of the office? " (Laughter.)

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" The answer is in the affirmative. "

After the Secretary had called out the number of the next question, Mr. SAMI VENKATACHALAM CHETTIYAR asked :—" With reference to clause (c) he answer, may I know in what office or offices Captain Bryant had considerable experience in office management and control? "

The hon. the PRESIDENT :—" I think we have had sufficient discussion on his question, and we must pass on. "

22nd August 1924]

The Jam Factory at Coonoor.

441 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether the jam factory at Coonoor is working at a profit or loss and the amount of profit or loss up to date;

(b) the pay and qualifications of Mrs. Bryant who has been appointed as Superintendent of the factory;

(c) whether it is a fact that the husband of Mrs. Bryant has also been appointed as Director of the factory and, if so, what are his pay and qualifications; and

(d) whether any increase of pay to the Director is now proposed and, if so, the necessity and justification for the proposed increase?

A.—(a), (b) & (c) The hon. Member is referred to the answer to question No. 440. Captain Bryant's official designation is Business Manager and not Director.

(d) The answer is in the negative.

Tanneries owned by the Government.

442 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Development be pleased to state—

(a) the names and full addresses of tanneries owned by Government together with the number of persons employed in such places;

(b) the amount of pay given to such employees employed for tanning leather;

(c) whether they get regular increment and other remuneration such as bonus;

(d) if so, whether they get it once in a year or once in two years;

(e) whether free quarters have been provided for those who are tanning leather;

(f) whether any free dispensary has been started in each such tannery; and

(g) what other facilities are given to them, if any?

A.—The Government presume that the hon. Member does not refer to the Leather Trades Institute which provides a course of training in tanning and leather manufacture and is worked partly as a model tannery, and partly, but to a smaller extent, a research institute. There are no commercial tanneries in the Madras Presidency owned by Government. The other points raised by the hon. Member do not therefore arise.

Mr. R. VEERIAN :—" The answer is 'The Government presume that the hon. Member does not refer to the Leather Trades Institute which provides a course of training in tanning and leather manufacture.' May I know therefore whether the Government can make the training for the depressed classes free? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" No. All students have to pay. "

[22nd August 1924]

Persons or firms who have applied for State aid to industries.

443 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Development be pleased to state—

- (a) (i) the names of persons or firms that have applied for State aid to industries up to the end of June 1924,
(ii) the nature or the kind of the State aid desired in each of these cases; and

(b) to lay on the table a copy of the rules framed under section 19 (19) (I) (2), (3), (7) and (II) of the State Aid to Industries Act?

A.—(a) A statement furnishing the information is appended.*

- (b) No rules have been framed under section 19 (b) (1) and (3). For the rules framed under the other sub-sections, the hon. Member is referred to Notification No. 62, published in the *Fort St. George Gazette Extraordinary*, dated the 3rd March 1923.

Working of the glue factory and the jam factory.

444 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Development be pleased to state whether any final orders have been passed by Government with regard to the future continuance or working of the glue factory and the jam factory, and, if so, whether he will be pleased to lay the same on the table?

A.—The Government in their Order No. 985, Development, dated 21st May 1924, directed the closure of the glue factory and the factory was closed with effect from the 31st July 1924. The order has already been placed on the Editors' Table. The future of the Fruit Preserving Institute (jam factory) is still under the consideration of Government.

The Fruit Preserving Institute, Coonoor.

445 Q.—Mr. P. PEDDIRAJU: Will the hon. the Minister for Development be pleased to state—

- (a) whether the Government have taken any steps for the training of men in the Fruit Preserving Institute in Coonoor; and
(b) whether the Government will allow bona fide garden owners to learn the work in the said Institute?

A.—(a) The answer is in the negative.

- (b) The future of the Institute is under consideration and until it is decided whether it should be continued or not, it will not be possible to admit learners.

Operation of the State Aid to Industries Act.

446 Q.—Mr. S. MUTTAYYA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

- (1) whether the Board under the State Aid to Industries Act has been fully constituted since 8th February 1924;
(2) whether any applications for aid have been received, and, if so, the number and the names of the applicants;

* Vide Appendix II on page 744 infra.

[22nd August 1924]

(3) whether any grants have been made, and, if so, to whom and the amounts granted to each;

- (4) what is the amount now available for distribution; and
(5) the list of applications yet pending for disposal?

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

(2) The hon. Member is referred to the answer to question No. 443.

(3) No grant has so far been made.

(4) Rs. 6 lakhs.

(5) All the applications except Nos. 1 to 8 in the statement appended to the answer to question No. 341 are pending either because the applicants have not yet furnished detailed particulars regarding their concerns or have been advised to renew their applications when the schemes have been fully worked out.

Mr. S. MUTTAYYA MUDALIYAR:—"With reference to clause (5) of the answer, am I to understand that applications Nos. 1 to 8 have been rejected?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Applications Nos. 1 to 4 have been rejected, Nos. 5, 6 and 7 have been withdrawn, and No. 8 automatically lapsed because the industry concerned was in Travancore. Virtually all these eight applications have thus been disposed of, and they are considered to have been rejected."

Mr. S. MUTTAYYA MUDALIYAR:—"May I know by whom such applications have been rejected?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"They were rejected by Government as the Board of Industries unanimously recorded their objections."

Mr. S. MUTTAYYA MUDALIYAR:—"On what grounds have they been rejected by the Board?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Information will have to be collected on that point. If notice is given, we shall collect it."

Mr. S. MUTTAYYA MUDALIYAR:—"Will this question be taken as notice?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"Formal notice should be given."

Glue factory.

447 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Development be pleased to state—

- (i) when, from whom, for what price and at whose instance the glue factory was purchased by the Government;
(ii) whether the fact that it was a losing concern in the hands of its previous owners was known to the Government at the time of its purchase;
(iii) what prospects the Government saw in the concern that they made it their own;
(iv) what is the amount of loss that has accrued to Government from the time of its purchase up to now;

[22nd August 1924]

(v) whether it is a fact that instead of manufacturing glue the factory people were engaged in making experiments on by-products, such as roller-composition, match-glue and similar other things and whether it is a fact that their efforts in that direction have not been very fruitful; and

(vi) whether the factory has been closed down and building plant and machinery and stock on hand disposed of as per G.O. No. 985, dated 21st May 1924?

A.—(i) to (iii) The Government Glue Factory was not a concern purchased by Government. The facts are as follows:—

The Department of Industries had for some time been engaged in experiments in the manufacture of glue. The experiment originated in certain chemical discoveries made by Mr. K. C. Srinivasan, until lately, Chemical Assistant in the department. Messrs. Beardsell & Co., Madras, agreed to undertake the next stage of the experiment, viz, that of actual manufacture on a small commercial scale, management by private firms at this stage being the method advocated by the Industrial Commission. The factory and plant were accordingly leased to this firm for a period of one year from 1st September 1920. At the expiry of the above period the firm expressed their inability to continue the experiments and their wish to withdraw from the business altogether. Government accordingly resumed charge of the factory on the 31st August 1921.

(iv) The net loss incurred by Government from 1st January 1922 (the date from which the factory began to work) till the 31st March 1923 was Rs. 14,458-10-5. The accounts of the factory from the 1st April 1923 to 31st March 1924 were only recently audited by Messrs. Fraser and Ross and the profit and loss statement relating to this period has not yet been received from them.

(v) It is not a fact that, instead of manufacturing glue, experiments were made on by-products. Roller composition is a product into which glue largely enters; match-glue is glue of a special quality. The experiments in roller composition were made with the object of securing a wider market for glue and were conducted without prejudice to the manufacture of glue for sale. A satisfactory composition was not evolved. No other experiments were conducted.

(vi) The factory was closed on the 31st July 1924. The building and part of the machinery are required for the use of the Department of Industries. The disposal of part of the machinery and of the stock on hand has not been completed.

Tours.

The tour of the hon. the Minister for Development to Tiruchengode.

448 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state the nature and extent of official public work which took him recently to Tiruchengode?

[22nd August 1924]

A.—The Development Minister's visit to Tiruchengode was on official business. The Government see no reason to furnish any details in regard to its nature and extent.

Mr. S. SATYAMURTI:—"Sir, I am not asking for details. May I know the general nature of the official business which took the hon. the Development Minister to Tiruchengode? (After a pause.) May I appeal to you, Sir, to establish a convention that whenever the Government have no answer to give, the Member concerned should out of sheer courtesy get up in his place and say 'I decline to answer'?"

The hon. the PRESIDENT:—"I do not think that it is usual or that it should be necessary for the Members of Government, if they consider that they cannot answer a question, to say that they decline to answer it. Silence must be taken to mean that there is no answer to be given."

Mr. S. MUTTAYYA MUDALIYAR:—"In connexion with this, may I point out that it is necessary not merely as a matter of form but for this reason, that other hon. Members who want to ask questions are handicapped being under the impression that an answer would be given while the Secretary passes on to the next question. It is not a mere matter of form and courtesy but necessity."

Veterinary.

Stipends to the students in the Veterinary College.

449 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Minister for Development be pleased to state—

(a) the number of full diploma holders from the Veterinary College, Madras, since its starting and how many of them are from the Ceded districts;

(b) what is the amount of stipends allowed to the students and whether the amount varies from caste to caste or whether it varies with the locality to which the candidate belongs;

(c) if the Government stipends in the case of students of this college is less than the amount in the case of medical students, what the reason for the difference is; and

(d) whether there are any proposals to alter the amount of stipends with a view to attract students of backward classes or backward localities, and if so, what they are?

A.—(a) The number of full diploma holders is 299 of whom 10 were from the Ceded districts.

(b) & (c) The stipends granted at the Veterinary College are of the uniform value of Rs. 15 each per mensem which is also the value of stipends granted to male medical students from the depressed classes, the only class of male medical student now in receipt of stipends.

(d) There are no such proposals.

Veterinary aid in the Chingleput district.

450 Q.—Mr. C. MUTTAYYA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) how many veterinary sub-assistant surgeons have been appointed and how many veterinary hospitals have been established in the Chingleput district; and

[22nd August 1924]

(b) whether there is any proposal to increase either the number of the veterinary sub-assistant surgeons or the number of veterinary hospitals in the district; and, if so, in what localities?

A.—(a) There are in the Chingleput district two touring Veterinary Assistant Surgeons and two veterinary institutions, a dispensary at Chingleput and a hospital at Saidapet. There are two Assistant Surgeons at the Saidapet hospital. The total number of Veterinary Assistant Surgeons working in the district is therefore five.

(b) When funds are available, the Government propose to post one more touring assistant to the district, with headquarters at Tiruvallur and to open a dispensary at Conjeeveram.

Collectorates.

Time-scale of pay for unpassed Revenue subordinates.

451 Q.—Mr. P. SIVA RAO: Will the hon. the Member for Revenue be pleased to state whether the time-scale of pay recently introduced for the benefit of the Government servants has not been extended to 'unpassed' subordinates in the Revenue department; if so, what are the reasons for this differential treatment?

A.—Yes; please see page 46 of Part I-B of the *Fort St. George Gazette* of January 15, 1924.

Constitution of districts, taluks, etc.

Bifurcation of the Kistna district.

452 Q.—Mr. K. SARVARAYUDU: With reference to the Government Press communiqué, dated 6th October 1923, and published in *Fort St. George Gazette* on the subject of the bifurcation of the Kistna district, will the hon. the Member for Revenue be pleased to state—

(a) whether any proposals for the rearrangement of the taluks have been made by individuals or popular bodies, and if so, what is the decision thereon; and

(b) whether the Government have come to any conclusion as regards the headquarters of the West Gōdāvari district?

A.—(a) Yes. One proposal has been accepted. As regards the others it has been decided to let the schemes go forward and await the result of experience.

(b) Yes. Nidadavole has been selected for the headquarters of the proposed Gōdāvari West district.

Famine.

Loan applications from Penukonda.

453 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) what the total allotment for loans for Penukonda in Anantapur district is;

(b) how much of it was actually disbursed;

22nd August 1924]

(c) what is the total number of loan applications made from 1st October 1923 to 31st July 1924 in this taluk;

(d) how many of them were found fit for the loan applied for, how many were rejected as being unfit and how many are still pending investigation;

(e) whether it is a famine-declared taluk;

(f) the reasons, if any, why the loans disbursed in this taluk are so few as compared with other affected taluks in Anantapur and Bellary districts; and

(g) when the first test work was started there and when it was declared to be a famine area?

A.—(a) to (d) & (f) The Government have no information.

(e) The whole taluk to the west of the Bukkapatnam hill range is a famine declared area.

(g) The test work was started on 23rd June 1924 and famine was declared on 4th August 1924.

Famine conditions in Polur and relief measures.

454 Q.—Mr. M. RATNASWAMI: Will the hon. the Member for Revenue be pleased to state—

(1) whether famine conditions prevail in the Polur and neighbouring taluks of the North Arcot district; and

(2) what steps were taken by his department to relieve the distress caused by these famines or scarcity conditions?

A.—(1) No.

(2) Does not arise.

Floods.

Remission of land revenue in South Kanara.

455 Q.—Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state the amount of remission granted on account of the floods in South Kanara last year, 1923-24?

A.—Rupees 12,562-1-0.

Damage to agriculture by the recent floods.

456 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Member for Revenue be pleased to state whether there has been heavy destruction of the standing first crop, silting of fields and destruction of houses by the recent heavy floods in the district of South Kanara as in 1923?

A.—The Government have already published the Collector's reports, dated 25th and 31st July 1924, in the Madras dailies.

Gratuitous relief to sufferers affected by floods.

457 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) the total amount of money spent by them in gratuitous relief of the sufferers from the last year floods in (1) Tinnevely and (2) the Vizagapatam and Ganjam districts; and

[22nd August 1924]

(b) what is the amount proposed to be spent by Government in gratuitous relief of the sufferers from the recent floods in Malabar, Tanjore and other districts?

A.—(a)

District.	Amount spent.
(1) Tinnevely	RS.
(2) Vizagapatam	Nil
(3) Ganjam	4,500
	2,000
	Amounts already allotted.
(b)	RS.
(1) Malabar	20,000
(2) Tanjore	5,000
(3) Trichinopoly	5,000
(4) Coimbatore	5,000
(5) The Nilgiris	250

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (b), may I ask the Government whether the amounts specified there are all the amounts they propose to spend for the relief of these districts ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ No.”

Rao Sahib U. RAMA RAO :—“ How is it that South Kanara is not included, Sir ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ So far, no money has been asked for by the Collector and no money has therefore been set apart.”

Land Revenue.

Removal of prickly-pear in Arkonam taluk.

458 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Tahsildar of Arkonam, North Arcot district, issued, about January 1924, notices in Form R.F. XVIII-C-4 (a) to the ryots of the Mosur village, Arkonam taluk, asking them, on pain of prosecution, under sections 283 and 290 of the Indian Penal Code, to remove, only from the poramboke, roadway adjacent to their houses and house-sites, the prickly-pear bushes which overrun such roadway, etc. ;

(b) whether it is a fact that similar notices have not been issued to the Railway authorities as regards the prickly bushes growing on their lands even where they are close to the ryots' lands ; and

(c) whether it is a fact that no such steps have been taken for the removal of this pest from Government poramboke lands, other than road ways ?

A.—The Government have no information.

22nd August 1924]

Mr. T. ADINARAYANA CHETTIYAR :—“ The Government say they have no information. My point is that so far as the ryots are concerned they are asked on pain of prosecution to remove the prickly-pear. In view of the importance of the question, will the Government be pleased to call for the information ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The idea underlying that speech will be borne in mind.”

Collection of revenue by the Tahsildar of Arkonam.

459 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Tahsildar of Arkonam has been suspending several monigars under him without even asking for an explanation from them on the score of slackness of collection of land revenue ;

(b) whether it is a fact that the Revenue Divisional Officer, Ranipet, urged on this Tahsildar a wholesale suspension of monigars in spite of the fact that there has been an unprecedented drought in the district of North Arcot and especially in Arkonam taluk ;

(c) whether it is a fact that the Tahsildar of Arkonam has been discriminating and picking out particular monigars who may not be to his liking ; and

(d) whether Tahsildars are invested with the power of such wholesale suspension of monigars ?

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

(d) No.

Mr. T. ADINARAYANA CHETTIYAR :—“ In this case also, Sir, will the Government be pleased to call for the information ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ No appeal has yet been received. They have got a right of appeal and all I can say is that no one has yet appealed.”

House-sites in Koriyur village, Nanguneri taluk.

460 Q.—Mr. A. CHIDAMBARA NADAR : Will the hon. Member for Revenue be pleased to state—

(1) whether the house-sites in Koriyur village, Nanguneri taluk, Tinnevely district, belong to natham ;

(2) whether it is a fact that a Muhammadan gentleman of Panagudi, by name Abjimiab Sahib, is laying claim to those house-sites ;

(3) whether the villagers have submitted any memorial to the Government regarding those lands ; and

(4) whether any revenue inquiry has been made into the matter, and, if so, with what result ?

A.—(1), (2) & (4) The Government have no information.

(3) No.

Mr. A. CHIDAMBARA NADAR :—“ With reference to the answer given to clauses (1), (2) and (4), will the Government be pleased to call for the information ? ”

[22nd August 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I suggest, Mr. President, that in such matters as this local authorities should be moved. The only question here is whether a Muhammadan gentleman by name Abjimiiah Sahib has done anything out of the way. I think the local authorities can give redress in these matters."

Mr. A. CHIDAMBARA NADAR :—" Will the Government transfer the matter to the district Collector ? "

Distribution of lands among ex-soldiers.

461 Q.—Hony. Lieut. N. MADURAI : Will the hon. the Member for Revenue and the hon. the Home Member be pleased to state—

(1) how many acres of land were specially reserved for distribution to soldiers after the war in accordance with G.O. No. 2462, dated 4th November 1915;

(2) how many acres of land out of the above were actually distributed; and

(3) how many acres remain to be distributed and in what districts and taluks ?

A.—(1) The Government of India were informed in 1915 that 51,000 acres were available for distinguished soldiers.

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

Mr. R. VEERIAN :—" With reference to clauses (2) and (3), the information is that the Government have no information. (Laughter.) Will the Government be pleased to call for the information ? "

Rao Sahib P. V. GOPALAN :—" Can ex-soldiers lease, sell or alienate lands distributed or as signed to them ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" In certain cases there is a limit with regard to their right of alienation."

Rao Sahib P. V. GOPALAN :—" Will it be legal and binding on Government if they do so ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It depends upon the terms of the grant."

Rao Sahib P. V. GOPALAN :—" Have any such cases of lease or alienation been brought to the notice of the Government ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Not so far."

Assignment of disafforested lands to depressed classes in South Kanara.

462 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state—

(a) whether a reserved forest called Chemba gudde forest in the Ullal village near Mangalore has been disforested;

(b) what is the area of that land;

(c) how much of it has been reserved for the depressed classes;

(d) what is contemplated to be done with the remaining area;

22nd August 1924]

(e) whether applications have been received from ex-military service men for any portion of the land and how much area and how have the applications been disposed of;

(f) whether applications have been made from villagers in the Ullal and neighbouring villagers for any portion of them, for what area and how have the applications been disposed of; and

(g) if an application under (e) and (f) has been rejected and on what grounds ?

A.—(a) Yes.

(b) 86.96 acres.

(c) 25 acres.

(d) 6.82 acres have been set apart for roads and paths and 55.14 acres will be sold in public auction.

(e) Fourteen applications for 78 acres of land were received by the Collector from ex-military service men. As the area of 55.14 acres was ordered to be sold in public auction, these applications were rejected.

(f) No.

(g) The hon. Member is referred to answers to clauses (e) and (f) of the question.

The permanent settlement of land revenue in the Presidency.

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

(a) whether the correspondence between this Government and the Government of India on the introduction of the permanent settlement of land revenue in this Presidency has been closed;

(b) whether the papers will be laid on the table of the House; and

(c) if not, why not ?

A.—(a) Yes.

(b) & (c) The correspondence was confidential and cannot be published.

Mr. S. SATYAMURTI :—" May I ask the reasons why the Government choose to treat this correspondence as confidential although it has been closed ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The rule is, as was mentioned in answer to another question, that all correspondence marked ' Confidential ' by the Government of India is confidential until that Government releases us from the obligation to treat them as such."

Mr. S. SATYAMURTI :—" On a point of order, Sir, under rule 9 of the Legislative Council Rules it is stated thus :

' In matters which are or have been the subject of controversy between the Governor-General in Council or the Secretary of State and the local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact.'

" I am asking whether, unless the Government satisfies you that that has been the subject of controversy between this Government and the Government of India, they can ride off on a departmental rule and refuse to give information ? I submit that when the correspondence has ceased, the matter ceases to be a confidential one, and I ask you whether you will not compel Government to answer this question, as under rule 9 they cannot claim this privilege to treat anything as confidential."

[22nd August 1924]

The hon. the PRESIDENT :—"What is the matter of fact as to which the hon. Member is asking a particular question?"

MR. S. SATYAMURTI :—"There is no statement by the Government whether there has been or there has not been a subject of controversy; they simply ask us to treat this matter as controversial. I do submit that there is a distinction between matters controversial and matters under correspondence."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, that rule means and involves this that certain questions can be disallowed on specific grounds. In the first place, as the regulations at present stand there is no obligation on the part of the Government to answer a question. It may be lamentable, but that is the fact. That being so, quite apart from the Government of India marking the correspondence confidential, the Government of Madras treat it as such and feel unable to give any answer to this question. We have said we are bound to treat it as confidential and I leave it at that. In effect we do not propose to answer that question."

MR. S. SATYAMURTI :—"I am surprised that the Government say that they are not bound to answer questions put by this House. Standing Order 18 says :

'A member to whom a supplementary question is addressed may decline to answer it without notice, in which case the supplementary question can be put only in the form of a fresh question at a subsequent meeting of the Council.'

"The standing orders and the rules did not contemplate the present mentality of the Government." (Cries of order, order.)

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mentality apart such a rule applies in the House of Commons and in every single legislature in the world."

MR. S. SATYAMURTI :—"I wish that the hon. Members of the treasury benches behaved in the manner very much of the Ministers in the House of Commons. My point is when the standing orders provide for not answering supplemental questions without notice, the implication is that in all other cases they shall be answered. In any case the Government in this case cannot decline to do so. I shall have nothing to say if they recognize their duty to answer, but decline to answer the question. In that way the mentality of the Government will be known more and more to the people."

The hon. the PRESIDENT :—"I think the hon. Member will recognize that this is not a supplemental question but a question dealing with a very general subject. There are other occasions for raising this point. I hope the hon. Member will raise this question on a more suitable occasion and that is all I want."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I do not propose to deal with the statement contained in the speech of the hon. Member. Such a thing exists in the House of Commons and in some cases I noticed that the Under Secretary of State in the House of Commons said that Government must decline to answer."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Seeing that this correspondence arose as a result of a motion passed in this House, and also seeing that the House is keen on the subject, may I know if the Madras Government will be pleased to obtain the leave of the Viceroy to publish the correspondence?"

22nd August 1924]

Right of fishing in the Kollair lake.

464 Q.—MR. M. SITAYYA : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether it is a fact that the revenue authorities in the Kistna district are selling the right of fishing in the Kollair lake by public auction and that in consequence the drinking-water supply for men and cattle in the Kollair lake area has been seriously affected; and

(b) whether the Government propose to order that the practice of selling the right of fishing be stopped?

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

(b) Does not arise.

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"The answer to the first part is that the Government have no information and the answer to the second part is that it 'does not arise'. I wish to know how it does not arise if the Government have no information to the first part one way or the other."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Because they could not answer it."

*Minor Irrigation.**Minor irrigation works in Nellore district.*

465 Q.—MR. YAHYA ALI SAHIB : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(1) the number of minor irrigation works in each taluk of the Nellore district (a) in charge of the Public Works Department, (b) in charge of the Revenue Department;

(2) the expenditure incurred in 1923-24 on the repair thereof;

(3) the number of works in need of repair and the probable cost thereof; and

(4) the number of works in each taluk of the district that will be repaired in 1924-25 and the probable expenditure that will be incurred thereon?

A.—
Minor Irrigation Works in charge of
Public Works Department.

Nellore	..	..	..	31	876
Rapur	..	..	..	17	
Atmakur	..	..	..	30	
Gudur	..	..	..	44	
Kandukur	..	..	..	31	
Kanigiri	..	..	..	2	
Kavali	..	..	..	39	
Udayagiri	..	..	..	1	
Kovur	..	..	..	7	
Total	..	..	..	202	

Minor Irrigation Works in charge of
Revenue.

Talukwar information not available.

(2) Rs. 53,404 on Public Works Department works.

(3) In regard to Public Works Department works (a), 87, (b) Rs. 70,000.

(4) (a) & (b)—
A sum of Rs. 33,000 has been allotted for Public Works Department works and it is not possible to state the exact number of tanks that will be repaired by the end of the year.

Rs. 27,978 on Revenue works besides an expenditure of Rs. 2,074 incurred by the Public Works Department.
No information available in regard to works in charge of Revenue.

A sum of Rs. 17,000 has been allotted for works in charge of Revenue.

[22nd August 1924]

Loans to ryots for digging wells for irrigational purposes.

466 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) what is the rate of interest now charged on loans for digging wells for irrigational purposes and what is the rate at which the Government of India is to be repaid; and

(b) what is the period in which the land improvement loan is to be repaid at present and whether it is contemplated to amend the Act so as to increase the period?

A.—(a) The rate of interest charged by the Local Government is $7\frac{1}{2}$ per cent and the rate at which the Government of India are to be repaid is $6\frac{1}{2}$ per cent during 1921-22 and 1922-23 and 6 per cent during 1923-24.

(b) A maximum of 30 years. No.

Settlement.*Enhanced resettlement rates for lands under the Tungabhadra channels.*

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

(i) whether in the district of Bellary the increased resettlement rate of annas four in the rupee or 25 per cent in the case of lands situate under Tungabhadra channels was collected during the last fasli; and

(ii) whether this collection is not opposed to the Government Order recently passed by the Government sanctioning the increase of resettlement rates up to only $18\frac{1}{2}$ per cent of the present rates, the application of which has been extended to the black cotton soil taluks in the Bellary district?

A.—(i) & (ii) The Government have issued orders to the Board of Revenue to instruct the Collector of Bellary to accept kists tendered on the basis of $18\frac{1}{2}$ per cent enhancement, and to refund or adjust towards the current year's kist amounts already collected in excess of $18\frac{1}{2}$ per cent enhancement. The Government have no reason to believe that these orders are not being followed.

Survey.*Destruction of survey stones in the Kistna district.*

468 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state whether the Government have passed any order authorizing the destruction of the present survey stones in the Kistna district and introducing new survey stones in their places and if so the reasons therefor?

A.—No orders have been issued authorizing the destruction of the existing survey stones. But it is reported that all laterite stones which are at the trijunctions of fields and those defining poramboke boundaries are removed and replaced by granite stones and that the laterite stones thus removed are either utilized for patta field bends where there are no stones, or planted upside down at patta subdivision bends, or handed over to the concerned ryots.

Mr. P. PEDDIRAJU:—“May I ask whether the ryots are being asked to purchase the stones?”

[22nd August 1924]

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—“Will Government be pleased to tell us what the extra cost is?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I want notice.”

Mr. P. PEDDIRAJU:—“Will the Government call for information in view of the fact that I happen to know a number of instances where stones are being destroyed?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I shall call for the information.”

Subdivision of lands intended for house-sites, etc.

469 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the new survey party is not subdividing the plots of land which are raised for the purposes of house-sites, cattle-sheds, and hay-ricks, etc., so that they may be converted into dry from the settlement wet as was the practice in previous surveys; if not, whether the Government will call for information?

A.—Under the existing orders, Collectors are empowered to sanction the conversion into dry of wet lands in the deltaic tracts of Godavari, Kistna, Guntur, Tanjore and Trichinopoly used for the construction of houses, cattle-sheds, etc., in cases where such extensions of house-sites are considered necessary. These orders apply only to specific applications and do not contemplate a universal concession. The suggestion of the hon. Member requiring the subdivision of the tiny plots of the kind mentioned in the question does not commend itself to Government as the cost of subdividing such small plots will be out of all proportion to the benefit thereby conferred on the ryot.

Mr. P. PEDDIRAJU:—“Will the Government be pleased to subdivide the lands and convert them into dry lands?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“No, Sir.”

Agency Fituri.

470 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—

(1) how many rebels are still to be captured in connexion with the Rampa fituri and their names;

(2) how many people supposed to be rebels have been shot dead and the circumstances under which this was done;

(3) how many of the rebels have already been captured and how each has been dealt with;

(4) the name or names of those police officers and subordinates who secured the capture of Srirama Razu, the accredited leader of the rebels;

(5) whether it is a fact that one Oriya inspector of police, Upendra Patnaik by name, was specially helpful in the last stages of the rebellion, and whether it is a fact that the chief rebels were captured by him;

(6) among whom the reward announced for capturing the chief rebel or rebels has been distributed and in what proportion;

[22nd August 1924]

(7) whether the expedition against fituridars in the Rampa Agency has been closed; if not, how long it is likely to take to bring the operations to a close; and

(8) what is the total cost to the Government up to date in connexion with the fituri operations?

A.—(1) to (5) In G.O. No. 572, Public, dated 23rd July 1923, the Government published an account of the progress of the fituri to date. Since that date a number of press communiqués have issued ending with communiqué dated 7th August 1924. The hon. Member will find the information which he requires in those communiqués.

(6) The distribution of the rewards in five principal cases was as follows and the distribution in other cases was left to the discretion of the Special Commissioner.

(i) Alluri Srirama Razu—

Number.	Rank.	Name.	Amount of reward.
			Rs.
..	Intelligence Inspector.	Upendra Patnaik	10,000
..	Lagarai Munsif.	Theegala Naganna	300
1983	Havildar	A. Chappunni Najar	250
..	..	3 L/Naicks	100 each
..	..	9 Constables	100
..	..	2 Constables	85
..	Jamadar	Kunchu Menon	1,200
..	Sub-Inspector	E.C.S.P.	..
..	Naik	Alwar Nayudu	1,200
..	..	Chayi Kutti	500
..	..	12 Constables	300 each.

(ii) Mallaya Dora—

Jamadar Narayana Kurup	1,000
Constable No. 1632 Malabar Special Police	90
Do. No. 1467 do.	75
Do. No. 1568 do.	60
19 Non-Commissioned officers and men of Malabar Special Police party. Rs. 15 each.	60
Inspector Radhakrishna	285
Sub-Inspector No. 937 of Cuddapah	105
1 Head constable and 5 constables at Rs. 7½ each	30
Village Magistrate of Nalagonda Lothanukan Dora.	45
Do. Seekiyapalam Lotha Chunniah.	100
Do. Velagalapalam Chatti Ramayya.	100
	50

(iii) Gam Gantam Dora—

Jamadar Ponnuswami	2,500
Havildar Ramaswami Nayudu	510
13 Police constables at Rs. 130 each	270
	1,690
	2,600

(iv) Yendu Padal—

Distributed among eleven villagers	1,000
------------------------------------	-------

(v) Gokkiri Yerusu—

Distributed equally among three villagers	600
---	-----

22nd August 1924]

(7) Some nineteen rebels have still to be captured. Excepting the East Coast Special Police, however, all other forces have been now withdrawn. To prevent a recrudescence of the disturbances as well as to effect the capture of the remaining rebels, if possible, 3 outposts of Special Police will, for some time, be maintained in the affected area with headquarters at Narasapatam.

(8) The Government is ascertaining the cost; but the inquiry has not been concluded.

Convict Settlements.

The Sitanagaram settlement.

471 Q.—Rao Bahadur C. VENKATARAMA REDDI: Will the hon. the Home Member be pleased to state—

- the total strength of the Sitanagaram settlement;
- how many settlers have escaped from that settlement during the last two years;
- whether any steps have been taken by Government to arrest them and bring them back to the settlement;
- if so, with what results;
- whether the escaped settlers have been committing depredations in the Markapur taluk of the Kurnool district and the Palnad taluk of the Guntur district; and
- if so, what steps have been taken by Government to put a stop to such depredations?

A.—(a) The strength of the settlement on the 31st March 1924 was 1,031.

(b) The number of escapes during 1923–24 was 33 and during 1922–23, 74.

(c) & (d) The number of recaptures during 1923–24 was 30 against 62 in 1922–23. Some of these recaptures have been made by the settlement watchmen themselves.

(e) & (f) The Government have no information.

Rao Bahadur C. VENKATARAMA REDDI:—“With reference to the answer to (e) and (f), may I ask, in view of the considerable panic prevailing there, whether the Government will be pleased to call for the information?”

The hon. Sir ARTHUR KNAPP:—“I suggest to the hon. Member that in this complaint should be made to the local Superintendent of Police. I hardly think that the Government should interfere in a purely local matter of this kind.”

Rao Bahadur C. VENKATARAMA REDDI:—“The depredations are going on in the Markapur and Palnad taluks, and it is a serious matter. Probably they have offenders now spread to parts of Nellore district also.”

The hon. Sir ARTHUR KNAPP:—“Then, Sir, the best thing would be to get them convicted. That is a matter in the hands of the local District Superintendent of Police who is in a much better position to tackle the affair than we here are.”

[22nd August 1924]

Court of Wards and Zamindars.*Management of the Sivaganga Zamindari.*

472 Q.—The RAJA OF RAMNAD: Will the hon. the Home Member be pleased to state with reference to the speech made by the zamindar of Sivaganga recently, viz., "The one question that is troubling the mind of Sivaganga to-day is the date when the Government will be pleased to hand over the zamindari to me. That question is writ large on the face of my people, especially now when the Government has graciously conferred the title of Raja on me. I wish to take you into my confidence and inform you that the Government has no objection to render the zamin back to me. The rendition will take place any day now but for certain financial difficulties:"

(a) whether it is a fact that the Government have no objection to put the zamindari in possession of the zamindar;

(b) what the financial difficulties mentioned therein are;

(c) how they were occasioned and what steps the Government propose to take to remove those difficulties before handing over the estate to the zamindar; and

(d) if the answer to clause (a) is in the affirmative, whether the Government can now say when they will be in a position to effect this handing over?

A.—The Government have no information about the speech in question.

The RAJA OF RAMNAD:—"Sir, my question has been completely altered and I do not know by whom. The Government say that they have no information. Apart from that, I have stated what the speech is and I expect the Government Member will be pleased to give some information on the subject."

The hon. Sir ARTHUR KNAPP:—"Does my hon. Friend take the responsibility for saying that that is a correct report of the speech of the zamindar?"

The hon. the PRESIDENT:—"About the complaint that the question has been altered, I have the question in its original form before me. There was a single phrase 'with reference to the speech from the throne' between the words 'speech' and 'made'. I ordered that the words 'from the throne' be omitted because I thought that it was probably an insinuation, an ironical reference or something of that sort. With that exception, the question has been retained as it was."

The RAJA OF RAMNAD:—"The hon. the Home Member has asked me whether I hold myself responsible for the truth of those statements. I have got a copy of that speech here with the heading 'Speech from the Throne'. Sir, though the hon. the Member has taken advantage of the absence of that heading, will he now be pleased to answer the question?"

The hon. Sir ARTHUR KNAPP:—"I cannot understand this insinuation, Sir. I had no knowledge of the alteration."

The RAJA OF RAMNAD:—"If my question had remained as I sent it, without any alteration, perhaps the hon. Member would have got a copy of the speech and verified the statement. I may say, Sir, that under the Legislative Council rules an alteration could be made only under certain

[22nd August 1924]

circumstances, and, in such a case, opportunity must be given to the Member concerned for amending the particular question. I submit that no opportunity has been given to me in this case."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Apart from that point, Sir, could not the hon. the Home Member have given answers to the definite questions, (a), (b), (c) and (d)? Certainly the Government cannot say that they have no information on these points. At least, will the Government now be pleased to give the information or get it?"

The RAJA OF RAMNAD:—"Again, Sir, with reference to your observation that you thought that the expression 'Speech from the Throne' was not appropriate, I may say that that is a matter more for the Court of Wards now running the Estate are responsible. I only framed my question from the speech and I am not responsible for that expression."

Mr. M. RATNASWAMI:—"If the words 'Speech from the Throne' had been retained, would the Government have had information about the speech?" (Laughter).

The hon. Sir ARTHUR KNAPP:—"No, Sir."

The RAJA OF RAMNAD:—"May I expect an answer to my question, Sir?"

The hon. Sir ARTHUR KNAPP:—"I was only waiting, Sir, till the curiosity of some of the hon. Members was satisfied."

The RAJA OF RAMNAD:—"I protest against the word 'curiosity'. I am here representing the zamindars of the southern landholders' constituency."

The hon. Sir ARTHUR KNAPP:—"I did not mean the Raja of Ramnad but other hon. Members who have interposed."

Mr. S. SATYAMURTI:—"We are also interested, Sir, in the administration of the Sivaganga Zamindari."

The hon. Sir ARTHUR KNAPP:—"Now, Sir, with regard to clause (a), if the Government had no objection to put the zamindari in possession of the zamindar, they would have done so. With regard to (b) and (c), I want notice; and (d) does not arise."

Mr. S. SATYAMURTI:—"May I know, Sir, when the Government expect to be in a position not to have any objection to put the zamindari in possession of the zamindar?"

The RAJA OF RAMNAD:—"With reference to the answer to (b) and (c), may I submit that I have sent notice of another question and it remains unanswered till to-day?"

The hon. Sir ARTHUR KNAPP:—"I understand that the answer to the other question has been drafted and it will probably reach the Council office to-day."

Editors' Table.*Privileges of the Editors' Table.*

473 Q.—Sriman SASIBHUSHAN RATH Mahasaya: Will the hon. the Home Member, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(1) the names of newspapers and periodicals which have been granted 'Editors' Table privileges' up to date;

[22nd August 1924]

- (2) what such privileges are and whether they are granted under any conditions;
 (3) whether there are any newspapers at present except the *Swarajya* which have been denied the privilege;
 (4) the intention of the Government in extending these privileges to a newspaper;
 (5) whether such intention has been frustrated by the *Swarajya*; and
 (6) the person or authority on whose initiative the step against *Swarajya* was taken?

A.—(1) A list of newspapers now holding Editors' Table privileges has been laid on the table.
 (2), (4) & (6) The hon. Member is referred to answers to clauses (b), (c) & (f) of question No. 98.
 (3) Yes.
 (5) The hon. Member is referred to the answer to question No. 97.

Mr. S. SATYAMURTI :—"With regard to clause (3) of the answer, may I ask for the names and the number of the newspapers at present, besides the *Swarajya*, which have been denied the privilege?"

The hon. Sir ARTHUR KNAPP :—"I want notice of the question."

Mr. T. ADINARAYANA CHETTIYAR :—"May I know, Sir, whether in any other province in India such withholding of the privileges to newspapers has been resorted to?"

The hon. Sir ARTHUR KNAPP :—"I have no information."

Mr. T. ADINARAYANA CHETTIYAR :—"Are there 'scurrilous and vulgar' journals in any other part of India?"

Sriman BISWANATH DAS Mahasayo :—"With regard to clause (6) of the question, will the Government be pleased to state the authority?"

The hon. Sir ARTHUR KNAPP :—"I am afraid Government must decline to answer the question."

Emigration.

Coolie emigration to Assam and Burma.

474 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—

- (1) the number of coolies who have emigrated to Burma from the district of Ganjam for the last three years (1921-22-23);
 (2) the number that have emigrated to Assam from the same district during the same period;
 (3) the proportion of sexes of the emigrants in both the cases (Assam and Burma);
 (4) whether it is a fact that Ganjam provides the largest number of emigrants to Burma and Assam in the Madras Presidency and stands only next to Chittagong in the whole of India;
 (5) whether the Government of Madras have ever initiated any inquiry regarding employment of its labourers in Burma and Assam; and

[22nd August 1924]

(6) whether it is a fact that the Burma Finance Committee has expressed that it is for the Province from which the labourer comes to initiate enquiries regarding the conditions of employment of its labourers in Burma and in view of this statement the action which the Government propose to take?

A.—(1) The Government have no information.

(2) 1st July 1920 to 30th June 1921	1,454
" 1921 to " 1922	1,001
" 1922 to " 1923	786

(3) The proportion of females to males that emigrated to Assam from the Agency tracts during the years ending 30th June 1922 and 30th June 1923 was 35·8 per cent and 51 per cent, respectively. The Government have no information for the year ending the 30th June 1921 nor in respect of the number of emigrants to Burma during the above periods.

(4) No. The Government have no information regarding emigration from Chittagong.

(5) The Government have been in touch with the Assam Labour Board and have obtained from that Board such information as was needed in regard to the condition under which Madras labourers are working in Assam. In the case of Burma, the Government have not had occasion to make any inquiries.

(6) The Government are not aware of the proceedings of the Burma Finance Committee.

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know, Sir, whether Ganjam is the district that provides the largest number of emigrants?"

The hon. Sir ARTHUR KNAPP :—"As already stated, it is not the district that sends the largest number."

Diwan Bahadur P. KESAVA PILLAI :—"With reference to clause (6), will the Government be pleased to take action and initiate inquiry?"

The hon. Sir ARTHUR KNAPP :—"I do not understand what exactly my hon. Friend desires. Does he mean that we should cause an inquiry to be made into the condition of coolies in Burma?"

Diwan Bahadur P. KESAVA PILLAI :—"That is so. The Burma Finance Committee would not have said 'It is for the Government of this province to enquire,' unless there was a complaint from the coolies. I think the statement of the Finance Committee itself suggests that there must have been causes for complaint. Otherwise, they would not have said so. Therefore, will the Government be pleased to ascertain the state of things by initiating an inquiry?"

The hon. Sir ARTHUR KNAPP :—"We ought to have a little more positive basis for an inquiry than the implication contained in the reported remark of the Finance Committee. So far as I know, there have been no complaints at all. If my hon. Friend says that there is any particular evil to be remedied, I shall be delighted to enquire into it."

Diwan Bahadur P. KESAVA PILLAI :—"Are the Government satisfied that the people going to Burma are happy there? I think that Government should have some information about the emigrants going from this province."

[22nd August 1924]

The hon. Sir ARTHUR KNAPP :—" We have no reason to suppose that the people who travel to Burma are not perfectly happy and content there. Hundreds and thousands go there every year and come back, and it is asking a good deal to suggest that the Government must keep in touch with them all."

Sriman SASIBHUSHAN RATH Mahasayo :—" In view of the complaint made in the Burma Legislative Council about the coolies going from this Presidency to Burma, and in view of the statement of that Finance Committee that it is for the province from which the labourer comes to initiate inquiries, will the Government be pleased to enquire into the condition of the emigrants from Madras to Burma and take the necessary steps to safeguard their interests?"

The hon. Sir ARTHUR KNAPP :—" If my hon. Friend will give me the reference to the page of the Burma Legislative Council Report, I shall be delighted to make inquiries, if necessary. The question, as it is, makes no such reference."

Sriman SASIBHUSHAN RATH Mahasayo :—" I shall give the page reference later on. I only based my question on the statement made by the Finance Committee. I think it was reported to me by Mr. Narayana Rao, Member of the Burma Legislative Council."

Mr. R. SRINIVASAN :—" May I know, Sir, whether there are Members appointed by this Government on the Labour Board; and, if so, how many?"

The hon. Sir ARTHUR KNAPP :—" The Chairman of the Assam Labour Board is appointed by the Government of India."

Mr. R. SRINIVASAN :—" Is it not a fact, Sir, that the recruitment of coolies to Burma was prohibited some time back?"

The hon. Sir ARTHUR KNAPP :—" To the best of my knowledge, emigration to Burma has been entirely free for many years past."

Forests.

Committee to report on forest grievances in the Nellore district.

475 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Home Member be pleased to state—

(a) why a committee of officials and non-officials has not been formed in the Nellore district to enquire and report about the grievances of the ryots in forest matters; and

(b) whether there is any proposal to form such a committee in the Nellore district and, if so, when the proposal is likely to be sanctioned?

A.—(a) The hon. Member is referred to paragraph 2 of G.O. No. 742, Development, dated 23rd May 1923, which has been placed on the Editors' Table.

(b) No.

[22nd August 1924]

Concession to collect leaves for manure from the reserved forests.

476 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Home Member be pleased to state—

(a) whether the concession of dry leaves and green manure leaves reported to be granted as per the statement of the Chief Conservator of Forests in his budget speech of 1924 is made applicable to all reserved forests situated in agricultural areas; if not, why not; and

(b) whether it is a fact that the concessions are made applicable only to reserve forests where there are panchayats?

A.—(a) The concession has been granted for all reserves in the South Kanara district.

(b) The question does not arise.

Theft of sandalwood trees.

477 Q.—Mr. B. MAHABALA HEGDE: With reference to the answer to question No. 154 and the inquiries thereto, will the hon. the Home Member be pleased to state whether it is a fact that theft of sandalwood trees on kumaki and Government lands are mainly due to the existence of unlicensed and uncontrolled private sandalwood distilleries in forest areas?

A.—The Government have no definite information on the point. The question whether any action is called for in regard to sandalwood growing on kumaki lands in the South Kanara district is engaging their attention.

Cattle-grazing in Uppinangadi taluk.

478 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Home Member be pleased to state whether cattle-grazing on communal grounds are taken in by Government reserved forests (viz., Sampagi block and West Medinadka reserve) in Uppinangadi taluk, South Kanara district?

A.—The Government have no information.

Free-supply of green leaves and dry leaves from reserved forests.

479 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to refer to the reply of the hon. Member, the Chief Conservator of Forests, at the debate on the demand for forests on 19th March 1924 in regard to his orders that green leaves as well as dry leaves should be given to the people free from the reserved forests in South Kanara and to state—

(1) in what year these orders were passed;

(2) what orders have been passed recently on the subject;

(3) whether it is a fact that the Conservator of Forests has confined the operation of the orders only to dry leaves;

(4) subject to what conditions the people are allowed to remove the leaves, dry and green or dry alone; and

(5) whether any of the people have demurred to any of the conditions and to which?

[22nd August 1924]

A.—(1) In September 1922.

- (2) The orders recently issued by the Chief Conservator are that—
- (a) Green leaves of trees of unclassified species and dry leaves of trees of all species may be removed free of charge.
 - (b) Undergrowth in most reserves may be cut and removed up to a distance of half a mile from the limits of the holdings adjacent to the reserves. For the reserves along the coast, the limit has been fixed at 200 yards from the holdings.
 - (c) Undergrowth may be cut and removed in all areas sown with Hopea.
 - (d) Where panchayats are formed under the forest village system, half the grazing fees will be refunded after a year if the reserve has been satisfactorily protected from theft and fire.
- (3) No. It is understood that the previous orders were held to apply to green leaves only but this has now been rectified.
- (4) The concession will be in force as an experiment for one year in the first instance subject to the condition that if they are abused they will be withdrawn.
- (5) No.

The extension of the Forest Panchayat system to certain areas.

480 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to refer to answer No. 435 on page 533 of Volume II of the First Legislative Council, second session, in regard to certain small forest reserves in South Kanara and to enquire and to state—

- (1) what steps have been taken and are being taken to extend the Forest Panchayat system to the several reserves mentioned in that answer;
- (2) whether there have been complaints that the burden under that system is more than proportionate to the benefits accruing;
- (3) what are the powers, privileges and benefits Government have decided or propose to grant to the forest panchayats and the villagers they represent, as well as the burden and obligations Government have decided or propose to impose under the system;
- (4) as to the Hosabettu reserves, whether it is a fact that the constitution of these reserves has only tended to breed wild animals, antelopes and monkeys and malaria with the result that the neighbouring villages are suffering from the inroads of the animals and malaria pestilence;
- (5) what steps have been taken to prevent or reduce these evils;
- (6) as to the statement that the Hosabettu reserves contain tree-growth which is required for fuel supply to Mudabidri, Bantwal and Mangalore, whether it is a fact that the Bantwal and Mangalore taluks have enough of fuel supplies from nearer forests so as not to need fuel supply from such a distant source as the Hosabettu reserves;
- (7) whether it is a fact that the Forest Department has refused to supply the neighbouring villagers who wish to cultivate the betel leaf creepers with wooden posts from the Hosabettu forest on the ground that the cultivation of that creeper is not agricultural but is industrial, inasmuch as the cultivators sell the leaves, not fruits from the creepers;
- (8) on what authority this restriction is based;
- (9) what concession the Government grant or contemplate to grant as to the encouragement of such an industry and other industries out of forest produce in South Kanara?

22nd August 1924]

A.—(1) No steps have been or are being taken to extend the ordinary panchayat system to the reserved forests in South Kanara. Panchayats under the forest village system have, however, been formed for the following seven reserves:—

Porkala.	Matkalgudde.
Ballery.	Panamberi.
Jarvathukadu.	Todar.
Hosabettu.	

- (2) No such complaints have been received but the Government understand that the forest village system is not popular in South Kanara and have called for a report on the subject.
- (3) In addition to the concessions which have been recently granted for all reserves in South Kanara, for a statement of which the hon. Member is referred to the answer to question No. 566, the panchayats are given a refund of half the grazing fees as a reward for successful protection of the reserves under their charge.

The following are the powers granted to the panchayats:—

- (i) To regulate the collection and removal of dead-wood, dry and green manure leaves, and the cutting and removal of thorns.
 - (ii) To exclude the cattle of any person who recklessly causes damage to the forest or who disobeys the orders of the panchayat or who fails to assist the panchayat in carrying out its duties.
 - (iii) To impound cattle grazing without permits.
 - (iv) To report forest offences to District Forest Officers. No burden or obligation has been imposed beyond the obligation to protect the forests from fire, damage and theft.
- (4), (5), (6), (7) & (8) The Government have no information.
- (9) No concessions are granted by the Government to the industries referred to in the question and no proposals for the grant of such concessions are under the consideration of Government. They understand that the Conservator has recently offered the people of the villages adjoining the Todar reserved forest the privilege of felling poles for betel standards on condition that they clear the land of lantana.

Pay and allowances to the Rangers of the Forest Department.

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

- (1) whether Government have received a memorial from several Rangers in the Forest Department as to their claim for time-scale of pay, pony allowances and travelling allowances at high rates, etc.;
- (2) what orders have been passed on them; if not, when they are likely to be passed; and
- (3) on what grounds the Forest Rangers are treated differently from subordinate officers in most other departments as to time-scale system of pay?

A.—(1) & (2) The Government have only received advance copies of the memorial, the representations in which will be given due consideration when it is received through the proper channel.

[22nd August 1924]

- (3) It was considered that the time-scale of pay was not suited to the special conditions of the Forest Department.

Leasing of private forests by Government.

482 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—

- (a) whether it is not contemplated to acquire the Agency forests of the Bodokimedi estate on lease;
 (b) what is the purpose of Government in taking private forests on lease;
 (c) whether it is a fact that the late Zamindar of Bodokimedi had refused to lease his forests out to the Government on any terms; and
 (d) whether negotiations have been going on with the Court of Wards for the acquisition of the said forests on lease and if so what are the conditions proposed by Government?

- A.—(a) & (d) No proposals for leasing the Bodokimedi estate forests have been submitted to Government.
 (b) The hon. Member is referred to Chapter IV of the Forest Act.
 (c) The Government have no information.

Working of the Russellkonda saw mills.

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

- (a) how long it is proposed to run the Russellkonda saw mill; and
 (b) whether the working of the saw mills this year so far has resulted in any reduction of the probable costs this year?

- A.—(a) This depends on the results of the working of the mill.
 (b) The audit report for the first quarter of the current financial year has not yet reached Government.

Mr. S. SATYAMURTI:—“May I know, Sir, how long it would take to see the results of the working of the mill, i.e., how many years more?”

The hon. Sir ARTHUR KNAPP:—“I can only say that it depends upon the working of the mill. If the profits gradually go up, we shall naturally wait and give some more time. On the other hand, if they show signs of declining, we shall have to consider whether we should not close the mill down at once. It is impossible to say beforehand, in a business proposition of this kind, what the final result will be.”

Mr. S. SATYAMURTI:—“Are there any profits now at all?”

The hon. Sir ARTHUR KNAPP:—“According to one set of accounts there was gross profit; but according to the revised accounts, there was a loss.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Has not the working of the mill resulted in loss for two consecutive years?”

The hon. Sir ARTHUR KNAPP:—“Yes; it was not working on profits during the last two years.”

Sriman SASIBHUSHAN RATH Mahasayo:—“If it has resulted in definite loss, what is the amount of the loss?”

[22nd August 1924]

The hon. Sir ARTHUR KNAPP:—“The point is that apart from the interest on Government money, there has been actually a balance on the right side. The question how the interest on Government money should be calculated is one under consideration in connexion with our commercial concerns generally.”

Sriman SASIBHUSHAN RATH Mahasayo:—“Am I to understand that the mills do not pay interest on the capital invested by the Government?”

The hon. Sir ARTHUR KNAPP:—“The mills up to now have not paid interest on the capital invested.”

The RAJA OF RAMNAD:—“May I know if there is a proposal to open a saw mill in other parts of the Presidency?”

The hon. Sir ARTHUR KNAPP:—“Yes, Sir.”

Jails.

Accommodation for and release of prisoners in the Presidency.

484 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Home Member be pleased to state—

- (a) the total number of prisoners in all the jails and convict settlements in the Presidency;
 (b) the number of (i) Mappilla and (ii) non-co-operation prisoners among them with particulars of the jails in which they are accommodated;
 (c) the permanent accommodation available in the jails existing before the Mappilla rebellion and normal convict population before the Mappilla rebellion;
 (d) the temporary additional accommodation provided after the Mappilla rebellion and the places where it is provided as separate jails or annexes and the total jail population expected for 1924-25, including the Andamans repatriated prisoners; and
 (e) the number of convicts that are estimated to be annually released on the recommendations of the Advisory Boards?

A.—(a) There were 18,573 prisoners on 31st December 1923.

- (b) (i) There were 7,687 Mappilla prisoners on 26th April 1924 and they were distributed among the jails as follows:—

Rajahmundry	...	...	...	119
Vellore	...	...	...	110
Trichinopoly	...	...	...	329
Coimbatore	...	...	...	154
Penitentiary	...	...	...	97
Cannanore	...	...	...	1,162
Salem	...	...	...	12
Bellary	...	...	...	38
Alipuram	...	...	...	5,169
Borstal School, Tanjore	...	...	...	196
Palacottah	...	...	...	296
Berhampur	...	...	...	5

[22nd August 1924]

- (ii) The Government are unable to understand the significance which the hon. Member attaches to the term 'Non-co-operation prisoner'.
- (c) Permanent accommodation was available for 12,313 prisoners; the daily average number during 1920 was 11,602.81.
- (d) Additional accommodation was provided temporarily for 7,954 prisoners. Such provision was made in the Central Jails of Vellore, Trichinopoly, Cannanore, Salem and Alipuram. The approximate jail population during 1924-25 is expected to be 20,382.
- (e) It is estimated to be 250 annually.

Mr. S. SATYAMURTI:—"With reference to the answer given to clause 12 noon. (b) of this question, may I ask the hon. the Home Member whether he will be pleased to give us the number of prisoners who have been imprisoned on account of non-co-operation?"

The hon. Sir ARTHUR KNAPP:—"My hon. Friend's suggestion is that we should make a distinction between the non-co-operation prisoners and other prisoners. I am afraid that it is not practicable to go through the whole records of the jails to find out how many of them were imprisoned on account of non-co-operation."

Mr. C. V. VENKATARAMANA AYYANGAR:—"As regards the answer given to clause (e), will the Government see that the rules regarding the release of convicts are made more liberal so that the Advisory Committee may be able to recommend the release of a larger percentage of prisoners?"

The hon. Sir ARTHUR KNAPP:—"My answer is that Government are anxious to make the rules as liberal as possible."

The hon. the PRESIDENT:—"It is impossible to finish within the allotted hour the remaining questions so as to allow of supplemental questions being put upon them. Those questions will, with their answers, be included in the official report, and hon. Members will have the right to put any additional questions upon them in the form of separate interpellations with the usual notice and they will have plenty of time to do so."

Mr. F. NOYCE:—"With reference to the question put by the hon. Member for the University, regarding the British Empire Exhibition (vide question No. 435), may I say that the only female member who accompanied the party was the wife of a snake-charmer who insisted upon accompanying her husband." (Laughter.)

Labour.

Climatic conditions of the area of Assam tea plantations.

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

- (a) the average rainfall per year in the area of tea plantations in Assam;
- (b) the exact state of climate and health in that area;
- (c) whether the tract is malarial;
- (d) the number of hours per day that labourers can work in the plantations and the number of hours they actually work and the number of hours they are bound to work, whether they will or not;

[23rd August 1924]

- (e) whether the hours referred to above vary with the seasons and, if so, what the variations are in all details; and
- (f) whether the task work also varies with the seasons and, if so, how?

- A.—(a) The rainfall in the Assam plains averaged 93 inches in 1923.
- (b) The climate is equable, generally speaking; the death-rate was 24 per mille in 1923.
- (c) Some of the tracts are malarial.
- (d), (e) & (f) There is no compulsory period of work. Labourers generally work from three to five hours a day, but the more industrious work additional hours and earn overtime wages. The hour of work varies with the season and also the nature of the work.

Labour in Assam by Mappilla prisoners.

486 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state how many Mappilla prisoners were sent to Assam as coolies in the estates?

A.—None.

Alleged exodus of coolies from the Anamalai plantations.

487 Q.—Mr. R. VEERIAN: With reference to the Pollachi correspondents' letter on the Anamalai plantation coolies' exodus published in the *Hindu*, dated 9th July 1924, will the hon. the Home Member be pleased to state—

- (a) what is the strength of the number of labourers working in all the Anamalai plantations in the Coimbatore district;
- (b) what are the communities from which recruitments are chiefly made;
- (c) what are the conditions of service on the estates and the relief measures undertaken for the sick and the destitute people;
- (d) the number of deaths that took place among the recent coolies' exodus from the Anamalais; and
- (e) if the Government have no information, whether they will be pleased to call for the information?

- A.—(a) The Government have no exact information but the number is about 20,000.
- (b) The information is not available.
- (c) Hospitals are maintained by the planting community for the treatment of coolies who fall ill.
- (d) Eight up to 14th July 1924.
- (e) Does not arise.

Public Service.

Promotions, etc., of Mappillas to the Provincial Services in the Revenue and Police departments.

488 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member, the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(a) whether there is any reason for not appointing or promoting Mappillas to the Provincial Services either in the Revenue department or Police department after the retirement of those who were in that service; and

[22nd August 1924]

(b) whether there are no qualified Mappillas in the subordinate service of those departments?

A.—(a) There is no reason, if qualified Mappillas are available and there are no persons with greater claims.

(b) The Government have no specific information. Generally speaking there are very few Mappillas in Government service of any grade.

Railways.

Special trains for His Excellency the Governor.

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

(a) the saving to the Public Exchequer by His Excellency the Governor's dispensing with his special trains; and

(b) whether the railway companies declined to take His Excellency the Governor except in special trains and if so, why?

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

(b) No.

Civil Justice.

Supervision of the mufassal courts by a judge of the High Court.

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

(a) whether there is any proposal to put one of the Judges of the High Court on special duty to supervise the mufassal courts;

(b) the reasons for this proposal; and

(c) whether the arrangement proposed is to be a permanent one?

A.—The question is under consideration.

Increase in the number of the Judges of the High Court.

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

(a) whether the Local Government have addressed the Government of India for an increase in the number of the Judges in the High Court, and, if so, by how many;

(b) whether there is any proposal to do so; and

(c) if so, what are the reasons?

A.—The question is under consideration.

Criminal Justice.

Trial of cases by the Sub-Magistrate of Arkonam.

492 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Stationary Sub-Magistrate of Arkonam is in the habit of holding his court at unreasonable hours and often in the veranda of his private dwelling which is said to be only 4 feet broad;

[22nd August 1924]

(b) whether the same sub-magistrate is in the habit of using abusive language towards parties and witnesses belonging to a certain community who are obliged to appear before him;

(c) whether one Mr. C. Rajagopalachari of Paranj village, who was a witness in C.C. No. 109/24 on the file of this sub-magistrate was asked to appear and give evidence in spite of the fact that he was ill and subsequently although the said witness went at the appointed hour to the court-house to find that the magistrate was not holding court there, threatened to have his bond forfeited;

(d) whether it is a fact that this sub-magistrate later passed an order of forfeiture of the bail bond amount of Rs. 25 on the 15th March 1924, whereas the said Rajagopalachari had been asked to appear on the 17th March and show cause why the amount should not be forfeited;

(e) whether it is a fact that on appeal to the District Magistrate the order was cancelled and the amount refunded to the party; and

(f) whether Government will be pleased to call for information, if they have not got it already as this particular sub-magistrate is reported to act similarly in other cases?

A.—The Government have no information and have called for a report.

Malayalam interpreter in the Sessions Court of Mangalore.

493 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Law Member be pleased to state whether Government are aware that there is no qualified Malayalam interpreter in the Sessions Court of Mangalore, South Kanara?

A.—The Government have no information but will make inquiries.

Estates Land Act.

Disposal of rent suits by the Revenue Divisional Officer, Chatrapur.

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

(a) the number of rent suits disposed of in 1923 and in 1924 in the Court of the Revenue Divisional Officer, Chatrapur, in which notices of the date of adjournment were given to the defendant-tenants by affixture in the notice board of the court;

(b) the number of such suits where the suit amounts were decreed ex parte; and

(c) the number of cases where ex parte decrees were sought to be set aside and the case or cases where these were allowed?

A.—The Government have no information.

Service of notices of adjournment of suits in the Revenue Divisional office of Chatrapur.

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

(a) the number of objections under section 74 (7) of the Estates Land Act in 1923 and 1924 in the Court of the Revenue Divisional Officer, Chatrapur, in which notice of the date of adjournment was given to the tenants by mere affixture in the notice board of the court; and

[22nd August 1924]

(b) the number of such cases in which the party-tenant appeared on the date of adjournment and the number of cases in which awards were confirmed in his absence?

A.—The Government have no information.

Government House gardens.

Officer in charge of the Government House gardens.

496 Q.—SRIMAN SASIBHUSHAN RATH Mahasayo: Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether there is a subdivisional officer in charge of the Government House gardens;

(b) if so, his salary, allowances, the nature of his duties and how long since the post has been created; and

(c) whether assistant engineers of the Madras Engineering Service in general have training in gardening or whether the subdivisional officer in charge of Government House gardens alone has knowledge of and training in gardening?

A.—(a) The answer is in the negative

(b) & (c) These do not arise.

Irrigation.

Select Committee on the Irrigation Bill.

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

(1) what was the total expenditure on account of the travelling and halting allowances of the members of the Select Committee appointed in connexion with the Irrigation Bill;

(2) how many of the members attended the meetings of that Select Committee and for how many days;

(3) how many of them took an active part in the discussions and how many a mere passive part;

(4) why were the meetings held at Ootacamund rather than at Madras;

(5) what was the extra expenditure involved by holding the meetings at Ootacamund (if any) on account of the members having to go there and the establishment;

(6) how many of the members of the Select Committee attended the preliminary meeting at Madras which decided that the further meetings should be held at Ootacamund and how many and who (with names) voted in favour of the latter; and

(7) what was the cost of this preliminary meeting?

A.—(1) Rupees 8,433-10-0.

(2) The meeting of the Select Committee was held on the 8th, 9th, 12th to 15th, 19th to 24th and 26th to 28th May 1924.

[22nd August 1924]

The number of members that attended the meeting was as follows:—

8th	...	...	...	...	22
9th	...	...	...	...	26
12th to 14th	...	...	...	...	28
15th	...	...	...	...	29
and 19th to 28th	...	...	...	...	30

(3) The proceedings are confidential and the information asked for cannot be furnished.

(4) & (6) The reason was that the Committee decided by a majority to hold the sittings at Ootacamund. Further particulars about the voting are not available.

(5) The information is not readily available.

(7) Rupees 2,799-9-0.

Law Reports.

Indian Law Reports.

498 Q.—MR. S. MUTHAYYA MUDALIYAR: Will the hon. the Law Member be pleased to state when and why the system of enlisting in Madras subscribers for the complete series of the Indian Law Reports was discontinued?

A.—The system was discontinued from last February as all the Local Governments were not in favour of the arrangement and their consent was essential as the subject has become a Provincial one.

Panchayat Court.

Disposal of papers by the President of the Sivakasi taluk board.

499 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the President of the Sivakasi taluk board delays the forwarding of applications from ryots for the institution of panchayat courts in their villages; and

(b) if so, whether the Government will be pleased to call for a list of such applications pending with him on 30th June 1924 showing how long they have been thus pending?

A.—(a) & (b) The Government have no information and will call for a report.

Panchayat courts in North Arcot district.

500 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that in several panchayat courts in the North Arcot district the village munsif or karnam is the president;

(b) whether the election to these courts is often no election but merely a selection by the revenue officials;

(c) whether it is a fact that many presiding officers do not follow the prescribed procedure in the trial of cases; and

(d) whether it is a fact that many district munsifs in the district do not scrutinize the proceedings of these courts when they are sent to them?

A.—The Government have no information, but will inquire.

[22nd August 1924]

Police.*Abolition of the Police station at Pallikonda, North Arcot district.*

501 Q.—Mr. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether there is a proposal to remove the existing Police station at Pallikonda in the North Arcot district and locate a police outpost in that place; and

(b) if so, for what reasons, besides that of economy, the proposed abolition is sought to be effected?

A.—The Government have not received any such proposal.

Bomb manufacture in the Ceded districts.

502 Q.—Mr. K. KOTI REDDI: Will the hon. the Law Member be pleased to state—

(1) whether the Government are aware of the great alarm in the Ceded districts caused by the manufacture and use of bombs for killing people; and

(2) if so, what steps have been and will be taken for effectively dealing with the situation?

A.—(1) & (2) The Government are aware of the use of bombs for assassination in the Ceded districts and have placed a special police staff on duty for the investigation of such cases and the suppression of the manufacture of and trade in bombs.

Preferment of Provincial Police officers to District Superintendentships of Police.

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

(a) whether it is proposed to create the post of a District Superintendent of Police on account of the bifurcation of the Kistna district;

(b) if the answer be in the affirmative, whether this post will be listed for the Provincial Police; and

(c) whether Government have issued orders to the effect that the vacancy to be caused by the premature retirement of Mr. Swire in November next should go to a Provincial Police officer?

A.—(a) & (b) These proposals are now under the consideration of the Government.

(c) Orders for filling up a vacancy issue when a vacancy arises and not before.

Preferment of Provincial Police officers to vacancies due to retirement on proportionate pension.

504 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state whether it is a fact that the Government of India have ruled that vacancies caused in the superior posts of the Police by the retirement of officers on proportionate pension may be reserved for officers of the Provincial Police Service?

A.—Yes.

22nd August 1924]

Appointment of Mr. Kaye as Superintendent of Police.

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

(a) whether it is a fact that Mr. Kaye was appointed to act as Superintendent of Police, North Arcot, and afterwards Bellary;

(b) whether he joined the service in 1919; whether he was in the course of his service under school training for one year, under practical training for one year and on leave for about a year;

(c) whether the Police Commission and the Government of India do not assume that an Assistant Superintendent should have training as Assistant Superintendent of at least seven years before he can be placed in charge of a district;

(d) what were the special circumstances in which this principle was ignored in the case of Mr. Kaye's appointment to district charge in spite of the fact that there were Deputy Superintendents of several years' service who could have been appointed to act as Superintendents; and

(e) whether it is a fact that Mr. Ponnuranga Mudaliyar who was appointed to act as Superintendent earlier than Mr. Kaye was reverted, thereby enabling Mr. Kaye to continue as Acting Superintendent, and whether there is now a proposal to revert another acting Provincial District Superintendent of Police also appointed earlier than Mr. Kaye, such reversion having a similar effect?

A.—(a) & (b) Yes.

(c) A suggestion was made that this should be the normal practice.

(d) Mr. Kaye was considered more fit for the appointment than any other officer qualified and available at the time.

(e) The hon. Member evidently suggests that Deputy Superintendents of Police have a claim as of right to act as Superintendents of Police even in vacancies not reserved for them. This is not the case. The Government is not aware of any such proposal as that referred to in the last part of this question.

Local tyranny and oppression in the Ellore division.

506 Q.—Mr. K. SARVARAYUDU: Will the hon. the Law Member be pleased to state—

(a) whether the Superintendent of Police, Kistna, has been engaged in making local investigations regarding the complaints and allegations to the effect that the people in certain villages in the Ellore division were helplessly enduring local tyranny and oppression;

(b) the names of the villages concerned and the individuals complained against, the number of petitions filed before the police and the action taken by them;

(c) a summary of the lawless and oppressive actions brought to the notice of the police, and how they were disposed of; and

(d) the nature of the measures recommended to safeguard the people from such tyranny and oppression in future?

A.—The Government have no information.

[22nd August 1924]

507 Q.—Mr. P. SIVA RAO: With reference to question 440 and the reply thereto given at the meeting of the Legislative Council, dated 9th February 1924, will the hon. the Law Member be pleased to state whether he has since inquired into the matters referred to therein and regarding the severity of punishments and the frequent transfers ordered by the District Superintendent of Police, Bellary; and, if so, with what result?

A.—The Government have obtained a report and are satisfied that the action taken was necessary in the interests of the discipline and efficiency of the district police force.

Tickets for the Police Sports, Bellary, and the Carr Compassionate Fund.

508 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(i) whether the District Superintendent of Police, Bellary, issued tickets of the value of Rs. 2-8-0, of Re. 1 and of As. 8 and As. 4 each of the total value of about Rs. 5,870 in connexion with the police sports held last year to the various Police Inspectors and Sub-Inspectors in the district with strict instructions to see that the whole lot were sold to the public;

(ii) whether any 'zulum' was practised by the subordinate officers of police in procuring the sale of the tickets;

(iii) whether any portion of the sale-proceeds was announced to be in aid of the Carr Compassionate Fund, Madras, and meant solely for the benefit of the widows and orphans of the police sergeants;

(iv) whether this does not amount to the levy of public subscription by the Police Superintendent and whether he obtained the sanction of the Government for doing so;

(v) what is the nature and scope of the Carr Compassionate Fund and whether the sanction of the Government is necessary before raising the same;

(vi) whether it is meant for the benefit of the widows and orphans of the police sergeants only or of those of any other class of police officers; and

(vii) how much money in all was collected for the purpose and what portion of it has been spent over the arrangements and over 'ball' and other entertainments and how much of it has been contributed towards the Carr Compassionate Fund and what portion of the latter sum has been utilized for the benefit of the orphans and widows of European sergeants and whether any portion of it has been utilized for the benefit of the other classes of police officers?

A.—(i) Tickets were offered for sale at the prices mentioned. Subordinate police officers were invited to co operate in the sale of tickets. They were not instructed in the manner suggested.

(ii) The Government have received no such complaints.

(iii) Yes.

(iv) The previous sanction of the Government was not obtained. The use to which the surplus funds were to be put clearly stated in the advertisement of the sports.

(v) & (vi) The Carr Compassionate Fund which is almost entirely supported by the Gazetted officers of the Police department was founded in 1871 to assist destitute families of European and East Indian members of the force. Its scope has since

[22nd August 1924]

been extended to include the families of Indian members also. It is administered by a Committee consisting of Inspector-General, Deputy Inspectors-General and Assistant Inspector-General of Police. The sanction of Government was not necessary for the raising of the same.

(vii) The Government have not examined the accounts but understand that Rs. 2,838-1-3 was handed over to the Carr Compassionate Fund.

The 'River-Guard System' for the 'Ghat-Talaiyari System.'

509 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(i) whether the District Superintendent of Police, Bellary, introduced 'The River-Guard System' in the place of the 'Ghat-Talaiyari System' abolished by the Government;

(ii) whether the sanction of the Government was obtained for the innovation and what were the reasons underlying the same;

(iii) whether 'The River-Guard System' is in vogue in any part of the Presidency and is working satisfactorily in the Bellary district; and

(iv) whether the hon. Member has enquired into the matter; if not, whether he now proposes to do so?

A.—(i) Yes.

(ii) No. The Inspector-General of Police sanctioned the trial of the system as an experimental measure; it was calculated to aid the prevention of crime.

(iii) The system is not in vogue in any other part of the Presidency and has now been discontinued in Bellary.

(iv) The Government have enquired into the matter.

'Inter-communication of offences.'

510 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(i) whether the District Superintendent of Police in the Bellary district has introduced the system of 'Inter-communication of offences' committed by the gangs in the district; if so, at what additional cost; and whether the sanction of the Government was obtained for the purpose;

(ii) whether this system is in force in any other part of the Presidency and is working satisfactorily in that part; and

(iii) whether the hon. Member has enquired into this matter; if not, whether he now proposes to do so?

A.—(i) The system obtaining in Bellary is that on the occurrence of gang crime, all stations in the district are informed and parties are sent out to search places where wandering gangs are known to halt. The system does not involve any additional cost and is part of the recognized functions of the district police.

(ii) The system exists in all districts though its form may vary with the conditions of each district.

(iii) The Government have enquired into the matter.

[22nd August 1924]

K.D's and suspects under the present District Superintendent of Police, Bellary.

511 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(i) the total number of suspects and K.D's. registered in each police station in the district of Bellary and also the registers kept by the village magistrates of the district during the regime of the present District Superintendent of Police, as compared with those registered during the time of his predecessors in office;

(ii) whether it is a fact that their number has enormously increased during the time of the present District Superintendent of Police;

(iii) whether the distinction between K.D's. and suspects has been abolished during his time and all suspects are now registered as K.D's.;

(iv) what are the rules governing the registration of K.D's. and whether all of them have been strictly observed by the present Superintendent of Police in the classification of K.D's.; and

(v) whether it is a fact that the present District Superintendent of Police has issued instructions that a 'panchayatnama' should be prepared regarding the whereabouts of the K.D's. so registered when they return after a temporary absence from their villages; if so, whether this practice is in vogue in any other part of the Presidency?

A.—The Government have no information and they have called for a report.

Crime in Adoni and Alur taluks.

512 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state how many grave crimes including bomb-murders have been reported from the taluks of Adoni and Alur and how many of them have been detected?

A.—The Government have no information and they have called for a report.

Police transfers in Bellary.

513 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state whether the frequent transfers of inspectors and sub-inspectors of police made by the present Superintendent of Police, Bellary, all occurred during the period preceding the Legislative Council elections, viz., June to November 1923, and whether the transfers so made were intended to benefit a particular candidate in the field?

A.—The Government have obtained a report, but the report does not state the precise dates of the several transfers of subordinate police officers. The answer to the latter part of the question is in the negative.

Summer exodus of the District Superintendent of Police, Bellary.

514 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member and the hon. the Member for Finance be pleased to state—

(i) for what period the District Superintendent of Police was camping in the Hill station, Ramandrug, during the months of March, April, May and June 1924 in the last summer season;

[22nd August 1924]

(ii) whether he obtained the permission of the Government to spend his summer at Ramandrug; and

(iii) whether there is any maximum period allowed for a district officer to stop during summer in a hill station in the district; if so, what is the time prescribed and whether this was exceeded in this particular case?

A.—(i) & (ii) No report has been made to Government and no orders have been issued by them.

(iii) Ordinarily a halt at a hill station may not extend beyond ten days; if a more extended stay is allowed for special reasons no travelling allowance is admissible.

Shooting of a head constable of Markapur taluk by the Circle Inspector of Police.

515 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Law Member be pleased to state—

(a) whether the police of Markapur taluk in the Kurnool district with the Circle Inspector of Police at their head raided the Erikelas at Chapalamadugu village in February or March 1924;

(b) whether in that raid a head constable was shot dead;

(c) whether at first it was reported by the Inspector of Police that the head constable was shot by the Erikelas;

(d) whether after the post-mortem it was admitted by the Inspector that he accidentally shot the head constable;

(e) whether the Circle Inspector was kept under suspension by the Superintendent of Police pending investigation;

(f) whether he was afterwards reinstated by Government and transferred to another district;

(g) the circumstances under which he was let off so lightly; and

(h) whether the Government will be pleased to lay on the table the report of the Superintendent of Police?

A.—The Government have not received any report of the occurrence in question and have not taken any action such as that suggested in clause (f). A report has been called for.

The service of the head constable in the shooting accident at Markapur.

516 Q.—Rao Bahadur C. VENKATARANGA REDDI: With reference to question No. 515, will the hon. the Law Member be pleased to state—

(a) the total service put in by the head constable who was shot dead by the Circle Inspector; and

(b) whether the Government propose to give compensation to his widow and children?

A.—(a) Government have no information on the subject.

(b) The question will be considered on the receipt of the report that has been called for.

[22nd August 1924]

Finance.*Expenditure on the various Imperial Services under the Local Government.*

517 Q.—**Sriman BISWANATH DAS Mahasaya**: Will the hon. the Member for Finance be pleased to state—

(a) the present strength, the sanctioned strength and the actual strength in 1919 of each of the services separately as stated below under the pay of the Government of Madras:—

- (1) Indian Civil Service,
- (2) Indian Police Service,
- (3) Indian Forest Service,
- (4) Indian Educational Service—
(a) Males and (b) Females,
- (5) Indian Agricultural Service,
- (6) Indian Veterinary Service,
- (7) Indian Medical Service, and
- (8) Indian Service of Engineers;

(b) the number of Indians in each of the different services separated at present and also in 1919; and

(c) the additional expenditure that this Government will have to incur as the result of the Lee Commission Report?

A.—(a) & (b) The hon. Member is referred to the Annual Civil Lists published by Government.

(c) The hon. Member is referred to the answer to clause (3) of question No. 233.

Additional revenue and expenditure during the last three years.

518 Q.—**MR. G. RAMESWARA RAO**: Will the hon. the Member for Finance be pleased to state—

(a) the additional revenue to the Government under various heads during the last three years as compared with 1920; and

(b) the additional expenditure under the same heads for salaries, travelling allowance and contingencies and other purposes?

A.—The information required will be found in the Civil Budget Estimates for the years 1922-23, 1923-24 and 1924-25.

Audit of Government commercial concerns.

519 Q.—**MR. S. SATYAMURTI**: Will the hon. the Member for Finance be pleased to state—

(a) whether the advertisement inviting applications for the audit of the Madras Government commercial concerns contemplated the engaging of the services of a private professional auditor on a part-time basis; and

(b) if not, how Messrs. Fraser & Ross came to be employed on a part-time basis?

A.—The hon. Member is referred to the answer to question No. 29.

[22nd August 1924]

Filling up of vacancies in the Local Fund Accounts Department.

520 Q.—**MR. S. SATYAMURTI**: Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that Mr. K. R. Sadasiva Rao, till lately Examiner of Local Fund Accounts, announced in September or October that he was holding a competitive examination for filling up vacancies in his department and a fee of Rs. 3 was levied from each candidate;

(b) whether ninety candidates appeared for the examination held at the Senate House at Madras early in December; and

(c) whether the results have been published and whether any candidate has been appointed, and if not, why not?

A.—(a) Yes.

(b) Ninety-nine candidates appeared for the examination held on the 16th and 17th November 1923.

(c) Only successful candidates were informed of the fact that they had passed. These were 40 in number, of whom 19 have been appointed and one declined the appointment offered him.

Marine.*Prohibition of people from landing at the Tuticorin Harbour Works jetty.*

521 Q.—**RAO BAHADUR CRUZ FERNANDEZ**: Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that the Executive Engineer of the Tuticorin Harbour division issued a notice prohibiting people from landing at the Harbour Works jetty or visiting the site of the Harbour works (presumably Hare Island) and stating that those contravening the order would be prosecuted; and

(b) from whom the Executive Engineer derives such power and under what Act the notice was issued?

A.—(a) The Government understand that the facts are as stated.

(b) The site of the Tuticorin Harbour works is under the control of the Executive Engineer, Tuticorin Harbour division, and it follows that he has power to prohibit people from entering the site without permission.

Standing Committees.*Standing committees of the Legislative Council for Reserved departments.*

522 Q.—**MR. P. SIVA RAO**: Will the hon. the Member for Finance be pleased to state whether the Government propose to appoint standing committees of the Members of the Council as provided for in the Government of India Act for giving the requisite advice in the administration of the 'Reserved departments' in charge of the members of the Executive Council; if not, what are the reasons for not appointing them?

A.—There is no provision in the Government of India Act of the kind suggested by the hon. Member. The Government have however in some cases appointed standing committees to advise on reserved subjects.

[22nd August 1924]

Local Boards and Municipal Councils.*Water-supply in Vellore town.*

523 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that there has been a scarcity of drinking water in Vellore town, many of the wells in private houses having dried up this year; and

(b) whether the Government are taking any action in the matter?

A.—(a) Yes.

(b) A scheme for the improvement of the water-works at Vellore at an estimated cost of Rs. 46,700 and another temporary scheme for the supply of water to the town from the Palar at an estimated cost of Rs. 49,800 were approved by the Government and grants amounting to half the estimated cost were also sanctioned.

Disestablishment of local boards.

524 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that the Government have suggested to the Retrenchment Committee constituted under G.O. No. 2043 the consideration of the disestablishment of local boards?

A.—The hon. Member is referred to Notification No. 821 published in Part I-A of the *Fort St. George Gazette*, dated 21st October 1923.

Medical.*Medical relief in rural areas.*

525 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Minister for Local Self-Government be pleased to state whether there is any scheme under contemplation for the extension of medical relief in the rural parts of the Presidency and, if so, to place that scheme on the table?

A.—The answer to the first part of the question is in the affirmative. The question of laying the scheme on the table will be considered as soon as the main outlines have been settled.

Public Health.*The hookworm campaign in Madras.*

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

(a) whether the Ankylostomiasis campaign is carried on in Madras with the aid of private endowments or whether the Government is rendering any financial or other aid to it in whole or in part;

(b) if it is partly helped by Government, what the nature and the extent of such help is;

22nd August 1924]

(c) whether Government get any rent for the portion of the Surgeon-General's office occupied by the office of the Director of the Ankylostomiasis campaign;

(d) whether any Government stationery, stamps, or furniture are made use of by the Director of the Ankylostomiasis campaign;

(e) whether any sub-assistant surgeons drawing their pay from Government are working under the Director of the Ankylostomiasis campaign;

(f) whether the Government have authorized the mass-treatment of children for hookworm in elementary schools and, if so, on whose advice and after what investigation;

(g) whether the Government have laid down any conditions regarding preliminary diagnosis and intimation to parents to be observed by the doctor before administering mass-treatment to children in elementary schools; and

(h) whether the Government have satisfied themselves on the necessity for a campaign of this sort by taking expert opinion and, if so, whose opinions were taken?

A.—(a) The Ankylostomiasis campaign is carried on partly at the cost of the Government and partly with the aid of the International Health Board of America.

(b) The campaign consists of—

(1) an investigational campaign extending over the whole province, and

(2) an intensive educational campaign in a selected district. The Government bear the entire expenditure on the former except the pay and travelling allowances of the Director and his assistant. The cost of the intensive educational campaign is shared equally by the Government and the International Health Board. The amount provided by the Government in the current year's budget is Rs. 15,000 for the former and Rs. 11,800 for the latter.

(c) No.

(d) Yes.

(e) Yes; eight sub-assistant surgeons are working under the Director. Four of them are being paid wholly by the Government. The International Health Board contribute half the pay of the other four.

(f) Investigation has shown that about 95 per cent of the public including children are harbouring hookworms. On the advice of the Surgeon-General and the Director of Public Health the Government sanctioned mass-treatment. It is carried on in Madras as well as in the districts in consultation with the Director of Public Instruction, the Commissioner, Corporation of Madras, Chairmen of Municipal Councils and Presidents of District Boards.

(g) No.

(h) Yes; the opinions of the Surgeon-General, Director of Public Health and the Special Officer deputed by the International Health Board were taken.

Education.

[22nd August 1924]

Opening of a school in Kandiypadu village, Gudiyattam taluk.

527 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether it is not a fact that the inhabitants of the village of Kandiypadu in the Gudiyattam taluk of the North Arcot district which is centrally situated in a group of 17 or 18 villages comprising a population of about 20,000 people who pay a revenue of some Rs. 40,000 annually are without a school at present;

(b) whether they recently approached the local authorities for a Board school and received a reply from the Deputy Inspector of Schools, Gudiyattam Range, to the effect that a school cannot be opened there for want of funds; and

(c) whether Government will be pleased to enquire into the matter?

A.—(a), (b) & (c) The Government have no information. The taluk board might be moved to consider the question of opening additional elementary schools in the area under its jurisdiction with its present resources.

Fees in Queen Mary's College.

528 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Education be pleased to state whether there is any foundation for the rumour that the Queen Mary's College will be kept at par with the colleges where boys read in the matter of college fees—vide the letter of Mr. D. Thomas on page 10, column 6 of the *Madras Mail*, dated 24th July 1924?

A.—The attention of the hon. Member is invited to rules 99 and 102 of the Madras Educational Rules. The Government have at present no suggestions under consideration for the amendment of the fee regulations.

Vernacular as compulsory medium of instruction.

529 Q.—Mr. K. KOTI REDDI: Will the hon. the Minister for Education be pleased to state—

(1) whether the Director of Public Instruction called for the views of the District Secondary Education Boards on the question of adopting one or other of the vernaculars of the Presidency as a compulsory medium of instruction and of examination in non-language subjects in the high schools; and

(2) if so, which of the Boards have expressed in favour and which against such adoption?

A.—(1) Yes.

(2) The hon. Member is referred to the answer to question No. 300.

Conscience clause.

530 Q.—Mr. K. KOTI REDDI: Will the hon. the Minister for Education be pleased to state—

(1) whether the District Secondary Education Boards have been consulted as to the introduction of 'Conscience Clause'; and

(2) if so, which of the Boards have expressed in favour and which against such introduction?

22nd August 1924]

A.—(1) Yes.

(2) The hon. Member is referred to the answer to question No. 398.

Special concessions to members of the Ezhuthachan community of Malabar.

531 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have received two memorials from the Ezhuthachan community of Malabar, one in 1920 and the other in 1924, praying for special concessions in the matter of education and appointments to Government service; and

(b) whether any and, if so, what orders have been passed on these memorials?

A.—The attention of the hon. Member is invited to the answer to question No. 166.

Earmarking of the education cess for new schools.

532 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Minister for Education be pleased to state—

(a) why the education cess is earmarked for the benefit of new schools alone; and

(b) whether there is any proposal at present to improve the lot of village school masters by increase of their pay or standardizing the same?

A.—(a) The Education tax has been introduced with the object of providing additional source of revenue for the expansion of education. The diversion of these funds for objects other than the opening of new schools and the development of existing schools is obviously to be deprecated.

(b) The question of raising the pay of village school masters is one mainly for the management concerned.

Science course in the first-grade colleges of the West Coast.

533 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education be pleased to state—

(1) whether there are any colleges on the West Coast of this Presidency in which there are chairs and laboratories for the course in Science (Physics and Chemistry) for B.A. degrees; and

(2) whether Government have decided or propose to introduce such course for the B.A. degree in any Government college or to subsidize any aided college which is prepared to introduce that course of studies?

A.—(1) No.

(2) The Government do not maintain any first-grade college on the West Coast. If any aided institution is prepared to open Science groups for the B.A. degree it will receive grants-in-aid from the Government under the provisions of Grant-in-aid Code.

[22nd August 1924]

Free studentships for secondary public schools.

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

(i) whether the Government have recently passed orders authorizing the managers of secondary schools under public management to grant free studentship to the extent of 10 per cent on the rolls to the indigent pupils of marked ability of any community and that the amount so remitted should be treated as legitimate expenditure in arriving at half net cost to be borne by the Government under the Grant-in-Aid Code;

(ii) if so, whether the hon. the Minister will be pleased to lay it on the table; and

(iii) whether copies of the same have been distributed to all the managers of such schools and all the District Educational Officers?

A.—(i) No such orders have been issued in respect of schools under public management. The Grant-in-Aid Code does not apply to these schools.

(ii) & (iii) Do not arise.

Admission of pupils from the depressed classes into the taluk board elementary school at Sangalikaran street, Porto Novo.

535 Q.—Mr. R. SRINIVASAN: Will the hon. the Minister for Education be pleased to state—

(a) whether children belonging to the depressed classes are admitted in the taluk board elementary school at Sangalikaran street in Porto Novo; and

(b) if the answer be in the negative, whether steps will be taken to ensure their admission in future?

A.—The Government have no information. A report is being called for.

Mappilla education.

536 Q.—Mr. K. UPPI SAHIB: Will the hon. the Minister for Education be pleased to state the amount of money spent for Mappilla education in 1920, 1921, 1922, 1923 and 1924, excluding inspection charges?

A.—The Government have no information.

Opening of a Muhammadan training school in Nellore.

537 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the Nellore District Educational Council recommended the opening of a training school for Muhammadans in Nellore or in the alternative an increase in the stipends to be granted to Muhammadan students who have to go to other districts for training for want of a training institution in their own district; and

(b) whether the Government in G.O. Mis. No. 958, Law (Education), dated 12th June 1924, refused to consider either of the recommendations and, if so, the reasons therefor?

[22nd August 1924]

A.—The answer to both the clauses is in the affirmative. Excluding the Mappilla Training school at Malappuram, the Government maintain seven training schools for Muhammadans (four for masters and three for mistresses) and the training places available in them are not being utilized in full. Untrained teachers in the Nellore district can conveniently go to Guntur or Madras for training. The question of a general revision of the stipends has already been considered and abandoned on financial and other grounds.

*Excise.**Location of toddy shops in Polur union.*

538 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the local advisory committee in the Polur taluk of the North Arcot district has been recommending for the past three years the removal of the toddy and arrack shops to a place outside the Polur union limits;

(b) whether it is a fact that the department has not done so, so far;

(c) whether it is a fact that the toddy shop in Polur union is located on the main road to the railway station and at the junction of three public roads and in close proximity to the cart-stand and so causes serious inconvenience to traffic and to the public; and

(d) whether it is a fact that the present Tahsildar of Polur has reported that the location of the toddy shop at its present place causes serious inconvenience to the public?

A.—The Government have no information.

Total prohibition.

539 Q.—Mr. K. KOTI REDDI: Will the hon. the Minister for Education be pleased to state—

(1) whether he proposes to try the experiment of total prohibition in one or more of the taluks in the Ceded districts; and

(2) if not, why not?

A.—The hon. Member is referred to the answer given to question No. 304.

Thiyya representation in the Excise and Salt departments.

540 Q.—Rao Bahadur P. RAMAN: Will the hon. the Minister for Education be pleased to state—

(a) the total number of sub-inspectors in the Excise and Salt departments;

(b) the total number of Thiyya sub-inspectors;

(c) the period of service put in by each of the Thiyya sub-inspectors;

(d) how many Thiyya sub-inspectors are under the educational rules qualified for the posts of assistant inspectors and circle inspectors;

(e) whether among the present assistant inspectors there are any Thiyya assistant inspectors promoted from the grade of sub-inspectors; if so, how many;

(f) what is the total number of circle inspectors;

(g) how many of them are Thiyyas;

[22nd August 1924]

(A) if the Government have no information on any of the points mentioned above, whether they will be pleased to call for the same?

A.—(a) & (f) The total number of sub-inspectors and inspectors in the Salt department is 177 and 18 respectively. The number of sub-inspectors and inspectors in the Excise department can be had from G.O. No. 997, Revenue, dated 2nd July 1924, which has been placed on Editors' Table.

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

Co-operation.

Approval of appointments by the Assistant Registrar of Co-operative Societies, Vellore.

541 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Assistant Registrar of Co-operative Societies, Vellore, recently refused to approve of the appointment as Supervisor of the Natrampalle Co-operative Union of one S. Srinivasa Ayyar, although he had satisfactorily worked as a supervisor for nearly two years;

(b) whether it is a fact that such interference on the part of the Assistant Registrar in the affairs of a non-official body like a co-operative union is against the rules of the union?

A.—The Government have called for a report.

Advance to house-building societies in Malabar.

542 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that Rao Sahib U. B. Srinivasa Rao has addressed a letter to the Collector of Malabar regarding the utilization of the unexpended or unallotted fund of 4 lakhs of rupees earmarked by Government for advance to house-building societies for the re-construction of houses washed away or destroyed by the recent floods in Malabar, and that has been forwarded by the Collector to the Registrar of Co-operative Credit Societies; and

(b) what action the Government propose to take in the matter?

A.—(a) The Government understand from a report submitted to Government in the Revenue department by the Collector of Malabar that M.R.Ry. Rao Sahib U. B. Srinivasa Rao Avargal addressed a letter to the Collector offering certain suggestions, and that the latter forwarded it to the Registrar of Co-operative Societies. The Government are not aware of the contents of the letter.

(b) A report has been called for from the Registrar.

Disbursements of pay, etc., of his subordinates by Mr. Rangaswami Nayudu, Assistant Registrar of Co-operative Societies.

543 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) the educational and other qualifications of Mr. Rangaswami Nayudu, Assistant Registrar of Co-operative Societies, Kurnool;

[22nd August 1924]

(b) whether it is a fact that he requires the services of his Inspectors at unreasonable hours often during nights;

(c) whether it is a fact that the pay and travelling allowance bills of subordinates are not drawn and disbursed then and there and consequently the subordinates are put to considerable hardship and inconvenience; and

(d) whether the hon. Minister will be pleased to call for a statement showing the dates on which the pay and travelling allowance bills of subordinates were drawn during the six months ending 30th June 1924?

A.—(a) The hon. Member is referred to the answer given to clause (1) of question No. 389 at the meeting of the Council held on 8th February 1924.

(b) to (d) The Government have no information but have called for it.

Appointment of Assistant Registrars of Co-operative Societies.

544 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state whether he will be pleased to lay on the Table the rules prescribed for the appointment of Assistant Registrars which he wanted to investigate in reply to a question put by the hon. Member for Nellore, Rao Bahadur A. S. Krishna Rao Garu, as a supplementary question on my interpellation No. 389 of 8th February 1924?

A.—No rules have been framed by Government prescribing the qualifications required for the post of Assistant Registrar. The reorganization of the superior staff of the Co-operative Department is under consideration and the question whether it is desirable that such qualifications should be prescribed will be considered in that connexion.

The reorganization of the Co-operative department.

545 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether there is any scheme either being formulated or matured for the reorganization of the Co-operative department; and

(b) if so, whether he will be pleased to lay it on the Table?

A.—(a) A scheme has been submitted by the Registrar of Co-operative Societies and it is under the consideration of Government.

(b) The Government do not consider it necessary to do so.

Appointment of honorary arbitrators in the Co-operative department.

546 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Assistant Registrar, Co-operative Societies, Vellore section, is appointing honorary arbitrators; if so, how many have been appointed;

(b) what are the principles, if any, on which the honorary arbitrators are selected and whether they are appointed for life;

(c) whether the honorary arbitrators are to be selected from a panel by the societies concerned or is the assistant registrar the person who decides in the matter;

(d) how many such honorary arbitrators have been already appointed in the North Arcot and Chittoor districts;

[22nd August 1924]

- (e) the names, the communities to which they belong and the qualifications of such honorary arbitrators;
- (f) whether it is not a fact that the honorary assistant registrars are expected to do arbitration work; and
- (g) whether the creation of a rival agency has been authorized by Government?

A.—The Government have no information but have called for a report.

Reserve fund for primary co-operative societies.

547 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

- (a) with regard to primary co-operative societies which are not able to build up an adequate reserve fund, whether any systematic investigation has been made to find out the causes;
- (b) whether in most cases it is the dangerously low margin between the borrowing and lending rates of interest that is the cause of this state of affairs;
- (c) whether the assistant registrars are and have been inducing and sometimes forcing the societies under their charge to adopt this dangerously low margin; and
- (d) if the Government have no information whether they will be pleased to call for the same in view of the enormous diminution of profits in several districts owing to drought and other causes?

A.—The Government have called for a report.

Fisheries.

The fisheries training institute, Calicut.

548 Q.—Rao Sahib P. V. GOPALAN: Will the hon. the Minister for Development be pleased to state—

- (1) how many students there are in the fisheries training institute at Calicut;
- (2) how many were trained and sent out as teachers in the fisheries schools;
- (3) how many of them are fishermen;
- (4) how many fishermen students are there among the pupils now undergoing their training; and
- (5) in view of the fact that Sir F. A. Nicholson, K.C.I.E., (the maker of the Madras fisheries) has stated in his letter to Government regarding the establishment of the fisheries institute at Calicut that only fishermen students need be trained, why a large percentage of non-fishermen students are admitted in the institute?

A.—(1) Thirty-three.

(2) Thirty-four.

(3) Sixteen.

(4) Twenty-four.

(5) Sir Frederick Nicholson's scheme did not contemplate rigid restriction of admission to the institute to students from the fishing classes, especially at the outset. Students from other classes have been admitted as it was found that students from the fishing classes with the requisite educational qualifications

[22nd August 1924]

were not forthcoming in sufficient numbers. There are now only nine of these out of a total strength of 33 and their number will gradually decrease as more qualified students from the fishing classes seek admission to the institute.

Industries.

Coonoor Jam Factory.

549 Q.—Sriman SASIBHUSHAN RATH Mahasaya: Will the hon. the Minister for Development be pleased to state—

- (1) whether the Coonoor Jam Factory has passed the stage of experiment;
- (2) the special qualifications of Mrs. Bryant which led Government to appoint her as superintendent;
- (3) whether before appointing the said Mrs. Bryant the vacancy was advertised;
- (4) whether it is a fact that the superintendent's husband is the business manager of the concern;
- (5) whether it is a fact that the concern has resulted in loss so far; if so, the amount of such loss; and
- (6) the date or dates on which Mr. and Mrs. Bryant were appointed business manager and superintendent respectively?

A.—(1) The factory may be said to have passed the experimental stage. Efforts are being made to demonstrate whether jam can be manufactured and sold at a commercial profit.

(2), (4) & (5) The hon. Member is referred to the answer to question No. 440.

(3) Experiments in jam manufacture only commenced after the return of Mrs. Bryant from England where she had been sent for a special course of study in this line. The question of advertising a vacancy did not therefore arise.

(6) 16th August 1923 and 15th September 1921 respectively.

The Government Silk Farm at Coonoor.

550 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

- (a) what is the cost of producing seed cocoons or seed at the Government Silk Farm, Coonoor, and what is the price at which they are sold;
- (b) what is the total expenditure till now incurred by Government on the Coonoor Silk Farm and what is the income; and
- (c) whether the Government propose to carry out the recommendations of the Retrenchment Committee regarding the scale of pay for the Sericultural Assistant in charge of Experimental Farms?

A.—(a) The cost of production is estimated at Rs. 13-4-0 per thousand and the sale price is Rs. 5 per thousand.

(b) Separate figures are not available as the accounts of the Coonoor Silk Farm as well as the District Silk Farms were clubbed under one head 'Sericulture' till 1st April 1924.

(c) The hon. Member is referred to G.O. No. 1031, Development, dated 28th May 1924, which was placed on Editors' Table.

[22nd August 1924]

Appointment of a Missionary European lady to conduct the survey of the lace industry.

551 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Government contemplate the appointment of a Missionary European lady to conduct a survey of the lace industry in this Presidency with a view to its development;

(b) if so, what are her qualifications, salary and rate of travelling allowance attached to this appointment; and

(c) whether the Government will kindly place on the Table the recommendations of the Director of Industries on the creation of this post?

A.—The hon. Member is referred to G.O. No. 1361, Development, dated the 2nd August 1924, which has been placed on Editors' Table. The Director's recommendations on the subject are stated in the order. Miss Tweddle, the lady appointed to carry out the survey, is herself an expert in the making of some kinds of lace and embroidery and has already organized for her mission a considerable trade in this commodity.

Admission into the Government Textile Institute, etc.

552 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) how many applications have been received this year for admission into (i) the Government Textile Institute, (ii) the Government Leather Trade School, (iii) Carpet section of the School of Arts; and

(b) how many of those trained in the Carpet section of the School of Arts are now engaged in that industry?

A.—(a) (i) 94.
(ii) 4.
(iii) 1.

(b) The Government have no definite information.

Report of the Couchman Committee regarding the expansion of technical education.

553 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Development be pleased to state whether any action has been taken on the report of the Couchman Committee regarding the expansion of the technical and industrial education in the Presidency?

A.—The report of the Committee is still under consideration.

Veterinary.

Veterinary hospital for the western taluks of Bellary.

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

(i) whether any representation has been made for the location of a veterinary hospital in the western taluks of the Bellary district; and

(ii) whether the Government propose to open any in the said taluk shortly?

A.—(i) A petition requesting the Government to open a veterinary dispensary at Harpanahalli has been received.

(ii) It is proposed to open a dispensary at Harpanahalli in 1925-26 if funds permit.

[22nd August 1924]

APPENDIX I.

[Vide answer to question No. 437 asked by Mr. V. Hameed Sultan Marakkayar at the meeting of the Legislative Council held on the 22nd August 1924, page 736 supra.]

List of co-operative societies formed for the exclusive use and benefit of Muhammadans.

Serial number.	Presidency number.	Name of society.	District.	Taluk.	Post.
1	1547	Wandiwash Mat Weavers' Co-operative Credit Society.	Arcot (North)	Wandiwash..	Wandiwash.
2	9962	Minamur Muhammadan Co-operative Credit Society.	Arcot (South).	Gingee ..	Minamur.
3	9807	Pattu Co-operative Credit Society.	Chingleput ..	Sriperumbader.	Poonamalle.
4	4203	Panganur Muslim Co-operative Credit Society.	Chittoor ..	Panganur ..	Panganur.
5	1808	Amalapuram Anjuman Islamia Co-operative Credit Society.	Godavari ..	Amalapuram.	Amalapuram.
6	8939	Mummudivaram Anjuman Asana Ashariya Co-operative Credit Society.	Do.	Do.	Mummudivaram.
7	7981	Pinnali Co-operative Credit Society.	Guntur ..	Gurasa's ..	Brahmanapalle.
8	9245	Guntur Co-operative Credit Society.	Do.	Guntur ..	Guntur.
9	9798	Aminbada Co-operative Credit Society.	Do.	Sattenapalle..	Phirangipuram.
10	9996	Ellore Muslim Co-operative Urban Bank, Limited.	Kistna ..	Ellore ..	Ellore.
11	9845	Mofdel Islam Co-operative Credit Society, Limited.	Do.	Bandar ..	Masulipatam.
12	9788	Islampeta Muslim Co-operative Credit Society, Limited.	Do.	Beawada ..	Beawada.
13	9698	Beawada Muslim Urban Bank, Limited.	Do.	Do.	Do.
14	9532	Nandikotkur Muhammadan Co-operative Credit Society.	Kurnool ..	Nandikotkur.	Nandikotkur.
15	8206	Gudur Muhammadan Co-operative Credit Society.	Nellore ..	Gudur ..	Gudur.
16	4757	Nellore Muslim Co-operative Credit Society, Limited.	Do.	Nellore ..	Nellore.
17	8539	Ghosia Co-operative Credit Society.	Do.	Do.	Ranganaya-kulupet.
18	8850	Attur Muhammadan Co-operative Credit Society, Limited.	Salem ..	Attur ..	Attur.
19	6645	Sendamangalam Co-operative Credit Society.	Do.	Namakkal ..	Sendamangalam.
20	7103	Pudumalai Muslim Co-operative Credit Society.	Tinnevely ..	Tiruchendur.	Christiannagar.

NOTE.—In addition to these 20 credit societies, there is a Muhammadan non-credit society, the Panamangalore M. Co-operative Building Society, Limited, South Kanara district.

[22nd August 1924]

APPENDIX II.

[Vide answer to question No. 443 asked by Sriman Biswanath Das Mahasaya at the meeting of the Legislative Council held on the 22nd August 1924, page 742 supra.]

List of applications for State-aid.

Number, name and address of the applicant.	Nature and extent of State-aid applied for.
1. K. Ramachander, Esq., Bar-at-Law, and Proprietor, Bellary Brick and Tile Works and Workshop and Foundry, Bellary.	Loan of Rs. 1,10,000.
2. R. L. Ramanatha Ayyar, 54, Ramaswami Street, Georgetown, Madras.	Loan of Rs. 35,000.
3. The South Indian Match Factory, Limited, 303, Tiruvottiyur High Road, Madras.	Loan of Rs. 1,00,000.
4. Ex-Officer's Farm, Lovedale.	Loan of Rs. 50,000.
5. Messrs. A. T. Thiruvengadaswami Mudaliyar & Sons, Proprietors, the Free Ram Sugar Factory, Podanur, Coimbatore.	Loan of Rs. 1,00,000.
6. R. S. Baglodi, Esq., Headmaster, Local Fund Elementary School, Kinnikambha, South Kanara district.	Loan of Rs. 1,500.
7. The Tindivanam Co-operative Agricultural and Industrial Society, Limited, Tindivanam, South Arcot district.	Loan of Rs. 25,000.
8. P. N. Sarma, Esq., "Luxmi Vilas," Cochin.	Loan of Rs. 50,000.
9. The Zamindar of Singampatti, Tinnevely district.	Loan of Rs. 30,000 (alternatively Government taking over the Brick and Tile concern). Subsidy of Rs. 7,300.
10. Sir Frederick A. Nicholson, M.C.I.E., Surinderen, Coonoor.	Loan not exceeding Rs. 25,000.
11. Messrs. King & Co., Printers and Law Publishers, Visagapatam.	Loan of Rs. 1,00,000 and assignment of 500 acres of land for tobacco cultivation. Requesting Government to take shares for at least Rs. 10 lakhs.
12. The Universal Tobacco Company, Limited, 9, General Patter's Road, Mount Road, Madras.	Loan of Rs. 25,000.
13. The Sri Minakshi Mills, Limited, 268, Mill Office Road, Madras.	Loan of Rs. 10,000.
14. The Kallakurichi Co-operative Agricultural and Industrial Society.	Loan of Rs. 3,000.
15. Messrs. Kelkar Brothers, Managing Agents, the Canara Rice and Saw Mills, Coondapur, South Kanara district.	Loan of Rs. 7,000.
16. T. Raghava Potwal, Esq., B.A., Trikedeeri, via Ottapalam, South Malabar.	(a) Lease of lands in and near the compound of the late Madras Arsenal Workshops, and (b) Loan of Rs. 25,000. Loan of Rs. 50,000.
17. M. Rudrappaji, Esq., Managing Agent, Messrs. M. Rudrappaji Tiles Co., Ltd., Marandahalli, Salem district.	Loan of Rs. 70,000.
18. J. F. Kuehnelt, Esq., 2/11, Mount Road, Madras.	(a) Supply of water bamboo and fuel at concession rates, (b) a loan of Rs. 4 lakhs and (c) the guarantee of an overdraft or fixed advance with a Bank of Rs. 2 lakhs.
19. Messrs. Muppana Somaraju and Veerajun, Manufacturers of Silk Goods, Peddapuram, Godavari district.	A loan of Rs. 6,500 and a grant of 1,000 acres of land on favourable terms for growing gingelly.
20. The Coimbatore Tile Works, Fort, Coimbatore.	
21. The Carnatio Paper Mills, Ltd., Waxford House, Kilpauk, Madras.	
22. V. N. Chelvaraya Mudaliyar, o/o Dr. A. P. Kannan, 9/7, Kachaleswarar Garden Street, Muthialpet, Madras.	

22nd August 1924]

List of applications for State-aid—cont.

Number, name and address of the applicant.	Nature and extent of State-aid applied for.
23. Messrs. Muppana Somaraju and Veerajun, Manufacturers of Silk Goods, Peddapuram, Godavari district.	Assignment of 400 acres of lands in Basole taluk, Godavari district.
24. Bulchand Pessumal, Esq., Messrs. Chahaldas Lilaram & Co., 8/78, Wallajah Road, Mount Road, Madras.	Loan of Rs. 20,000.
25. Messrs. T. A. V. Abdur Sattar & Company, Ranipet.	Loan of Rs. 5,000.
26. Messrs. Bommana Somaraju and Karra Mallikarjunnai, Uppada, Godavari district.	Loan of Rs. 20,000.
27. John Mathew Cotta, Esq., Proprietor, The Indo-Japan Trading Company, 13, Francis Joseph Street, Georgetown, Madras.	Loan of Rs. 25,000.

II

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE TO DISCUSS THE SPEECH OF THE COLLECTOR OF MALABAR.

Mr. C. RAMALINGA REDDI:—"I take it, Sir, that the questions are now over. It is open to me under rule 20 of the Legislative Council Rules to move for the adjournment of the business of the House in order to discuss a definite matter of urgent public importance. I shall read first the terms and with your indulgence explain the situation. The terms are to discuss a definite matter of urgent public importance, namely, the treatment accorded to an hon. Member of this Council by a District Collector and the hon. the Home Member by their statements that some questions which were tabled in this House were received with 'incredulous contempt'. It will be remembered that day before yesterday with regard to a question regarding a statement made by the Collector of Malabar that certain interpellations tabled here and admitted by you were received with 'incredulous contempt', we had a general discussion in the course of which I asked a supplemental question whether the hon. the Home Member agreed with him and he said 'yes'. Now this raises an important question regarding the privileges of the Members of this House and that amount of freedom which is necessary for us if we are to discharge our duty properly to the people whom we are here to represent. I and other Members belonging to all parties and sections in this Council requested you to see whether the term 'contempt' could be regarded as parliamentary and as applicable to the questions tabled by Members of this House and admitted by you. I believe we are right in thinking that some kind of satisfactory settlement would be arrived at without letting the feeling of this House run high and that some definite conclusion would be reached. We feel it would be enough for us in the discharge of our duty if we refer—I do not refer to any effect which it will have on our prestige because I do not set much store by it—to one or two points in this connexion. There are three parties to this controversy. One is, not Mr. Satyamurti, but the Members of this Council. My hon. Friend, the Member for the University, so far as this motion is concerned, is only an occasion and he is not a party to the controversy and secondly my hon. Friend the Home Member who, I hope, will deal with this matter with that amount of delicacy which is necessary."

The hon. Rao Bahadur Sir A. P. PATRO:—"I rise to a point of order. According to the rules an hon. Member who wishes to move a motion for

[Sir A. P. Patro]

[22nd August 1924]

adjournment should hand over a paper containing the terms of the motion to you, Sir, and you are to read it and ask the House whether it gives permission for such a motion being moved. I am afraid that at this stage the hon. Member is unwarranted in making a speech. That is my point of order."

The hon. the PRESIDENT :—" I have permitted the hon. Member to make a statement because the House will thereby be better able to follow what is being moved. I do not think he has made a speech except in the sense that he is introducing us to the matter on hand."

Mr. C. RAMALINGA REDDI :—" I agree entirely that this is not the occasion for making a speech, but as this motion was tabled at the last moment, I thought I should explain the matter a little, so that Members of this House might follow the debate. The second point is whether an official of the Government, the District Collector, can be permitted to employ such language with reference to the transaction of this House, because an interpellation is a transaction of this House."

The hon. the PRESIDENT :—" That point would have to be debated if and when the adjournment motion was taken up. I request the hon. Member to hand me a statement and I shall go through it. But the rules do not permit of such motions being seconded. It is necessary for me to consider whether the matter proposed to be moved is in order. I must say this first of all, viz., that I wish the matter had been taken up after some notice had been given to the hon. Member of the Government concerned and to the Government. I received yesterday after the Council had risen an informal notice of an intended protest against certain remarks made by the hon. the Home Member and by the Collector of Malabar. I had intended to show the protest to the hon. the Home Member before making any statement here, but unfortunately I have not been able to meet the hon. the Home Member before this matter was actually taken up to-day. I feel sure that he has not seen the protest yet and supposing we take up the matter now it will be a handicap to the Government not to have the opportunity of saying what they might wish to say about it."

The hon. Sir ARTHUR KNAPP :—" I do not wish to say anything on the question of procedure. If the matter had been moved when the hon. the Law Member was here, he would have been in a better position to answer such questions than myself. However, Sir, I am entirely in your hands. I would only suggest that the two questions, viz., the action of Mr. Thorne and my own reply to a supplemental question, be kept separate."

Mr. M. RATNASWAMI :—" It would facilitate our discussion if the persons involved in this matter were kept separate. Personally I have no objection to being called names. We have a right to call each other names subject to your decision, Sir, as to the propriety of those names. Many of us receive statements made by our colleagues with contempt 'credulous' or otherwise, only not so coolly as the hon. Sir Arthur Knapp. I feel that our debate would be considerably facilitated if the two questions were kept separate. I appeal to the hon. Member Mr. C. R. Reddi to keep the two questions separate."

Mr. C. RAMALINGA REDDI :—" I am perfectly willing to do so since anyhow my hon. Friend, Sir Arthur Knapp, will come into the discussion "

(Laughter.)

22nd August 1924]

The hon. the PRESIDENT :—" Perhaps it would be better if the hon. Member who gives notice of this motion would think over it and all that it means; and if he does so, he will probably agree with me that the grounds stated do not warrant an urgent motion of this kind."

The hon. Sir ARTHUR KNAPP :—" If it would relieve the urgency of the situation, I am prepared to say now that if the words used by me are regarded as suggesting any aspersion on the character of the hon. Member I may assure the House that that was not my intention. I have referred to the proceedings of that day and I find that the question was :

'May I ask my hon. Friend whether he treated these allegations with incredulous contempt?'

and my answer was 'Yes, Sir'. The reference was to the allegations and not to the hon. Member. If there is anything unparliamentary in my reply or of my hon. Friends regard it as unparliamentary, I can only say that nothing was further from my intention. I am anxious as anyone that our proceedings should conform to parliamentary traditions."

Mr. S. SATYAMURTI :—" I should like to respond very generously to the very handsome statement which the hon. the Home Member has made. I personally do not attach any great importance to the phrase which he used on that day. I took that statement of his to have been applied not to the allegations but to me personally. Anyhow, he denies that, and I take the denial."

" Sir, now a word about the motion itself. I do appeal to every section of the House, including the hon. the Home Member, to see that the permanent servants of the Crown outside the House are not allowed to treat any statement made here by hon. Members in the manner in which it has been treated in this case. So, I do appeal to the House to give its emphatic opinion on the matter."

The hon. Sir ARTHUR KNAPP :—" When I made the statement now, my suggestion was that if one portion of the matter could be removed, the other might be regarded as not very urgent and might be made the subject-matter of a resolution."

Mr. C. RAMALINGA REDDI :—" May I hope that the hon. the Home Member will devote some attention to the propriety or otherwise of calling for the explanation of Mr. Thorne in the matter? "

The hon. Sir ARTHUR KNAPP :—" I think, Sir, from the point of view of the Government that this question, which is a constitutional one, should be discussed in this House. The issues raised in this letter addressed to you, Sir, refer to parliamentary privilege. The question as to how far parliamentary precedents can be applied to this country have to be looked into. I think that it is better that this matter is discussed in the House so that Government may understand the position which the House desires to take up."

The hon. the PRESIDENT :—" I take it that so far as the hon. the Home Member is concerned the House has no intention of proceeding further, seeing that the statement made by him has been accepted by the hon. the Member for the University. As regards Mr. Thorne, the House can wait."

[The President]

[22nd August 1924]

and ought to wait until they know further about the matter. I understand that the Government are probably willing to obtain from Mr. Thorne an explanation. After that, the House would be free to take what action it liked."

The hon. Sir ARTHUR KNAPP:—"May I say that I only suggested that as this is a constitutional issue, it should be discussed in this House? That is a better solution of the matter than the alternative solution that the Government should consider it."

Mr. S. SATYAMURTI:—"Arising from your statement, Sir, may I say that if the hon. the Home Member will obtain a statement from Mr. Thorne and place it on the table of the House when we next meet so that we can then move the adjournment of the House if necessary, I am perfectly willing? Otherwise, if this matter is to be confined to the limbo of a resolution, we know exactly what will happen. It may not be balloted. It may not get its turn. The suggestion you made is excellent, and that is, that the Government should obtain a statement from Mr. Thorne and place it on the table of the House. Then we can move the adjournment of the House on this matter; otherwise, I submit that this is the most suitable occasion. When the statement complained of is put to the Government, they say that there is no contravention of the rules at all. I beg to say that the Government had full notice of this statement of Mr. Thorne and they answer that it has not contravened any of the rules. Surely there is something rotten in these rules. Therefore, it seems to me, Mr. President, that this House should be given an early opportunity of expressing its opinion on the matter. I leave it to you in the full confidence that you will give this House an early opportunity of pronouncing its opinion on the matter either to-day or at the next sitting."

The hon. Sir ARTHUR KNAPP:—"The position is this, that so far as the Government is concerned there is not the least objection to this matter being brought forward on a motion for adjournment. There is another way of getting it considered and that is by means of a resolution. But I understood your attitude to be that the notice this time being short, it was not altogether desirable that this matter should be taken up to-day. As the motion has now been amended, there is only one issue in it now and that is the constitutional issue. That being the case, it might perhaps be left to be brought forward at the next meeting either by means of a motion for adjournment or a resolution as hon. Members think best."

Mr. C. RAMALINGA REDDI:—"It is now obvious that we do not intend to make any reference to the hon. the Home Member at all. That has been dropped out. After the explanations made it would be churlish to think about it any more. The only point now is whether or not the Government would be good enough to call upon the Collector of Malabar to send an explanation of his statement if he also feels that his criticism was made in an unguarded moment, that he did not intend it and all that. If that is done the whole thing will drop."

The hon. Sir ARTHUR KNAPP:—"My difficulty is that there is no apparent object calling for an explanation from Mr. Thorne. I understand the question raised is a constitutional one and any explanation which we may call for from Mr. Thorne will not solve the constitutional question."

22nd August 1924]

Mr. C. RAMALINGA REDDI:—"Are we not entitled to know whether the Government approve of such statement made by a permanent official of the Government? That is the only point."

The hon. Sir ARTHUR KNAPP:—"I understand that the question is whether it is constitutionally proper that the officers of Government should make reflections of this kind in regard to the proceedings of this House."

Mr. C. RAMALINGA REDDI:—"And whether Government approves of such statements."

The hon. Sir ARTHUR KNAPP:—"If it is established that it is not constitutionally proper, Government will not approve it."

Mr. C. RAMALINGA REDDI:—"May I understand that the Government have no opinion on the matter at all and that they are waiting for light to be shed?"

The hon. Sir ARTHUR KNAPP:—"We wish to have the benefit of the views of the House."

Mr. M. RATNASWAMI:—"The hon. the Home Member suggested that we might wait till the next meeting. For my part, I think that the urgency of the matter will not then be so great as it is now. If Mr. Thorne chooses not to submit any explanation, the Government Members will, when we raise the question next, get up and say 'the urgency of the question does not arise now.' The urgency of the question arises to-day, because the question was put the other day by the hon. the Member for the University and Government gave a certain definite answer. My feeling and the feeling of a number of hon. Members is that if we postpone the discussion of this question to the next meeting and if Mr. Thorne chooses not to submit any explanation, we might be ruled out of order by the contention that the urgency has ceased to exist."

The hon. the PRESIDENT:—"I think that the question is fairly clear that, in order to clear up one portion of the protest, the hon. the Home Member has furnished an explanation to the House and it has been accepted. The House wants to know whether Mr. Thorne has anything to say about it and, evidently, the Government would not be in a position to answer any expostulations in the House unless they knew what Mr. Thorne had to say. Therefore, I suggest that Mr. Thorne should be asked for an explanation in the matter. But I do consider that the Government is at liberty to take any action it chooses. That is only a plan of action that I suggest and evidently many hon. Members of the House are of that opinion."

Mr. S. SATYAMURTI:—"May I suggest that so far the Government who are in the best position to know these facts have not contradicted the fact that Mr. Thorne made that statement, and the Government say that there has been no contravention of the rules? I believe there is a clearcut issue between the Government's opinion of Mr. Thorne's statement and the opinion of some of us who believe that the statement made by a permanent servant of the Crown is wholly inconsistent with the dignity and the position of the House and that nothing will be gained by adjourning this matter, but a great deal will be lost by adjourning it."

[Mr. S. Satyamurti]

[22nd August 1924]

"Mr. Thorne will be guiltless if really he has not used these words complained of. The House wants to form an opinion on this constitutional question, viz., whether Mr. Thorne can use such words as 'they have been received with the incredulous contempt they deserve' with reference to any statement or allegation made by any Member of this House. If the House thinks that every Government servant should be given a *carte blanche* to say what he likes, let them say so. But I think the House will not say so. On grounds of constitutional procedure, the House wants to discuss this matter at the earliest opportunity and you, as the custodian of the privileges of this House, should come to our rescue and see that this matter is discussed this afternoon subject to anybody else's ruling."

The hon. the President then called upon Mr. C. Ramalinga Reddi to elide from the motion the words he desired to elide and hand it over to the chair.

Mr. C. RAMALINGA REDDI:—"Sir, before you read the terms of the motion, let me on behalf of the Members of the House express my thanks for the very admirable and handsome attitude which the hon. the Home Member took on this unfortunate incident. This motion is not moved on behalf of the hon. Member, Mr. Satyamurti. It is moved on behalf of the hon. Members of the House in common, and so, on their behalf, I wish to express indebtedness to the hon. the Home Member for the way in which he met us."

The hon. the PRESIDENT:—"In the absence of any representation to contrary on behalf of the Government, I should say that the matter as now proposed is in order. And that being the case I have to read the statement to the Council. The hon. Member for Chittoor asks for leave to make a motion for adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the treatment accorded to an hon. Member of this Council by a District Collector stating that some questions asked here were treated as allegations to be received by him with the incredulous contempt they deserved."

"I have to ask whether the hon. Member has the leave of the House."

"Since objection is not taken, I give notice that the motion will be taken up at 4 o'clock this afternoon."

III

THE MALABAR TENANCY BILL—cont.

The hon. the PRESIDENT:—"The House will now resume discussion of the Malabar Tenancy Bill."

Mr. T. R. RAMACHANDRA AYYAR:—"Mr. President, Sir, yesterday I was on the question of the meaning of the term *kanam*, how it was understood by the Government. They held a sort of enquiry in 1880. I maintain that the term *kanam* does not imply any permanent interest. It only means a mortgage or a lease. In its inception it was a lease; it subsequently developed into a mortgage and this was recognized to be the fact by the courts. It was said by the hon. Mover that the term *kanam* does connote a

22nd August 1924] [Mr. T. R. Ramachandra Ayyar]

permanent interest in the *kanam*-holder. It is conceded by him that throughout the courts in this Presidency have not recognized any such right in the *kanam*-holder but have recognized only a mortgage right. He also admitted that the early writers from about 1800 have admitted that the *janmi* has got an absolute right in the land and that the *kanamdar* has only a mortgage right which is redeemable. The hon. Mover said that all these people including the Government and the courts went wrong. What seems to be the prevailing view here is that on account of the Muhammadan conquest the state of affairs in Malabar was seriously upset and that after the annexation of Malabar by the British, the English rulers started with a sort of prepossession that *kanam* must mean a mortgage because they were accustomed only to things like that. This is said to be the origin of the misunderstanding. I shall be able to show that so early as 1743, that is long before the advent of the British, a Dutch writer writing from Cochin gives the incidents of the *kanam* tenure thus. According to him *kanam* tenure implied a loan advanced by the person called the *kanamdar* on payment of which plus the value of improvements, if any, the *janmi* was entitled to redeem the land. This was the state of affairs in 1743. If this is so, the argument that the British people introduced their own notions here is absolutely unfounded. I may also say that on the assumption of Government by the British an assurance was given by means of a proclamation issued by Lord Cornwallis that the *janmi* was the absolute owner, that the *kanamdar* was the mortgagee and had only a redeemable interest. On that understanding the Government began. If the Government had given this assurance—and the Government had every right to do so—because when a territory was acquired by conquest, the sovereign who conquers has got a right to impose any law that he deems proper and any law that he imposes is binding on the subjects and if it has been accepted by the people and by the courts, it will be easily seen how the position of the hon. Mover is untenable. You will also find, Sir, that by means of escheat extensive tracts of land went to the Government and the Government were selling these properties of the *janmis* treating them as freeholds and thirty lakhs and odd rupees were realized by Government by such sales and the purchasers have acquired a fee simple in these lands by the sale. This is practically the undisputed position. Then again from time to time persons have purchased lands from the very beginning down to the present day as absolute fee simple. Lands have also been acquired by the Government on various occasions and under the land acquisition rules the *kanam* tenant has been treated only as a person having a temporary interest and a redeemable interest. He was given compensation which he was accepted. The *janmi* was given the value of the fee simple. Even to-day that is what is being done. Transactions go on on this basis to this day in Malabar. For 90 years and more ever since settled Government began in Malabar down to the present time this is the state of affairs. If it is laid down that the *janmi* has no permanent interest in the land, that the *kanamdar* is the person who has got the permanent interest, we are simply recognizing a right which did not at any time exist. It is said that we have got the Estates Land Act and the *zamindari*—it is sought to be maintained—furnish a parallel with the Malabar tenures. This only reveals the ignorance that exists with regard to the nature of the *janmi* and the *zamindari* rights.

[Mr. T. R. Ramachandra Ayyar] [22nd August 1924]

With regard to the zamindar it has been repeatedly held by the courts, even before the passing of the Estates Land Act—I refer to a decision in 20 Mad.—that what the Government gave under the permanent settlement to the zamindar was only the melvaram or the right to collect the revenue which the Government possessed. It was intended to be a sort of convenient arrangement and did never imply the existence of any permanent kudivaram right in the zamindar. This was a right which existed even before the permanent settlement and what the Estates Land Act did was simply to recognize this. Land held by a ryot which came to a zamindar subsequently and came back to the ryot again was declared as ryoti land. This furnishes absolutely no parallel to the conditions in Malabar. I will show briefly what the distinction is between the jannam lands and the ryotwari lands. The only distinction that I can find is this. It seems to me that both are identical in all respects except this one. The janmi has got a right to the waste land in Malabar. The mirasidars have no right to the porambokes in the other parts of the Presidency. The janmi has also got a right to the forests. So that as between the janmi and the Government, the right to waste lands and forest is vested in the janmi. Now if you are to treat the janmi as a zamindar it is impossible to understand how the Government can either try to impose a tax on the jannam lands to give him a patta, or to sell his lands under the Revenue Recovery Act. The land is subject to an assessment just like any other mirasi holding in the other parts of the Presidency. And when a patta is given the pattadar is merely responsible for the revenue and he has no right to collect revenue from any other person. In zamindari tracts the melvaram which represents the revenue originally payable by the cultivator to the Government is collected by the zamindar. But here there would be nothing to be collected. In this case he is the absolute owner; if he likes he can carve out an estate out of it, he can create a kanam and give it to any other person. We also find there a periodical revision of assessment as is done in ryotwari tracts.

“Now, I want to place before this House is a point of very very great importance, the seriousness of which does not seem to have been fully realized. If a right like this could be recognized to exist in a kanam tenant or a verumpattam tenant, it passes my comprehension why such a right should not be recognized in any other person in any other part of the Presidency. But if it is put on the ground that that is a right which existed already, but is not now recognized, that would be a different matter. In the case of the zamindaris, the kudivaramdar or the ryot had a right already which was recognized by Government by means of legislation and which was recognized by courts before legislation was passed. I can understand that position. But, on the other hand, what do you find here? The courts never recognized the right of the kanamdar, the Government never recognized his right, the early writers never recognized it, and long before the advent of the British the right did not exist. If that is the position, where does the analogy come in? And what is the fun of saying that we should recognize such permanent right now? The difficulty was realized by Mr. Krishnan Nayar, and therefore he took considerable pains to show that the right had existed before, but that it was lost some how, and he does not say how. Now these are the circumstances and I will substantiate every one of my statements with quotations from authorities.”

22nd August 1924]

Mr. J. A. SALDANHA :—“May I ask one question, Sir? There is a section in the Madras Estates Land Act, section 45, I think, under which a non-occupancy ryot can be converted into an occupancy ryot on payment of certain amount towards enhanced rent or so. The hon. Member in his speech has been referring to permanent occupancy to ryotwari ryot, but here there is a case of a non-ryotwari tenant getting permanent occupancy right.”

Mr. T. R. RAMACHANDRA AYYAR :—“Here I am not disputing the power of the Government to do so many things. They can say that A's property is B's and B's property is C's. That is not the question we are dealing with at present. What I want to say is this. Mr. Logan has been so much quoted in the speeches in this House that I shall quote certain passages from his report on different points once for all instead of referring to the report a second time. The paragraph read by Mr. Krishnan Nayar from Mr. Logan's report was this :

‘The conclusion I have arrived at therefore is that at the commencement of British rule the janmi was entitled to no more than his proper share ($\frac{1}{4}$) share of the net produce of the soil and even that was liable to diminution if he had received advances from his kanakkar or protectors who, of course, were entitled to the interest on their money out of the janmi's share.’

“This he frankly admits in paragraph 70 :

‘What has happened may be stated in very few words. The Bombay authorities first and the Madras authorities afterwards, recognized the janmi as the absolute owner of his holding, and therefore free to take as big a share of the produce of the soil as he could screw out of the classes beneath him.’

“He says that the Bombay Government and afterwards the Madras Government recognized the janmi's absolute ownership, so that it was existing when the British assumed the reigns of Government. It was in fact on those conditions that they began the Government. If that is so, I say no-body has a right to question it, and the Government is certainly bound to stand by it but not to unsettle it afterwards. After all, what Mr. Logan said was that it was his opinion that kanamdar had permanent interest when the tenure began, but that system subsequently changed. The kanamdar referred to by him was of the old days. Where is he now? He is nowhere. The lands changed hands. Many people came in by purchase of the interest in the land. One man became a kanamdar yesterday, another twelve days ago and so on. These are the only persons that call themselves kanamdars. What Mr. Logan said was that he did not want to protect the rights of the kanamdar, that it would be mischievous to do so, and he wanted only to protect the verumpattam tenants. He wanted to afford them a modified protection as they are the persons who actually till and cultivate the soil. That was his view and he had much experience of Malabar and he knew what the position of all these people was. Mr. Logan again says in paragraph 324 of his report :

‘If legislative recognition is once accorded to the position of the existing intermediaries, the questions at issue become infinitely more difficult of settlement, because (as in Bengal) it will be found impossible to withhold legislative recognition to other classes which will inevitably spring up. And legislation will end, as it seems to have done in Bengal, in a quagmire (so to speak) where the legislators vainly attempt to touch the sound bottom of what is really bottomless so long as the leading principles of that legislation, viz., freedom of contract, is adhered to. Nor does it seem necessary on any other ground to legislate for people who are mere investors of their money and who contribute nothing towards the wealth of the country. It may seem hard, looking to the former position of the kanakkar or the protector guild as defined in these papers, to deny them the right which they, in my opinion, undoubtedly held at the commencement of British rule in Malabar to a certain customary share of the produce of

[Mr. T. R. Ramachandra Ayyar] [22nd August 1924]

the soil. But on the other hand, is the policy of the last 90 years to be now undone, and is the janmi to be no longer recognized as the proprietor of the soil? I do not see how this policy, however fortuitous may have been its origin, is now to be reversed, for apart from other considerations the Government has itself sold its janmam rights in Rs. 30,00,000 worth of cashew lands, and the purchasers have been treated as proprietors of the soil."

"As regards Travancore, he says that the steps taken by that State were thoroughly unsatisfactory. He says:

"It is true that in Travancore some steps have been taken to secure to the kanakkarans a position of permanence on the soil more in accordance with his ancient position, and this has commended itself to some of the petitioners as a desirable thing for the same class in Malabar. The circumstances of the two countries are to a certain extent alike and the argument has therefore some weight; but the action of the Travancore Government in this matter has never been correctly accepted by the people, and more especially by the janmis and I learnt at Trivandrum that the whole question is likely to be again brought up before long. It is evident for reasons touch, except partially, the real difficulty which lies in the impoverishment of the actual cultivators. A law which gave the cultivating kanakkarans a right to permanency of tenure would be a good law so far as it went, but in my opinion, it would fail if it did not give equal security to the other classes of the actual cultivators who are most frequently sub-tenants of the kanakkarans."

"Thus in paragraph 352, Mr. Logan says:

"The only exception which ought in my opinion to be allowed to this general rule is that when the tenant's interests clash with any scheme either for utilizing the land for other purposes than agriculture or for improving generally the cultivation on an estate, the tenant's interests should give way, and in such exceptional cases the obvious recourse is to the principles of the law for expropriating property for public purposes. Stated shortly, then, my conclusions are—

- (a) that the only person interested in the soil to whom the Government should look is the actual cultivator;
- (b) the landlord's power of ouster must, in the public interests, be curtailed."

"That was the only small measure of reform which he wanted, so that we may well accept his theory. As a matter of ancient history these people had a permanent right, but after British rule they have not got that right. The Government allowed them to cultivate the soil on the condition that they should not have permanent rights. Then, Sir Sankaran Nayar in 1914, when the result of the working of the Tenants Improvements Act of 1900 was referred to the Judges, said that things had so entirely changed since the old times and that nothing more was necessary to be done then than the payment of adequate compensation to the ryots that were evicted."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I just interrupt? Sir Sankaran Nayar, even last year, that is the year before he left for England, strongly expressed the opinion that unless the tenancy law was granted, there could be no salvation."

Mr. T. R. RAMACHANDRA AYYAR:—"Sir Sankaran Nayar is changing so many times and I think he ceases to be an authority (laughter). But as I am also supported by other authorities, I am quoting a passage from his opinion. He might have given another opinion to Mr. Krishnan Nayar in the course of conversation, but he might not have said so publicly."

Diwan Bahadur M. KRISHNAN NAYAR:—"It was not a private statement. He said so publicly."

Mr. T. R. RAMACHANDRA AYYAR:—"But this statement of his is contained in a Government order and so it is a more authoritative statement. Sir Sankaran Nayar observed that as things had altered considerably since 1818, the only legislation that he was prepared to recommend if at all was that no person should be turned out of his homestead by his landlord except where it was absolutely necessary for the landlord for the cultivation of his own land. Now, I want to know why this Bill is put on a perfectly

[Mr. T. R. Ramachandra Ayyar] 22nd August 1924]

different footing? In one part of his speech, Mr. Krishnan Nayar said one way and towards the end in quite another way. What he said in the beginning was that the whole land in Malabar vested in the janmi, and if anybody wanted to live in that country he had to live there only at the sufferance of the janmi. For all these years in Malabar we have heard no complaint in any paper or anywhere that the people are suffering for want of homesteads, and nobody is evicted, for the obvious reason that where a house-site or a garden is leased, the compensation generally awarded by the courts would be considerably higher than what private owners would be prepared to pay. So that if it is sold, its market value would be much less. And that was what Mr. Krishnan Nayar said at the end of his speech. He said that these people separate the lands from the homesteads because in the case of the latter they would have to pay high compensation. What does it mean? It means that the compensation now provided for amply safeguards the interests of the tenant. These are generally petty houses in out-of-the-way places, and nobody would pay a high price for them. But they are not useful to the janmi and he will allow them to continue rather than pay compensation. The janmi has to pay compensation even for spontaneous growth, things which grow by themselves. Therefore there is absolutely no fear of eviction. I find that in the Bill, he does not want it to apply to homesteads at all. There are two sections, 16 and 31, which are as follows:

"16. In the absence of an express contract to the contrary, the kanam tenant of a house, shop, warehouse or any other building together with the garden and compound appurtenant thereto shall not have therein a right of permanent occupancy."

"31. In the absence of an express contract to the contrary, the tenant of a house, shop or warehouse or any other building together with the garden and compound appurtenant thereto shall not have therein the right of permanent occupancy."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I say, Sir, that what that section (16) means is that if a janmi lets out houses or demises houses or where houses are occupied as buildings, there is to be no occupancy right in respect of such buildings. Of course, if the section does not carry out my interpretation fully, it is a defect in drafting."

Mr. T. R. RAMACHANDRA AYYAR:—"As far as the people referred by me are concerned, there is absolutely no injury suffered by them, and the janmi will be very glad to allow them to live there and nobody is going to compete with these poor people. If he sues for their eviction, the court will pay a higher amount than the market value."

"I may mention one instance where a number of tenants, about 200 of them, who proved disobedient to a janmi in Cochin, because they would not give him carts to carry his own fuel, were all served with notices to vacate their houses. They consulted a lawyer who knew the situation and he said: 'You had better say that on payment of compensation you would vacate your houses.' Then the janmi went to a lawyer. They considered the whole matter and found out that if all of them were to be turned out, they would have to pay a very heavy compensation. The result was that no suits were brought and no evictions took place. So, as regards these people, there is absolutely no fear. It is not the object of the learned Mover to protect the interests of these people, nor do they stand in need of any protection."

"I was on the question of Sir Sankaran Nayar, and Sir Sankaran said in 1914 that matters had come to a stage at which nothing more was

[Mr. T. R. Ramachandra Ayyar] [22nd August 1924]

necessary to be done. No doubt there was a grievance at one time. Suppose a person was living in a particular house, or occupying a particular land for over 50 years, naturally a feeling grows in his mind: 'I have been here for such a long time. I was born and bred up here. Am I to be turned out now?' That is unjust; but where are those people now? The complaint is that, on account of melcharth and on account of evictions, all these people have been turned out."

Sriman BISWANATH DAS Mahasayo:—"I should like to know whether there is any time-limit with regard to the speakers on this Bill, because we have got a lot of non-official business to be gone through?"

The hon. the PRESIDENT:—"I do not know if the hon. Member means to proceed much longer. But I wish to say this. Now it is one o'clock and there is a feeling in many parts of the House that there is no prospect of any of the non-official resolutions being reached to-day at the present rate of business. A proposal has been made that we should sit to-morrow also. But, so far as I am aware, Government have made their engagements for to-morrow on the understanding that the Council is not sitting to-morrow. Anyhow, I have sent the representation to the hon. the Leader of the House, and we shall see what the Government say in the matter. Meantime, I have to assume that we shall rise this evening, and in order to enable non-official members, as far as possible, to move resolutions, I propose that, like yesterday, hon. Members go for lunch without rising formally. We shall go on from now till 4 o'clock. Any hon. Members who wish to go for lunch may do so at any time they choose. I would also like the hon. Member who is now speaking and the hon. Member who will next be called on, to be as brief as possible, so that we may proceed with the rest of the business."

Mr. T. R. RAMACHANDRA AYYAR:—"As far as I am concerned, Sir, I shall take only as much time as I consider to be absolutely necessary (laughter), and I have no desire either to exhibit my eloquence or do anything of the kind. In fact, it is a very important subject affecting very many people, and a subject with which most of the Members of this House are not familiar. If they are familiar with it, certainly it will then be impudent on my part to dilate on these subjects. Anyhow, I have done a good portion of my speech already, and I shall judiciously use the time at my disposal, so that much time is not taken up."

"I have got a copy of the Cochin Tenancy Commission Report. That was composed of a number of people. In Cochin the very same question was raised that the kanam tenants had a permanent right. The Commission unanimously came to the conclusion that the janmi was the absolute owner for all time, and that the kanamdar had no permanent interest. In Cochin there is this further peculiarity that more than half the area is Pandara verumpattam. Lands are held on janmam by the Government and by certain janmis. Lands held by Government on janmam are given to the people. They are just like the mirasidars in these parts. What they do is this. The assessment imposed on that land is a little higher than that on the janmam land. That, in fact, is a return for the Government for giving them the ownership of the Government interest. So that the rules will apply only to a small fraction, probably less than half the area of the Cochin State; and even there, the verumpattamdars or the simple lessees get no

22nd August 1924] [Mr. T. R. Ramachandra Ayyar]

right, and all the kanomdars do not get that right, but only persons who have been there for 30 years. So that, the injury that is done to the landlord is not as serious there as it will be here.

"Further, it may well be pointed out that for the last four or five years it has been in contemplation to have a People's Assembly in Cochin. The Assembly has not yet come into existence. There is the Diwan there who is certainly a very powerful individual. He can always carry everything to His Highness and his will is supreme. So, if a thing is to be legislated, the Diwan has only to say 'yes,' and the thing is done. We have no popular Assembly there. We tried to have a Congress there, but it was suppressed in one year. So, that is the state of things in Cochin and if you are going to say that we must imitate Cochin, I think, in that case, we must first of all go back a hundred years before beginning to imitate it."

Diwan Bahadur M. KRISHNAN NAYAR:—"My hon. Friend is unfortunately a native of that place."

Mr. T. R. RAMACHANDRA AYYAR:—"And that is exactly why I complain. I was President of the first Congress and Diwan Bahadur Vijayaraghava Achariyar, who was the Diwan, then said that we should not hold any Congress at all, because there was some fight between two communities in Trichur. So, there is no use of imitating Cochin. The undoubted facts you can follow, but as a matter of administration, I think you will be doing much harm by doing so, especially when we are complaining that we have not been given sufficient freedom in British territories."

"What this Commission say regarding kanam is:

"Though by the decisions of our courts in comparatively recent times, kanom is treated as a usufructuary mortgage of immovable property with certain well-defined conditions attached to it, there can be no doubt that it was originally a lease in which the landlord received a deposit of money or grain from the tenant as security or loan, or otherwise. The very fact that the tenure was originally known as ubhayapattam or land lease shows that it was meant to partake primarily of the tenure of a lease and not that of a mortgage, as some of the witnesses before us have tried to make out."

Ubhayapattam is the word found in all the documents. Ubhayam means land.

"In fact, the kanom is seldom a spontaneous creation like a mortgage, but is generally evolved out of the verumpattam to suit the convenience of or necessities of the janmi. When a janmi stands in need of money to meet any extraordinary expenditure, he naturally tries to raise it from his own tenants whenever possible as he cannot only get it on more favourable terms than from others but also pay the interest with more convenience by making it a charge on his rent and setting off a portion of it against the interest. It appears from the records of the Edavaipattu that most of the pandaravaka kanom holdings in the Cochin and Kanayanur taluks in which there was a large number of such holdings came into existence in this manner between the years 920 and 935 M.E. when large sums were raised by the State from the verumpattam tenants to meet the expenses of the wars with Travancore and the Zamorin."

Even the Government was thus borrowing for the purpose of carrying on wars. That is what is stated there, and that is what exactly the janmis are also doing. Then they say:

"That the kanom lease is redeemable on the expiry of its period at the pleasure of the janmi and that the kanom does not confer legal right of occupancy on the tenant are now well recognized facts and placed beyond dispute by the decisions of our courts. But some of the witnesses examined by us question the correctness of this view. They contend that according to the customary law of the country the kanomdar has a permanent right of occupancy which he could be made to forfeit only for four specific reasons, viz., fraudulent conduct derogating from the janmi's title, wilful and extensive waste of the lands in his possession, persistent default in the payment of rent and other dues, and refusal to accept renewal of lease by paying the customary fees. They point out that in the old settlement accounts of the State the land held on kanom were invariably shown as the janma of the landlord and the janma of the

[Mr. T. R. Ramachandra Ayyar] [22nd August 1924]

tenants, and that as these words are derived from the same root, whatever that root and its meaning may be, this mode of treating their respective titles shows that in the view of the sarkar in those days the janmi and the kanamdar were to-proprietors of such lands. They come plain that this view of the customary law was unfortunately not taken by our later-day Judges, as they were more imbued with ideas of English law than with those of the customary law relating to landlord and tenant, with the result that the law as now administered has placed the kanamdar at the mercy of the janmis. However plausible and ingenious this contention may be, we are unable to accept the view that kanom was at any time an irrevocable tenure at least in theory. Dr. Buchanan, Major Walker and other English writers on the subject in the first years of the nineteenth century have stated as the result of their personal inquiry and observation that the janmi had the right to redeem on the expiry of the term."

Mr. J. A. SALDANHA:—"May I know whether there were kanom tenants directly under the Cochin Government now?"

Mr. T. R. RAMACHANDRA AYYAR:—"Yes. There are even now. At the settlement they recognize that."

Mr. J. A. SALDANHA:—"With permanent rights?"

Mr. T. R. RAMACHANDRA AYYAR:—"Yes."

"Writing from Cochin at the beginning of the seventeenth century when the land laws of the West Coast were not affected by the Muhammadan or English ideas, the Dutch writer Canterslocher bears testimony to the right of the janmi to redeem. If a janmi wishes to get back the land, says the writer, "he must restore the 8,000 or 9,000 fanams (that is the kanam amount) and pay in addition the sum of money that shall have been fixed by men commissioned to value the improvements made upon the property in the interim by fresh plantations of cocones palms and other trees".

"I may at once state that in Cochin evictions were rare in olden times. I know, for instance, there is a janmi in Cochin called Paliyath Achan. He is probably the richest janmi there. I do not know if he ever evicted tenants. No doubt suits were filed, decrees were obtained, and at times they were turned out; but if only they go and beg of him, he will grant their request. That is not because decrees are not obtained, and therefore no evictions take place. Such good men there are. Even here, in the case of the Kizhakke Kovilagam, which owns extensive lands, evictions are very rare. But these things have come to take place; owing to whose fault is the question? It is difficult to account for it. My own opinion is there are good janmis and bad tenants, and there are also bad janmis and good tenants. We have got this combination and the result is one or the other creates this mischief. In olden times, when the janmi got very little, the tenant got every advantage. Now, the tenants want to get a good deal by insulting the janmi. They say they want independence and equality. They learn these by civilization. Of course, I am not blaming all these. They may obtain all that and use their liberty. In the old days, if you stand before the janmis folding your left hand across the chest and closing the mouth with the right hand, those people would be pleased, and probably you got the lands from them under very favourable terms. That may be a defect in them, or it may be their fault. That is another matter with which we are not concerned. Now, the tenants do not behave in that way towards their janmis. They want independence. Therefore, from the number of evictions, you cannot judge anything. What is the use of statistics in the matter of evictions? When two janmis fight owing to any trespass or any such thing, there is an eviction suit. If there is an eviction suit the presumption is that it is by a landlord against his tenant. That is wrong. As I said, suits for eviction may be filed between two janmis also. As in other parts, there are trespassers, and there are lessees here also and suits are brought against them. Therefore, I say that statistics are absolutely misleading in this respect.

22nd August 1924] [Mr. T. R. Ramachandra Ayyar]

"My point, therefore, is that the kanamdar has only a redeemable interest in the property, a temporary interest and not an indefeasible title, if he is given a permanent right, that means actual confiscation, and not confiscation for any crime on his part. The Government 1-15 p.m. have got the power to confiscate the properties for crimes and that in cases of individuals. Here you want to confiscate the properties of a whole class for no offence of theirs. Suppose a janmi has got 10 acres of land which is held by a kanamdar. He has got permanent interests in the land. The kanam tenant is given permanent interest to-morrow. There is another ten acres of land subject to the very same conditions in every respect, but he is not given a permanent right with regard to that. If you sell the land in which you have got a permanent interest, say, you will get a hypothetical market value of Rs. 1,000. If you sell the other land, you will get only Rs. 500. The man becomes poorer by Rs. 500 in not having the permanent interest. The result is that the tenant becomes richer and the other man becomes poorer. Once the Government have recognized the rights of the people, they have absolutely no business to deprive them of that right. The rights of the subjects have to be protected by the Government. On the other hand, if you deprive them of their right in one case, it will tempt you to deprive them in many other matters. One violation will lead to another. I will quote one passage from Mill's Political Economy and one passage from Nicholson's Political Economy. Before doing so, I want to read one passage with regard to the permanent right given to tenants in Ireland:

"The property must be in some one; and if we were to secure the possession of the land and the enjoyment of the profits to the tenant and his successors for ever, subject only to a rent, we should, in effect, no matter how we try to disguise it, transfer the property of the farm to him, and change the present landowner into a mere rent-charger."

"There can be no question therefore that the janmi is deprived of some of his substantial rights by the proposed law. It is equally unquestionable that if he is deprived of substantial rights, he is entitled to compensation.

"Mill, in his Political Economy, after stating that the claim of the landowners to the land is altogether subordinate to the general policy of the State, says that the principle of property gives them only a right to compensation for whatever portion of their interest in the land it may be the policy of the State to deprive them of. To that extent, their claim is indefeasible. It is due to landowners and to owners of any property whatever, recognized as such by the State, that they should not be dispossessed of it without receiving its full pecuniary value or an annual income equal to what they derived from it. This is due to the general principles of the labour and abstinence of themselves or their ancestors, compensation is due to them on that ground; even if, otherwise, it is still due on the ground of prescription. Nor can it ever be necessary for accomplishing an object, by which the community altogether will gain, that a particular portion of the community should be immolated. When the property is of a kind to which peculiar affections attach themselves, the compensation ought to exceed a bare pecuniary equivalent.

"And a janmi will never be satisfied with a pecuniary equivalent. Nicholson, in his Political Economy, says: "It is a fundamental maxim of political society that the State has a right, in the interests of the public, to undertake any expropriation whatever. On this there can be no dispute. But in estimating the interests of the public, the question of compensation is always present. The State cannot set the example of robbery and plunder without affecting industrial security, and the greater the development of industry and credit, so much the more important is security. The economical principle of compensation in its most general form may be stated as follows: If the State has recognized legally

[Mr. T. R. Ramachandra Ayyar] [22nd August 1924]

certain forms of property and certain rights in property to grow up under laws that have fallen into desuetude, although not formally repealed, then full compensation ought to be given; on this view we cannot argue that moral conditions have changed, that the owners have broken the moral law, and that they ought to be punished by confiscation. . . . Such being the general economic principle, what are the economic grounds on which it rests? The answer is, that any shock to security is an injury to industrial organisation; it imposes a check upon freedom of contract and freedom of exchange; a single example of spoliation checks the spirit of enterprise, just as the failure of a single bank may bring on a commercial crisis. . . . There can be no question whatever that the simple practical rule of full compensation should never be infringed except on the strongest grounds. The indirect effects of a shock to security are extremely difficult to calculate, whilst the gains of the reform are liable to be exaggerated."

Mr. J. A. SALDANHA:—"May I know to what year these references are made?"

The hon. the DEPUTY PRESIDENT:—"The hon. Member had better look into the book."

Mr. J. A. SALDANHA:—"The Members of the House must know to what year these references are made."

Mr. T. R. RAMACHANDRA AYYAR:—"Mill's political economy is true for all time."

The hon. the DEPUTY PRESIDENT:—"Let him finish the speech. If he is interrupted, the hon. Member may take much longer time. The hon. Member may proceed with his speech."

Mr. T. R. RAMACHANDRA AYYAR:—"The kanom tenant is a person who has acquired permanent right. It will be nothing short of spoliation if the present state of things were to be disturbed. Is anybody prepared to pay the compensation? I have got the proceedings of the Board of Revenue. Honourable Members have the copies with them and I do not propose to take much of their time. They say that the mirasidars stand on the same footing. Many of the mirasidars have leased their lands for 15 years. Why should not the same right be allowed throughout British India? It is impossible. The tenants are there. Why should you protect them at another's expense? You will feel it when it comes nearer home. I have got the opinions of Sir Charles Turner. It is rather late. I have got so many other things to say. But considering the time at my disposal, I am not able to refer to all of them. Melcharth is nothing more than a second mortgage. He has got a right under the law. He can redeem the prior mortgage. What is said is that this should be discouraged. Who are the Melcharthdars? They are persons who are not janmis. The janmi commits the offence by granting melcharth. He is the principal offender. He redeems. For that the janmi must be punished and the accomplice must be let off. He induces the janmi to evict the poor tenant. There are many cases like this. The persons who are really the cause of these evictions want protection now. What right have they got? An enquiry must be held to see how many are the old kanam tenants and how these people got eviction. It is too late to give anybody permanent rights to these kanamdars. As regards the actual cultivator, nobody has any grievance. If the tenant is there for six years, he gets a permanent right. Who will allow any tenant to be on the land for more than six years? If it is allowed to pass into law, nobody will be allowed to have the land for more than six years. By the fifth year they will be turned out. Is it not a positive injury?"

Mr. K. UPPI SAHIB:—"The Council will have to go automatically to other business at four o'clock. If the hon. Member is allowed to go on at his rate, the tenant expert member has also to speak for the other side. At this rate, when are we to finish it?"

22nd August 1924]

The hon. the DEPUTY PRESIDENT:—"This is an important subject. Anyhow the hon. Member would conclude his speech soon."

Mr. J. A. SALDANHA:—"When are we to close the sitting?"

The hon. the DEPUTY PRESIDENT:—"There is no closing. The hon. Member may go for lunch if he wants."

Mr. J. A. SALDANHA:—"It is not a question of lunch."

Mr. T. R. RAMACHANDRA AYYAR:—"I have practically finished. They do not want that I should go on any more. Probably they think that it will interfere with their interests. It is an excellent argument in my favour. I am only placing facts before you. I want to wait and see how many of these facts are controverted. If in the face of the facts that I have placed before you, you are going to legislate I have nothing to say further."

Mr. K. P. RAMAN MENON:—"Mr. President, perhaps this House wants to hear the other side after hearing what the hon. Member Mr. T. R. Ramachandra Ayyar had to say on this Bill. I am rather handicapped in rising to speak at this moment because I have to speak at the end of the debate when the Members have been so far dinned with terms which are unfamiliar to them. But it is necessary to take some time in order to show that as a matter of fact in Malabar there is nothing peculiar so far as land tenure is concerned. My own impression is that just as in the village communities in South India and the village communities that you have in Northern India there are certain classes of persons who hold sway on other classes of persons; there are the intermediaries and the cultivating tenants. It will be too much to go into the historical aspect of this classification."

"If you just look into the land tenures of Europe from the historical perspective, you will find that the earls and lords who were created by the Crown held the lands which became ultimately feudal tenures. Similarly, if you will only think of the position for yourself and if you read the lessons of history aright, you will find that the original kanam tenure, just like the manorial tenure, has now turned out to be the feudal tenure, and that the janmi has been able to charge the feudal tenant as the manorial lord has been able to do in Europe subsequently. The historical aspect of the question has been dealt with at great length by Mr. Krishnan Nayar, and I do not want to inflict on this House again those facts of history. But I must join issue with my hon. Friend Mr. Ramachandra Ayyar when he says that it was the janmis who allowed the lands to continue in the hands of the kanam tenantry, that the kanam was only a lease and that the kanamdar was a person who could be turned out at the sweet will and pleasure of the janmi. Then, how is it that these kanam tenants, when all the janmis ran away to Travancore after the conquest of Mysore by Hyder and Tippu, did not say that they were absolute owners of the soil? Is it that they were not alive to their own self-interest at a time when the country was quite unsettled? They did not think it necessary to do so because they thought that they had all the rights of land so long as they paid the dues payable to the janmis, and it was unnecessary on the part of the kanam tenant to assume that the janmi would turn them out. Again, I may mention here that most of the kanam tenants in those days belonged to the class to which I belong, viz., the Nayar class, and they formed the sword-arm of the country. It must also be borne in mind that the janmis were mostly Brahman landlords. If it is that the kanam tenant was only an ordinary tenant-at-will who could be turned out at the sweet will and pleasure of the janmi, it was easy for the

[Mr. K. P. Raman Menon] [22nd August 1924]

kanam tenant who occupied the position of the sword-arm to wipe out the janmi altogether (hear, hear.) You do not find anywhere a condition where the stronger man turns to the weaker man and pays obeisance. Then why was that done in Malabar? There must be some historical basis for that, and that is this, that the kanamdar was regarded as the absolute owner of the land subject only to the payment due to the lord, here the janmi; otherwise it would have been quite possible in those unsettled times for the kanam tenants to exterminate the whole lot of janmis in a few years instead of admitting their sway and paying the dues that were due to them.

"Then, again, Sir, there is another aspect of the question which has to be considered. If the kanam tenant is only an ordinary middleman, as he is supposed to be by some, who does not require any protection at the hands of this Council, how does he continue to exist all these years? Is it not a natural truth or a law of natural science that anything that is obnoxious is finally bound to be obliterated? We see generally that so far as animals or plants are concerned anything that is obnoxious is gradually wiped out, and according to natural law such things cannot continue long. Then, how is it that the kanam tenant was allowed to continue all these centuries? That is a matter which the Council must consider before saying that he is not a person that deserves to be protected by the Government.

"I would also appeal to hon. Members here to see if it is not conducive, as Dr. Mathai said yesterday, in the best interests of society to break up land monopoly. I do not want to go into the historical aspect of the question as I said before. Land monopoly is a pernicious system. All monopolies are not to be looked upon with favour, and land monopoly in particular ought to be broken up. That is a matter on which Dr. Mathai expressed his opinion at some length, and I would commend that particular aspect of the question to your serious consideration.

"Then there is one other point, which I would put it to you. It must be within your ordinary experience that if a man borrows money from another, the borrower is always naturally afraid of the person from whom he has borrowed. The mortgagee has the whip hand and the mortgagor has to go to the wall. Now, what is the position of the kanam tenants? It is said that the kanam tenant is somewhat a mortgagee and the land belongs to the janmi. Then, how is it in Malabar the position of the mortgagee and the mortgagor is just the reverse. We find that kanam tenants advance money to the janmi and at the same time pay obeisance to him, as was pointed out by my hon. Friend Mr. Krishnan Nayar. Then, how is it that the ordinary positions, that is found in every other part of the world, of the debtor and the creditor are reversed in Malabar? Why should the creditor pay obeisance to the debtor? It is not the real position. The position has been reduced to that by the decisions of the courts.

"Then, again, Mr. Ramachandra Ayyar said in the course of his remarks that ever since British rule was established the kanamdars had never thought of suggesting this question of permanent settlement so far as kanams were concerned. I can tell you that as late as 1881 there was the question raised as to whether the janmi could grant a meloharth over the head of a kanam tenant, and whether the kanam tenant was not the first person who was entitled to be approached when the janmi wanted more money, and whether it was not, only after making the offer to the kanam tenant, that the janmi could borrow money from other persons. The matter came to the High Court, and the High Court—Mr. Ramachandra Ayyar must be well

22nd August 1924] [Mr. K. P. Raman Menon]

aware of their decision—referred the matter back to the judge in the lower court, and I may say without any disparagement that the judge in the lower court was a Brahman from the East Coast who thought that the kanam was only a mortgage and that no other right was vested in the kanam tenant. It was Mr. Cuddalore Ramachandra Ayyar who was the Sub-Judge that held that the kanam tenant was entitled to rights only as a mortgagee and that the rights should be reduced to the terms of the Transfer of Property Act where the law of mortgages is dealt with. So, as far as the kanam tenant is concerned, there are these salient features which you have to take into consideration. Why has the kanam tenant prospered so long if he is such an undesirable thing; why has he not been suppressed by nature as other monsters have been; why has he not taken into his head, after the Mysore conquest, to wipe out the janmi class and why is the creditor subservient to the debtor? These matters will show the true perspective from which the kanam tenant is to be looked at. The kanam tenant is not as is portrayed by persons who put forward arguments on behalf of the janmi. As a matter of fact it is desirable in the interests of public economy to see that the land is not locked up in a few hands, and particularly so in Malabar; because there is no other industry for the people worth mentioning than agriculture. If you agree to the position, as Dr. Mathai pointed out, that land monopoly is a pernicious system, then there can be no question as to how you will vote in a question of this nature. The matter must go to the Select Committee where the Bill has to be shaped and where the whole controversy has to be fought out with reference to any safeguards that have to be introduced either with reference to the kanam tenant or with reference to the janmi. I am thankful to the hon. the Law Member for holding out hopes that with reference to the actual cultivators of the soil also there is some chance of Government favourably considering their claims. As my hon. Friend Mr. Krishnan Nayar said, he has held out the olive branch. I am afraid the olive branch bristles with thistles also. Because there are so many points which he raised along with his olive branch and which will smother the olive branch, and it is difficult to say exactly what the position of the hon. the Law Member is when he took up that stand. All these matters of detail have to be considered, and I would earnestly request all those who have the welfare of the tenantry in Malabar at heart to vote for the proposition now before us and see that the Bill is referred to the Select Committee." (Cheers.)

The hon. the DEPUTY PRESIDENT:—"I believe the House is of opinion that the matter has been sufficiently debated upon. If the House is agreed, I shall put the question to vote. (After a pause) I now proceed to put the motion to the vote of the House."

The motion that the Malabar Tenancy Bill be read in Council was put 1-45 p.m. to the House and carried.
A poll was taken with the following result:—

For—59.

1. Mr. K. P. Raman Menon.
2. " H. B. Ari Gouder.
3. " P. K. S. A. Arumuga Nadar.
4. " N. Devendraru.
5. Rao Sahib S. Ellappa Chettiyar.
6. " P. V. Gopalan.
7. Mr. L. C. Guruswami.

8. Rao Bahadar K. Krishnaswami Nayudu.
9. Hony. Lieut. Madurai.
10. Mr. T. Mallesappa.
11. " P. N. Marthandam Pillai.
12. " B. Munieswami Nayudu.
13. " C. Muttayya Mudaliyar.
14. " T. M. Narayanaswami Pillai.

[22nd August 1924]

For—59—cont.

- | | |
|--|--|
| 15. Mr. B. Obalesappa. | 38. Sir K. Venkatarreddi Nayudu. |
| 16. " C. Pennuswami Nayudu. | 39. Mr. K. Sarvarayudu. |
| 17. " P. T. Rajan. | 40. Chavadi K. Subrahmanis Pillai. |
| 18. " B. Ramachandra Reddi. | 41. Mr. R. Srinivasan. |
| 19. Rao Bahadur P. Raman. | 42. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 20. Mr. K. Saraba Reddi. | 43. Mr. M. Ratnaswami. |
| 21. " P. Sagaram. | 44. Diwan Bahadur M. Krishnan Nayar. |
| 22. Rao Bahadur C. Natesa Mudaliyar. | 45. Mr. B. Veerian. |
| 23. " T. A. Ramalingam Chetti-
yar. | 46. " K. Venkatachala Padayachi. |
| 24. Mr. C. Ramalinga Reddi. | 47. Rao Bahadur C. V. Venkataranga Reddi. |
| 25. Rao Bahadur A. S. Krishna Rao Pantulu. | 48. Diwan Bahadur W. Vijayaraghava Mudali-
yar. |
| 26. " C. V. S. Narasimha Raju. | 49. Mr. S. Satyamurti. |
| 27. Mr. A. Chidambaram Nadar. | 50. " T. Adinarayana Chettiyyar. |
| 28. " K. Koti Reddi. | 51. " C. Marudavanam Pillai. |
| 29. Sriman Biwanath Das Mahasayo. | 52. " G. Ramaswara Rao. |
| 30. Mr. M. Gangaraju. | 53. " B. Venkataratnam. |
| 31. " U. Gopala Menon. | 54. " Muhammad Ghonoo Mian Sahib. |
| 32. " P. Peddiraja. | 55. " Abdul Hye Sahib. |
| 33. " J. A. Saldanha. | 56. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 34. Sriman Sasibhoshan Rath Mahasayo. | 57. Mr. T. M. Moidu Sahib. |
| 35. Mr. M. Sitayya. | 58. " K. Uppi Sahib. |
| 36. " Sami Venkatachalam Chetti. | 59. " Yahya Ali Sahib. |
| 37. " C. V. Venkataramana Ayyangar. | |

Against—6.

- | | |
|---------------------------------|---|
| 1. Mr. T. R. Ramachandra Ayyar. | 4. Rao Bahadur O. M. Narayan Nambudripad. |
| 2. " B. Mahabala Hegde. | 5. Dr. P. Subbarayan. |
| 3. " V. Madhava Raja. | 6. Rai Bahadur T. M. Narasimhaachari. |

Neutral—18.

- | | |
|--|---------------------------------|
| 1. The hon. Sir Arthur Knapp. | 10. Mr. G. F. Paddison. |
| 2. " Mr. O. P. Ramaswami Ayyar. | 11. " S. Arpudawami Udayar. |
| 3. " the Raja of Panagal. | 12. " C. D. Apparu Chettiyyar. |
| 4. " Rao Bahadur Sir A. P. Patro. | 13. " P. C. Muttu Chettiyyar. |
| 5. " Diwan Bahadur T. M. Sivagna-
nam Pillai. | 14. " S. Muttayya Mulaliyar. |
| 6. " Mr. R. A. Graham. | 15. " V. C. Vellingiri Gounder. |
| 7. Mr. R. W. Davies. | 16. " P. Anjaneyulu. |
| 8. " P. L. Moore. | 17. " B. Srinivasa Ayyangar. |
| 9. " F. Noyce. | 18. " K. Sitaram Reddi. |

The motion was carried: *Ayes* 59; *Noes* 6; *Neutral* 18.
The Secretary then read the title of the Bill.

Diwan Bahadur M. KRISHNAN NAYAR:—"I now move, Sir, that the Bill be referred to a Select Committee consisting of the following gentlemen:—

- | | |
|---|--|
| The hon. the Law Member,
the Advocate-General,
Mr. K. Prabhakaran Tampam,
" V. Madhava Raja,
Dr. John Matthai,
Mr. T. R. Ramachandra Ayyar,
" K. P. Raman Menon,
Rao Bahadur P. Raman,
Mr. P. N. Marthandan Pillai,
" B. Muniswami Nayudu,
Rao Sahib P. V. Gopalan,
Mr. K. Uppi Sahib,
" S. Satyamurti,
" T. Adinarayana Chettiyyar, | Rao Bahadur C. Natesa Mudaliyar,
" C. V. S. Narasimha Raju,
" T. A. Ramalingam Chettiyyar,
Mr. C. Ramalinga Reddi,
Sir K. Venkatarreddi Nayudu,
Mr. J. A. Saldanha,
" C. Gopala Menon,
" P. T. Rajan,
" B. Veerian,
Rao Bahadur O. Tanikachalam Chetti,
Dr. P. Subbarayan,
Mr. Abbas Ali Khan and
the Mover. |
|---|--|

22nd August 1924] [Mr. M. Krishnan Nayar]

"I want to say one word. Sir, I am conscious of the fact that the number of the Members of the Select Committee is rather large; my special object in proposing a large number is on account of the very kind advice of the hon. the Law Member who stated that as in the case of the Irrigation Bill the required amendments may be made in the Select Committee. Of course, the Irrigation Bill is an official Bill. It contains a very large number of members, about 85. I do not propose so many."

Mr. C. RAMALINGA REDDI:—"I have much pleasure in seconding the motion."

Mr. K. UPPI SAHIB:—"May I suggest the inclusion of the name of Mr. T. M. Moidu Sahib?"

Diwan Bahadur M. KRISHNAN NAYAR:—"I have no objection to include that name; but in fairness I must include also the name of Rao Bahadur Narayana Nambudripad."

Mr. V. MADHAVA RAJA:—"May I also suggest the inclusion of the following four names, viz., Mr. Mahabala Hegde, Mr. S. Muttayya Mudaliyar, Dr. U. Rama Rao, Mr. K. Sitarama Reddi, Rai Bahadur T. M. Narasimhaachari, Mr. R. Srinivasa Ayyangar and Mr. P. Peddiraju?"

Diwan Bahadur M. KRISHNAN NAYAR:—"I have no objection but my only fear is that it is getting unwieldy. However, personally I am only glad to add to the list these names."

The above nine names were then added to the list.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"May I, with your kind permission, Sir, make up for an omission? I had intended to propose for the inclusion of the name of my hon. Colleague, Sir Arthur Knapp. I hope there will be no objection."

Diwan Bahadur M. KRISHNAN NAYAR:—"I am only too glad to have the hon. the Home Member included. In fact I had also intended to include him and I am sorry it is a lamentable omission."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I second the motion."

The motion was then put to the House and carried and the name of the hon. Sir Arthur Knapp was accordingly included.

The hon. the PRESIDENT:—"I propose to make the hon. the Law Member the Chairman of the Committee. And I understand that that is the wish of the House also."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, may I say one word as a matter of personal explanation? I consider it a mark of confidence that this has been done, but I desire to say this: that I accept the office so kindly suggested by you as the one which I should fill subject to this that I shall have the liberty to enlarge the scope of the Bill so as to include in it matters that are indicated in my speech. I have mentioned it to my hon. Friend Mr. Krishnan Nayar and with your courtesy I have now mentioned it to the House so that my position may be clearly understood before I accept the honour."

Diwan Bahadur M. KRISHNAN NAYAR:—"I quite welcome the suggestion. My friend will be at liberty to make any suggestion and as chairman

[Mr. M. Krishnan Nayar] [22nd August 1924]

I am sure the hon. the Law Member will be of immense assistance to us. I am confident that with the hon. the Law Member as the chairman of the committee we will have a satisfactory Bill emanating from it."

The hon. the PRESIDENT:—"I have already informed the House that it would be most inconvenient to the Government to postpone the engagements which they have made for to-morrow on the assurance that we should rise this evening. However, I have since been given to understand that the Government are willing to postpone their engagements provided the House is going to devote to-morrow to the purpose for which the sitting is asked for, i.e., to discuss the one particular resolution relating to the recommendations of the Lec Commission. So, on the understanding that the House will discuss only that resolution, we can sit also to-morrow."

IV

THE MADRAS LOCAL BOARDS ACT (AMENDMENT) BILL OF RAO BAHADUR
C. V. S. NARASIMHA RAJU.

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, under S.O. No. 87, I beg leave to introduce a Bill to amend the Madras Local Boards Act, 1920."

Sriman BISWANATH DAS Mahasaya:—"I second it."

Mr. YAHYA ALI SAHIB:—"I oppose the motion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I may say that the object of my Bill is to give the district boards the option of election generally as a rule. I have provided in the Bill, copies of which have been circulated to hon. Members, that if for any reason Government wants to reserve any board for nomination, the reasons may be stated and the opinion of the board may be taken. If, even against the board, the Government want to reserve a board for nomination, I provide that the draft notification shall be laid on the table of this House and the resolution of the House shall be recorded. From the way in which my hon. Friend, Mr. Yahya Ali, opposed the motion, I think he is of opinion that the Bill does not provide for the protection of the minorities."

Mr. YAHYA ALI SAHIB:—"I wish to state that I am being only partially anticipated"

Rao Bahadur C. V. S. NARASIMHA RAJU:—"At least I think I have substantially anticipated him. I am sure I am not incorrect. Regarding the taluk boards, Government is given power to reserve certain boards for nomination and the original intention was that there might be cases where persons belonging to minority communities may have to be nominated. I do not, however, think, as far as my knowledge goes, that the presidentship of any taluk board is reserved for the nomination of minorities, and the House has accepted in the last meeting that the presidentships of district boards ought to be reserved in certain cases for nomination, in order to respect minority communities. Since then some of the district board presidentships fell vacant and nominations from minority communities have not yet been made. While that resolution was under discussion, it was stated that in the case of Koraput or the Nilgiris, it might be necessary for the Government to nominate. It was never understood that districts like

22nd August 1924] [Mr. Q. V. S. Narasimha Raju]

Cuddapah and Guntur would be reserved for re-nomination from communities which are already well represented. I do not for a moment believe that the Government will take up the position that Brahmans do form a minority and they come under the exception. These are the reasons which induced me to give notice of this Bill."

Mr. YAHYA ALI SAHIB:—"Mr. President, Sir, as I understand the provisions of this Bill, there are three changes contemplated. Firstly, the introduction of the principle of universal election with reference to the presidentships of district boards; secondly, the curtailment of the period during which a particular officer will hold the office of the president; and, thirdly, throwing open the office of the president to persons who are not members of the district board. Sir, it seems to me that I cannot lend my support to any of these proposed changes; and I may be permitted to deal with all these points categorically. So far as the first amendment is concerned, viz., the introduction of the principle of election, my first objection is that such a measure is not just at present necessary. Sir, I understand that an amending Bill is likely to be introduced by the Government themselves which will probably embrace a very large number of changes in the existing Local Boards Act. I am not sure when that Bill will be placed on the anvil of this House; but I presume that it will be very soon. Secondly, it was just the other day—I believe it was on the 13th December 1923—that we passed a resolution accepting this principle with certain limitations which were found necessary by way of safeguards for certain minority and backward communities. Sir, this House is aware of the history of that compromise, if I may so term it; and I submit it is a little too early to go back upon that compromise to any extent whatsoever. I only recall to the memory of this House that the restriction which was placed upon the universal application of the principle of election was that the Government might reserve certain offices for nomination if it was necessary in the interests of the backward communities or for other reasons to be notified. Now, Sir, let us see how far that safeguard is provided for in this Bill. I find in clause 2 of this Bill that a notification is provided for in the case of those Boards reserved for nomination. That notification cannot take effect unless a preliminary notice is served upon the Board concerned stating the definite reasons for which that office is being reserved for nomination and asking the Board to give its reasons as to why it should not be reserved for nomination. After the opinion of the Board is received, their reasons and objections have to be considered. Lastly, the notification cannot take effect unless it is placed on the table of the House—I believe, when it is in session—and then again, it cannot take effect by expiry of time, unless a positive resolution of this House is recorded to that effect, i.e., that that particular office shall be reserved for nomination."

"Sir, the very enumeration of these provisions will show that a member of my community is practically denied any chance of nomination. I can say that the provisos that are hedged in here are practically tantamount to this: viz., that not a single place shall be reserved for nomination, and if hon. Members of this House will look into the procedure prescribed in this Bill they will agree with me. I say that in view of the fact that it is only the other day that we passed a resolution on

[Mr. Yahya Ali Sahib] [22nd August 1924]

this subject, it is too premature that this Bill should be introduced, the more so because an amending Bill is going to be introduced very shortly. I say, Sir, that it is too early to go back on our compromise.

"Now, Sir, what is the actual effect of the working of that compromise resolution? It is only six months since we made that compromise and I understand from a statement placed on the table of this House that only eight places have fallen vacant and six were thrown open for election. I should think that the Government have made a fair progress in giving effect to that resolution. As for the fact that out of the two District Boards that have been reserved for nomination one was given to a member of the Brahman community, a person who belongs to the over-represented community, it is a matter more or less of a personal character and I do not wish to dilate much on that. I am perfectly certain that the hon. the Minister for Local Self-Government had sufficient reasons in making that choice."

The hon. the RAJA OF PANAGAL:—"May I make an observation in personal explanation? So far as the District Board of Cuddapah is concerned, as soon as that office fell vacant, Government enquired whether there was any Muhammadan competent to be appointed as the President of the District Board and as a result of this enquiry the Government came to know that there was no competent Muhammadan to be thought of for the appointment. Nor was there a member of the unrepresented and backward community available to hold the post."

Mr. S. SATYAMURTI:—"May I ask the hon. the Minister for Local Self-Government by whom the Government were so informed?"

The hon. the RAJA OF PANAGAL:—"By authorities who are competent to advise the Government."

Mr. K. KOTI REDDI:—"Does not the resolution provide that the Presidentship of a District Board should be thrown open for election unless there is a member of the Muhammadan or other minority community available?"

The hon. the RAJA OF PANAGAL:—"The Statute gives sufficient latitude to the Government to nominate Presidents of District Boards. The Government have much greater responsibilities than the outside public because they are not only to see to the interests of individuals but they have to see to the interests of the administration as well."

Mr. S. MUTTAYYA MUDALIYAR:—"May I ask the hon. the Minister whether persons who have been returned to the district boards by votes and who are able to administer the boards efficiently are not in a position to give advice but that the Collector who is an official is able to give better advice on which the Minister can act withholding the privilege of election?"

The hon. the RAJA OF PANAGAL:—"Government were advised that Cuddapah is one of the most backward districts, and it cannot have the privilege of electing its own president. An enquiry was made as to whether there was a competent Muhammadan or a member of the unrepresented or the backward communities and the result was that there was as I have already said."

Mr. C. RAMALINGA REDDI:—"It looks very inconsistent. How can there be a competent man in a backward community?"

22nd August 1924]

The hon. the RAJA OF PANAGAL:—"There may be one or two competent men in a backward community though the community as a whole is backward."

Mr. K. KOTI REDDI:—"May I know from the hon. the Minister for Local Self-Government how the district of Kurnool is anyway better than Cuddapah, and how the former is conferred the privilege of having its own elected president?"

The hon. the RAJA OF PANAGAL:—"The Government do not consider that Kurnool is not backward."

The hon. the PRESIDENT:—"Is the hon. the Minister making a speech or making a statement?"

Mr. S. MUTTAYYA MUDALIYAR:—"The hon. Member, Mr. Yahya Ali, was speaking, and the hon. Minister was giving a point of personal explanation. It is not the hon. Minister that was speaking. I ask you, Sir, whether it is not open to other hon. Members, when the hon. Minister is making a personal explanation, to put a question which arises from this personal explanation?"

Mr. YAHYA ALI SAHIB:—"I did not expect that a storm would be raised over an innocent observation of mine."

Mr. C. RAMALINGA REDDI:—"Where is innocence?"

Mr. YAHYA ALI SAHIB:—"I shall inform him of it confidentially."

"Sir, I was saying that in view of the very fair progress made by the Government in this matter."

Mr. C. RAMALINGA REDDI:—"May I ask my hon. Friend, Mr. Yahya Ali, who is talking about the fair progress that has been made by the Government, how many district boards were thrown open for election?"

Mr. YAHYA ALI SAHIB:—"Six out of eight."

Mr. C. RAMALINGA REDDI:—"I understand that none of them had the privilege of election."

Mr. YAHYA ALI SAHIB:—"I would like to leave the matter at that. As regards the second proposed amendment, I remember that when the Local Boards and the District Municipalities Bill were discussed in this Council there was an animated discussion over this particular question, and the House expressed the opinion that non-members should not be allowed to stand for election for the presidentship of the board, and I do not see why there should be any deviation from that principle now. The hon. the Mover of this Bill has not indicated in his opening remarks anything to support such a change. I personally think that in the interest of efficient administration this procedure of allowing a person to get into the Board by the back door instead of by direct election and thus get into the executive office denying the chance of another elected representative, should not be allowed."

Mr. C. RAMALINGA REDDI:—"In how many boards the presidentships are thrown open for election newly and for the first time?"

Mr. YAHYA ALI SAHIB:—"I said 'two'."

Mr. C. RAMALINGA REDDI:—"No."

[22nd August 1924]

Mr. YAHYA ALI SAHIB :—"I was considering the case of a person who steals into the office of presidentship of the district board although he is not a member of the board as against another man who is an elected member of the district board and who aspires for election as president."

Mr. O. RAMALINGA REDDI :—"I object to the word 'stealing.' There is a great deal more of it under the present circumstances than there would be under this Bill."

Mr. YAHYA ALI SAHIB :—"I was discussing the principles of the Bill, and this is all that I have to say with reference to the second change contemplated. With reference to the third change also, I fail to see any valid reasons urged by the hon. Mover. It is proposed that the present term of three years should be curtailed to two years. However, that is a minor point and for that small change I do not think a Bill like this is necessary."

"Sir, there is the resolution which has been arrived at as a compromise and it lays down that there should be some reserve power in the hands of the Government. No doubt I have complaints against the present Government, but so long as that resolution which was carried as a result of compromise, is in force, I have no reason for despair. If all the presidentships of district boards are thrown open for election, I think there is not the slightest chance for my community or any minority community getting into the Board."

The hon. the Raja of Panagal began to speak.

Mr. S. SATYAMURTI :—"On a point of order, Sir, and also as a submission to you. Since you are working against time and since we are anxious that there should be ample time for the discussion of the Lee Commission's Report I do not think it would be fair for the Government to shut us out by taking up much of the time of the Council in discussing this Bill."

The hon. the PRESIDENT :—"I am much obliged to the hon. Member. I myself do not know what is the attitude of the Government on this matter."

The hon. the RAJA OF PANAGAL :—"I simply say that I oppose the motion."

Mr. R. VEERIAN :—"I am very much delighted to speak on this motion and I shall be very grateful to you, Sir, if you will allow me to speak on this motion."

The hon. the PRESIDENT :—"The House also would be very much delighted to hear the hon. Member (laughter); but we are anxious to get on."

The motion for leave to introduce the Bill for amending the Local Boards Act of 1920 was put and declared lost.

When there was some delay in taking the poll on the question whether permission should be given to Mr. Narasimha Raju to introduce his Bill or not, Mr. S. Muttayya Mudaliyar got up and addressed the chair thus:

"Sir, you cannot be waiting indefinitely like this. The Secretary has been ringing the bell for more than two minutes, and, if hon. Members do not choose to come in, I think they are not entitled to come in and vote."

22nd August 1924]

Mr. O. RAMALINGA REDDI :—"What is the hon. Member, Mr. Paddison, going out for?"

The hon. the PRESIDENT :—"Where is the rule about ringing the bell for two minutes?"

Mr. S. MUTTAYYA MUDALIYAR :—"I know, in the rules no time-limit is prescribed, but it has been the practice here to ring the bell for two minutes only shortly before a poll is taken. It is the practice in the House of Commons. In the Assembly, I understand, there is a sand glass kept for the purpose which runs out in two minutes. In the absence of any rule the practice holds good."

A poll was then taken with the following result :—

Ayes.	
1. Mr. T. M. Narayanaswami Pillai.	14. Mr. C. Gopala Menon.
2. Rao Bahadur C. Natesa Mudaliyar.	15. " P. Peddiraju.
3. " T. A. Ramalinga Chettiyar.	16. " J. A. Balanha.
4. Mr. C. Ramalinga Reddi.	17. Sriman Sasibhushan Rath Mahasayo.
5. Rao Bahadur A. S. Krishna Rao Pantulu.	18. Mr. M. Sitayya.
6. " C. V. S. Narasimha Raja.	19. " R. Srinivasa Ayyangar.
7. Mr. A. Chidambara Nadar.	20. " Sami Venkatachalam Chettiyar.
8. " K. Koti Reddi.	21. " S. Satyamurti.
9. " P. Anjaneyalu.	22. " T. Adinarayana Chettiyar.
10. Sriman Biswanath Das Mahasayo.	23. " C. Maruthavanam Pillai.
11. Mr. S. Muttayya Mudaliyar.	24. " C. V. Venkataramana Ayyangar.
12. Dr. P. Subbarayan.	25. " G. Rameswara Rao.
13. Mr. V. C. Vellingiri Gounder.	26. " B. Venkataratnam.

Noes.	
1. The hon. Mr. C. P. Ramaswami Ayyar.	21. Mr. P. C. Muttu Chettiyar.
2. " the Raja of Panagal.	22. " B. Obalesappa.
3. " Sir A. P. Patro.	23. " C. Ponnuswami Nayudu.
4. " Diwan Bahadur T. N. Sivagunnam Pillai.	24. " G. Premayya.
5. Mr. P. L. Moore.	25. " P. T. Rajan.
6. " S. Arpudadaswami Udayar.	26. " P. S. Rajappa.
7. " G. F. Paddison.	27. " B. Ramachandra Reddi.
8. Rao Sahib T. C. Tangavelu Pillai.	28. " K. Sarabha Reddi.
9. Mr. D. Appavu Chettiyar.	29. Diwan Bahadur P. Kesava Pillai.
10. " H. B. Ari Gowder.	30. Mr. K. Sarvarayudu.
11. " P. K. S. A. Arumuga Nadar.	31. " K. Sitarama Reddi.
12. " N. Devendrudu.	32. " R. Srinivasan.
13. Diwan Bahadur P. C. Ethirajulu Nayudu.	33. " P. V. S. Sundaramurti.
14. Mr. L. C. Guruswami.	34. " B. Veerian.
15. " P. N. Marthandan Pillai.	35. Diwan Bahadur W. Vijayaraghava Mudaliyar.
16. Diwan Bahadur K. Krishnaswami Nayudu.	36. Mr. Abbas Ali Khan.
17. Hon. Lieut. Madurai.	37. " Muhammad Ghous Mian Sahib.
18. Mr. T. Malleappa.	38. " Abdul Hye Sahib.
19. " B. Muniswami Nayudu.	39. Khan Bahadur P. Khalif-ul-Jah Sahib.
20. " C. Muttayya Mudaliyar.	40. Mr. T. M. Moidu Sahib.
	41. Janab Muhammad Yahya Ali Sahib.

26 voted for and 41 against. The motion was lost.

V
THE MADRAS LOCAL BOARDS ACT (AMENDMENT) BILL OF
RAO BAHADUR A. S. KRISHNA RAO PANTULU.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I beg to move for leave to introduce the Bill to amend the Madras Local Boards Act, 1920. I have circulated copies of the Bill and I trust that all hon. Members have

[Mr. A. S. Krishna Rao Pantulu] [22nd August 1924]

seen it. It is non-controversial measure intended to enable district boards to levy railway cess for purposes specified in section 113 of the Act, provided they obtain the previous sanction of the local Government. The principle itself was accepted by the Government. So, I move for leave to introduce the Bill."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I second it."

The hon. the RAJA OF PANAGAL:—"The question of diverting railway accumulated funds has been engaging the attention of the Government and the question of amending the Local Boards Act is also under consideration. I do think that it is necessary that there should be another amending Bill. But, however, since what this Bill aims at is the same as what the Government have in view, I do not see why I should oppose this."

The motion was put and carried.

VI

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

USE OF PUBLIC ROADS, WELLS, ETC., BY MEMBERS OF THE DEPRESSED CLASSES.

Mr. R. SRINIVASAN:—"Mr. President, I beg to move the following motion:—

1 [9] 'That this Council recommends to the Government that it be proclaimed by beat of tom-tom through the village talaiyari in every village in the Presidency, including streets in agharams, streets occupied by caste Hindus and cheris and settlements inhabited by the depressed classes and by publication in the Fort St. George and District Gazettes in all vernacular languages of the Province—

- (a) that there is no objection to any person belonging to the depressed classes walking through any public road, streets in agharams and caste Hindu village or pathway, in the same manner as a person belonging to the community of the caste Hindus in the country; and
- (b) that there is no objection to any person belonging to the depressed classes having access to the premises of any public office, well, tank or places of public resort, or to places and buildings where public business is transacted in the same manner and to the same extent as persons belonging to the community of the caste Hindus in the country.'

"Sir, my reason for moving this is to remove the untouchability. I hope all know what it is. There is a strong movement in the country to remove it. I want to achieve this result not by any violent changes, but only gradually, step by step. Public road, street or pathway, I mean the road, street or pathway, that is maintained by Government, or local board or where there is a right of way should be open to all members of the depressed classes. Similarly, with regard to wells and tanks maintained by Government or by local bodies, these also should be available for the use of all members of all communities. I have included in my resolution public offices and places where public business is transacted. These also should be accessible to all communities alike. But in this case, let it be open to

22nd August 1924]

[Mr. R. Srinivasan]

all only as long as a court or a public office is located there. This is a matter well known to all and therefore I do not want to speak much on it. As an instance of the hardships of the depressed classes I may quote the following:

'In the railway carriages where castemen are sitting, the untouchables cannot get in; they object and ask them to go elsewhere.'

"So long as there is a law they will abide by it. As an instance I may point to what happens in railway carriages where this untouchability hardly exists. Though at first there is some resistance, matters calm down as the train proceeds. That shows, Sir, that once the people understand what the law is, they will obey it. I do not think that we need fear any disturbance. My object in bringing this motion is to prevent any misunderstanding among the several communities, and to let all people know what the law is so that there may not be discussion or difference of views over it. With these words, I commend the resolution for the acceptance of the House."

Mr. S. SATYAMURTI:—"Sir, I have very great pleasure in seconding the resolution. I know I belong to the Brahman community which is supposed to be very orthodox, very backward, very reactionary. I want to assure the House that among my community, taking proportions, there are more men and women than among any other community who are in favour of this step in advance. I may point out, Sir, that the Congress to which I belong has got the removal of untouchability in the forefront of its programme. I may also point out that to-day in Trivandrum batches after batches of Congress volunteers have gone voluntarily into prison in defence of the right of the use of public roads by men and women belonging to all classes. I have very great pleasure indeed in seconding this resolution and I appeal to every section of the House to remove this longstanding and social injustice so that the Hindu community may develop solidarity and unity which will give it the status and dignity of the sister communities in this country. The resolution, Sir, if I may say so, is very carefully and very moderately worded. The operative portion in the first clause is that there is no objection to any person belonging to the depressed classes walking through any public road, street or agharam, etc. I take it that the word public also qualifies streets. I am one of those who believe that wherever a road or a street is public either in the sense that it was originally constructed out of public funds or in the sense that they are maintained at present out of public funds either by metalling or watering or by keeping lights or numbering trees on the road it should be equally open to all classes of His Majesty's subjects. I know there are some men in my community who believe that the approach of certain classes of people will pollute the streets. I am not one of those. I claim to understand Hinduism in its higher aspects and I do claim for my religion, Mr. President, that it is the most catholic of all religions. It is they who do not understand the true spirit of my religion who are perpetuating these unreasonable, antediluvian restrictions and I have no doubt that if a House of this kind representing all classes and castes passes a resolution it will be a powerful appeal not only to the Government but also to the enlightened public outside that this House which represents the intellect and the higher sense of this Presidency is pointing the right way to them. Then, Sir, the second portion of the resolution says

[Mr. S. Satyamurti]

[22nd August 1924]

that there is no objection to any person belonging to the depressed classes having access to any public office, well, tank or places of public resort, etc. This part of the resolution should be even more acceptable than the first. Really all these public places should be equally open to all. Indeed, Sir, a question of mine was answered yesterday relating to public wells and tanks in the South Arcot district. It seems to me that the clear duty of the Government will be to come to the help of the people in the assertion of their rights.

"Only one word more, Sir. I have no desire to exacerbate feelings here. But may I appeal in all humility and with all respect to the representatives of the depressed classes—I call them by that name with all apologies to them, I mean no disrespect to them; I merely use the official phrase—that they realize that their salvation lies in the salvation of this country, that they must throw in their lot with the progressive forces for obtaining Swarajya in this country and that then and only then can they come by their own? What are the facts? For a century and a half the British Government have played the Mabap to all of us. What is the result? To-day under the reforms I quite agree that some attempts have been made for the elevation of the depressed classes here, towards ameliorating their conditions. But what has been done is very little and what remains to be done is so much. I want to remind the hon. Gentlemen here that no community can get help unless it has learnt to help itself. I want the depressed classes to stand on their own rights and claim them not as reward for loyalty but as the primordial rights of human beings and as His Majesty's subjects. I have no doubt that they are learning to claim and will claim what is their due not as a matter of grace but as of right and will get what they want. With these words, I have very great pleasure in seconding the resolution and I appeal to every section of the House to pass it."

Mr. L. C. GURUSWAMI:—"I am extremely glad to hear from my hon. Friend, Mr. Satyamurti, the sentiments he has given expression to. I heartily support the resolution that is before this House. I need not make a long speech since this Council consists of highly educated and enlightened Indians who have the progress of the country at heart. I see around me Congressmen, Swarajists, Liberals and followers of the late Dr. Nayar and Mr. Gandhi. Is it necessary for me at this part of the day when members of the above conventions and parties are all after provincial autonomy and self-government to make a special pleading on behalf of the depressed classes and request them to vote for this resolution, in one voice. The removal of untouchability forms the chief part of the programme of the national Congress, of the Swarajists and of Mr. Gandhi. The resolution is a very very modest one and asks for only the elementary rights of citizenship. If you are not going to grant this elementary right to the members of the depressed classes who form more than seven millions of the population of this presidency and who are the very backbone of the country, how can you expect to get self-government or responsible government? Resolutions of a similar nature were moved by the Maharaja of Pittapuram and by Rao Bahadur M. C. Raja in the pre-reform Council when the people's representatives in the Council were very few and the resolutions were received with sympathy by the then Indian representatives in that Council. Recently we have heard that a resolution of a similar nature was passed in the Central Provinces Legislative Council.

22nd August 1924]

[Mr. L. C. Guruswami]

"Our province is said to be advanced and I am sure you are not going to be behind the Central Provinces. I am sure the non-Brahmans who form the majority in this Council and who are or were at one time members of the South Indian Liberal Federation will wholeheartedly support this resolution. Did not their representative, I mean Rao Bahadur K. Venkatareddi Nayudu, who is now Sir K. V. Reddi, while giving evidence before the Joint Parliamentary Committee say that non-Brahmans allow the 'Panchmas' in all the apartments in their houses except the kitchen? So I am sure the party to which he belongs will vote for this resolution. I once again on behalf of the depressed classes request you, hon. Members of this Council who are Congressmen, Swarajists, Home Rulers, Moderates, Liberals and Justice party men and Muhammadans, Indian Christians and Europeans to give their unanimous support to this most important resolution."

Mr. A. CHIDAMBARA NADAR:—"Mr. President, I beg to move the following amendment with regard to clause (a) of the resolution:—

"In clause (a)—

- (i) for 'any person belonging to the depressed classes' substitute 'any person or persons belonging to any class or community.'
- (ii) after the words 'walking through' insert the words 'or going in procession in a lawful manner.'
- (iii) omit the words beginning with 'streets in aghrahams' and ending with 'country' and substitute 'street or pathway in any town or village'."

The hon. the PRESIDENT:—"Would the hon. Member prefer to have these amendments put separately or together?"

Mr. A. CHIDAMBARA NADAR:—"Together, Sir, I wish to speak on them all together. The hon. the Mover of the resolution said that his object in moving the resolution was to remove untouchability. I think there is another principle involved in this resolution and that is to safeguard the elementary rights of every citizen irrespective of caste or creed to pass and re-pass along public streets and roads. The public roads, as the hon. Member for the University has said, are constructed and maintained at public cost and as such every citizen is entitled to walk along them. Beyond that right there are certain other rights which a citizen is entitled to, going in a vehicle or taking a procession along them for instance. With regard to the difficulties experienced by the depressed classes in walking along the streets, I think they are vanishing slowly except in certain remote villages and in some parts of certain towns. I hope they will completely disappear in a few years. The difficulty experienced in carrying procession along public roads is still resented and has sometimes caused communal feuds and strifes. So far as my experience goes, there are three districts in the extreme south of this Presidency in which this communal feud is rampant. It varies in degree and strengthens as we go on from district to district southward. It will be found in a small measure in the Madura district, a higher degree in the district of Ramnad and as we go to the extreme southern district of Tinnevely, it will be found in the highest and in the most acute form possible. This is how it arises. In a village or town where one community predominates it thinks that it has acquired a sort of prescriptive right by means of immemorial custom or usage to use the road

[Mr. A. Chidambara Nadar] [22nd August 1924]

for taking its procession exclusively, and that no other community has got any right to take any procession along the road. So this always raises not only communal feuds but also leads to rioting. Judicial decisions have upheld the right of every citizen to take procession along public streets. It has been laid down by the Privy Council and by all the High Courts that every citizen is entitled to take procession along public streets in a lawful manner without causing disturbance or annoyance to those lawfully employed. Sometimes it so happens that a mosque or a church is so situated in a public street and a particular community wants to take procession along that street to the disturbance sometimes of the devotees or worshippers. In such cases it gives rise to a feud between the Hindus on the one side and the Christians or Muhammadans on the other. Under those circumstances I think a lot of difficulty, heart-burning and money may be saved if the communities exercise some patience and at the same time know their rights to a certain extent. So, I think it is part of the duty of the Government to undertake the trouble of making known to the people their rights with regard to the use of public roads and streets. With these few words I propose the amendment which stands in my name."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I have very great pleasure in seconding this amendment. This is on broader lines than the resolution itself. I am glad that in moving this resolution the names of very great men were brought in. One is the name of the late Dr. T. M. Nayar. It is to him that the depressed classes now owe their position. I am also glad that the name of Rao Bahadur M. C. Raja, the lieutenant of Dr. T. M. Nayar, was mentioned in this connexion. At a time when a similar question arose when the processions of the depressed classes were not allowed to pass through the same street, Rao Bahadur M. C. Raja fought in the Legislative Council single-handed. I am also glad, Sir, that the names of the leaders of the South Indian Liberal Federation were also brought in. They go in for a great share in the attempts to uplift the depressed classes. I am glad to see that to-day in the City of Madras there is no disability for any class of people passing through any street. I am at the same time very glad that my hon. Friend, Mr. Satyamurti, came forward to second the resolution. Really, the Swarajists, though we do not agree with them in their creed, are doing real service in this direction in these days. I only to preach such things to their caste men and the higher caste Hindus. There is no use of passing resolutions in this Council. There is no use of asking the Government to do this or that. (Hear, hear.) Most probably Government will be put to some difficulty, and there may be some protesting against this. But it will be better that all of us join together and go to the high caste Hindus, Brahmans or non-Brahmans, and tell them what they were doing all along was wrong, what they have been doing for over two thousand years was nothing but a farce. We must tell them that the fifth class of persons in the Manu's Code should be taken away once for all and that it was a defect in Manu's Code and should be removed to-day. There is no use of telling Adi-Dravidas 'Rise up'. There is no use in passing resolutions in this Council. We must go to the high caste Hindus and tell them all this. The Brahmans should preach to the Brahmans that they are doing wrong things and should correct themselves to-day. It is only then that

[Mr. C. Natesa Mudaliyar] 22nd August 1924]

there will be salvation. Once more I express my gratitude to the Swarajists for taking very good steps in this direction. I also request the leaders of the Non-Brahman party and the United Nationalists to come forward and say that they all agree on this matter."

Mr. B. VEERIAN:—"Sir, I beg to move my amendment which runs thus:

In clause (b), for the words 'well, tank,' substitute 'river, lake'.

"My amendment is a very mild one. The object of moving this amendment is to avoid confusion, muddle, rupture, unpleasantness and chaos in the country. The depressed classes are not even allowed to pass through public roads. Such being the case, how is it possible for them to go and take water from public wells maintained out of public funds? Several of them are servants of the non-depressed classes. Unless the Government come forward and send a batch of police constables (laughter) to see that the depressed take water from the public wells, I do not think they will be bold enough to have free access to the public wells. I do not think, Sir, that the Government will risk so much and send a batch of constables to each and every place where the depressed classes live. Sir, the difficulties would not have been so great if the local boards had provided sufficient number of wells within their area; and that is the case with the municipalities also. In several quarters, Sir, they are suffering for want of drinking water. In fact, they go to canals, wherefrom at times they come back without water. In fact, they drink only impure water. They suffer very much indeed, and epidemics and other diseases prevail among them owing to their taking impure water. I am so sorry that the local boards and the municipalities have not done their best in providing sufficient number of wells in different localities inhabited by the depressed classes. Whenever we write and point this out to them, their plea is that there are no funds. They say 'You had better approach the Commissioner of Labour for sufficient funds being provided, and then we will see that you are provided with sufficient number of wells'. In this way, Sir, they have been going on for centuries together. Then, Sir, there are divisions. I do not think that I shall be criticised and ridiculed if I expose the truth here. I have come here as a genuine representative of the depressed classes. Among the depressed classes also there are divisions. I do not think that one particular sub-sect of the depressed classes will allow another sub-sect to take water from a well. But, Sir, they are not to be blamed. Because they are kept down like that they have got superstitious ideas. Such ideas are current among them owing to their lack of mental development. They have no education and no enlightenment. Even among enlightened communities there are superstitious ideas current. Such being the case, how is it possible to expect enlightened ideas among the depressed classes? Therefore, there is no use of making charges against the depressed classes. When a man who has vision goes and falls into a pit, what peculiarity is there in a blind man going and falling into a pit? Nobody will ridicule and criticise when a blind man goes and falls into a pit. That is the actual position with regard to the depressed classes. For the Dharampuram municipality a member belonging to the depressed classes was nominated; and in fact he was appointed to serve on the Encroachments Committee. Wherever there were encroachments this member of the depressed classes used to go and enquire. But whenever the encroachment

828

USE OF PUBLIC ROADS, WELLS, ETC., BY MEMBERS OF THE
DEPRESSED CLASSES

[Mr. R. Veerian]

[22nd August 1924]

happened to be in an aghaharam, the Chairman used to say to him 'Please do not go there. All those members belonging to the privileged community will oppress you, and in fact they will throw you into the big Kolingivadi river'. In that way things are going on."

The hon. the PRESIDENT:—"I will allow the hon. Member to go on a little while in order to expound some of his views, but as hon. Members seem anxious to go on with this resolution, I would recommend him to finish soon. When he has done with his amendment and when afterwards we go to the resolution, he may speak at length on the resolution."

Mr. R. VEERIAN:—"Now, Sir, I am not going to speak anything further. I will curtail my remarks as far as possible. If the main motion is to be accepted, I just want to know who is going to bell the cat? That is the important point; but if my amendment is accepted, I am sure there will not be any difficulty whatever for some time to come. We can do what is recommended in the resolution after some time, Sir. But in the meantime, I only request hon. Members to support my amendment because it is a very mild one, tabled in a very mild form."

Mr. N. DEVENDRUDU:—"I second the amendment."

The hon. Sir ARTHUR KNAPP:—"Sir, the subject matter of this resolution lies properly in the portfolio of my hon. Friend, the Minister for Local Self-Government. But as I am officially connected with the department which concerns itself mainly with the depressed classes, I feel it is only right that I should say a word or two before this resolution is put to the House. I find myself in the somewhat unusual position of being entirely in accord with most of what has been said in regard to this resolution, even with what has been said on the other side of the House, and more particularly I may say I am entirely in accord with what has been said by the hon. Member for the University. There is only one slight matter in which I would rather like to correct him, and that is when he said, I think by implication, that the movement for the amelioration of the condition of the depressed classes has been only started since the Reforms. I may mention, that as far as the Government are concerned the movement had started several years before and we had actually an establishment dealing with that matter before the Reforms were introduced. Now, Sir, I am particularly anxious that the Government should be able to accept this resolution. But there is a slight practical difficulty in the preamble of the resolution. The Mover asks the Government to agree to tom-tom in every street in every village and in every town what is undoubtedly a perfectly correct principle, namely, that the public streets are open to the depressed classes. But as a matter of practical politics, it seems to me a little bit unnecessarily provocative to send a talaiyari into every aghaharam in the Presidency to tom-tom this information. I do think that it is not necessary or expedient to ask the Government to do this. What I think would be equally effective from the point of view of this House is that the preamble should be amended in this form:

'That it be definitely accepted and announced as the policy of the Government, etc.'

"I understand that the Mover would not be unwilling to accept that form and I also understand that my hon. Friend the Minister would be willing to accept the resolution in those terms."

22nd August 1924]

Mr. R. SRINIVASAN:—"As Mover of this resolution, I am quite willing to accept the amendment of the hon. the Home Member."

3-15 p.m.

The hon. Sir ARTHUR KNAPP:—"Mr. President, with your permission, I move that in the first clause of the resolution for the words beginning with 'proclaimed' and ending with 'province,' the following be substituted:—

'definitely accepted and announced as the policy of the Government'."

The hon. Rao Bahadur Sir A. P. PATRO:—"I second the amendment."

Mr. S. SATYAMURTI:—"As seconder of the original resolution, I have a right to be consulted; and may I say that I cordially accept the amendment suggested by the hon. the Home Member?"

The hon. the PRESIDENT:—"We have now to pass the amendments one by one. I shall put them one after another. First of all in the preamble, the amendment is that:

for the words beginning with 'proclaimed' and ending with 'province,' the words 'definitely accepted and announced as the policy of the Government' be substituted."

The amendment was put and carried.

The hon. the PRESIDENT:—"The next amendment is:

In clause (a) for 'any person belonging to the depressed classes,' substitute 'any person or persons belonging to any class or community.'

"That is only for the words in clause (a). There are similar words in clause (b) which are not replaced. In clause (a):
'there is no objection to any person or persons belonging to any class or community walking through any public road'
and so forth. We will come to the rest of it in the second amendment."

The amendment was put and carried.

The hon. the PRESIDENT:—"The next amendment is:

After the words 'walking through' insert the words 'or going in procession in a lawful manner.'

That is, 'walking through or going in procession in lawful manner through any public road' and so forth until we come to the next amendment."

Mr. A. CHIDAMBARA NADAR:—"Sir, I beg leave to withdraw that amendment."

The amendment was by leave withdrawn.

The hon. the PRESIDENT:—"The next amendment is:

Omit the words beginning with 'Streets in aghaharams' and ending with 'country' and substitute the words 'street or pathway in any town or village.'

The amendment was put and carried.

The hon. the PRESIDENT:—"The next amendment relates to clause (b). The amendment is:

For the words 'well, tank,' substitute 'river, lake.'"

The amendment was put and declared carried.

[22nd August 1924]

On the motion of Mr. R. Srinivasan, a poll was taken with the following result:—

Ayes.

- | | |
|--------------------------------------|---------------------------|
| 1. Mr. T. Malleappa. | 6. Mr. Abbas Ali Khan. |
| 2. Sriman Seshbhushan Bath Mahasayo. | 7. " T. M. Moidu Sahib. |
| 3. Mr. R. Srinivasa Ayyangar. | 8. " Muhammad Moosa Saib. |
| 4. " G. V. Venkataramana Ayyangar. | 9. " K. Uppl Sahib. |
| 5. " R. Veerian. | |

Noes.

- | | |
|---------------------------------|--------------------------------------|
| 1. Mr. F. Noyes. | 11. Rao Bahadur P. Raman. |
| 2. " P. K. S. A. Arumuga Nadar. | 12. Mr. A. Chidambara Nadar. |
| 3. " N. Devendrudu. | 13. Dr. P. Subbarayan. |
| 4. Rao Sahib P. V. Gopalan. | 14. Sir K. Venkataraddi Nayudu. |
| 5. Mr. L. Guruswami. | 15. Mr. K. Sarvarayudu. |
| 6. Hon. Lieut. Madurai. | 16. " R. Srinivasan. |
| 7. Mr. P. N. Marthandam Pillai. | 17. Diwan Bahadur M. Krishnan Nayar. |
| 8. " B. Muniawami Nayudu. | 18. Mr. S. Setyamurti. |
| 9. " G. Premayya. | 19. Rao Sahib U. Rama Rao. |
| 10. " B. Ramachandra Reddi. | |

Neutral.

- | | |
|---|---|
| 1. The hon. Sir Arthur Knapp. | 20. Mr. K. Koti Reddi. |
| 2. " Mr. C. P. Ramaswami Ayyar. | 21. " P. Anjanayalu. |
| 3. " the Raja of Panagal. | 22. Sriman Biswanath Das Mahasayo. |
| 4. " Sir A. F. Patro. | 23. Mr. M. Gangaraju. |
| 5. " Diwan Bahadur T. N. Sivagnanam Pillai. | 24. " S. Muttayya Mudaliyar. |
| 6. Mr. B. W. Davies. | 25. " C. Gopala Menon. |
| 7. " P. L. Moore. | 26. Rai Bahadur T. M. Narasimhaachariu. |
| 8. " Abdulla Ghatala Sahib. | 27. Mr. J. A. Saldanha. |
| 9. " S. Arpudawami Udayar. | 28. " M. B. Seturatnam Ayyar. |
| 10. Rao Sahib F. C. Tangavelu Pillai. | 29. " Sami Venkatasubalam Chettiyar. |
| 11. Mr. D. Appavu Chettiyar. | 30. " Chavadi K. Subrahmanya Pillai. |
| 12. " P. T. Rajan. | 31. " T. Adinarayana Chettiyar. |
| 13. " P. S. Rajappa. | 32. " O. Maruhavanam Pillai. |
| 14. " P. Sagaram. | 33. " Ghousa Mian Sahib. |
| 15. Rao Bahadur C. Natesa Mudaliyar. | 34. " Abdal Hye Sahib. |
| 16. " T. A. Ramalinga Chettiyar. | 35. " T. N. Bava Kavattar Muhammad Sahib. |
| 17. Mr. C. Ramalinga Reddi. | 36. " Wahab Sahib. |
| 18. Rao Bahadur A. S. Krishna Rao Pantulu. | 37. " Yahya Ali Sahib. |
| 19. " C. V. S. Narasimha Raja. | |

The hon. the PRESIDENT:—"Nine hon. Members have voted for the amendment, 19 against and 37 have remained neutral. Therefore the amendment is lost and the substitution is not made. The words will stand as 'well, tank'.

"I shall now put the resolution as amended to the vote. It reads:

"This Council recommends to the Government that it be definitely accepted and announced as the policy of the Government—

(a) that there is no objection to any person or persons belonging to any class or community walking through any public road, street or pathway in any town or village; and

(b) that there is no objection to any person belonging to the depressed classes having access to the premises of any public office, well, tank or place of public resort, or to places and buildings where public business is transacted in the same manner and to the same extent as persons belonging to the community of the caste Hindus in the country."

The resolution as amended was put and carried.

22nd August 1924]

RELEASE OF MR. M. P. NARAYANA MENON.

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, 3-30 p.m. I beg to move the following resolution:

- '2. That this Council recommends to the Government that Mr. M. P. Narayana Menon who is convicted of having waged war against His Majesty and is undergoing life imprisonment shall be released immediately.'

"Sir, in doing so as there is no time I shall speak only for five minutes. I shall request the seconder to speak only for five minutes. As the question is an important one in which the whole of the Presidency is interested, I will request the hon. the Home Member opposite also not to take much time, so that the matter may be put to the vote of the representatives of the nation. Sir, I am placing before this Council a very pitiable case—the case of a very innocent man undergoing life imprisonment in our Penitentiary for no fault of his. Mr. M. P. Narayana Menon belongs to a respectable middle class family of Malabar. He is a graduate of the Madras University and he was practising as a pleader in Peruntalamanna in the Walluvanad taluk for over ten years from the year 1911 to the year 1920. He was a public-spirited young man, a patriot but a loyalist, which he continues to be even to-day. In 1917 or 1918 when a conference was held in Calicut under the presidentship of the hon. Mr. C. P. Ramaswami Ayyar he exhorted the audience to enlist themselves in the army to defend the King-Emperor. In 1920, after the Reforms, when the elections were contested he worked as the accredited election agent of Diwan Bahadur M. Krishnan Nayar, a loyalist of loyalists (hear, hear). Sir, at election times the candidates or their agents have to declare their policies. As his policy he espoused the cause of the tenants of Malabar for which a Bill was introduced this morning so enthusiastically. Sir, this morning's proceedings will show that it is a very desirable cause. Sir, after the elections were over he was organizing tenancy meetings. But unfortunately there was an executive order to prevent the holding of such meetings. I do not blame the executive officers. They feared most probably there would be disturbance. But as every one of us feels when an object nearest and dearest to our heart is attempted to be frustrated, we harbour a feeling of non-co-operation. Sir, we the non-Brahmans, when the Reforms were on the anvil, warned the Government that we would non-co-operate and Sir Venkata Reddi went further and said we would passively resist if communal representation was not given to us. We actually boycotted the Southborough Committee. Sir, how many times have we not boycotted or rather non-co-operated with the Raja of Panagal and the Government and gone out of this House when they attempt to carry through the Bills and resolutions with the majority at their command? Sir, the mirasidars of Tanjore have non-co-operated. Non-co-operation does not at all mean anti-British feeling or disloyalty to the King-Emperor. Certainly not. Nor does co-operation mean abject slavery or subjecting ourselves to all indignities and insults. Sir, this gentleman became a non-co-operator in 1921. There is no doubt he was a loyalist, but the suspicious police shadowed him. On the 17th August 1921 there was an order to arrest him under the Mappills Act."

The hon. Sir ARTHUR KNAPP:—"May I ask whether the hon. Member suggests that any order was issued?"

[22nd August 1924]

Rao Bahadur C. NATESA MUDALIYAR:—"I was just coming to that. My next sentence would have made the matter clear. Somehow or other that order was delayed. On the 20th August there was the rebellion. Sir, at Manjeri where there was no Government whatever when there was anarchy prevailing, this man tried to preserve order and peace. He had immense influence with the Mappillas. He always utilised it to prevent violence. On the 15th of January 1921 when the police trampled over a Khilafat flag and when a rebellion was imminent, he prevented it with that very influence. He not only safeguarded the people of the locality at Manjeri but also saved the life of a Government servant, the district munsif of the place. In fact, he was occupying his whole time when he was at Manjeri between the district munsif and the police inspector, the two Government officials. Then he was arrested in September 1921, not on account of making any speech, but under the Mappilla Act, and was confined in the Coimbatore jail. In January 1922 when Sir Arthur Knapp visited the place he protested against his being detained for many months without any reason and in February he appealed to the Chief Secretary to the Government of Madras. Then the authorities stirred themselves up and he was prosecuted in May 1922. Sir, six speeches he was alleged to have made. On three he was prosecuted. On one he was convicted. I do not want to go into the details of those speeches. I have got them here, but I have no time to read them. That speech, the police inspector says, he reported about on the 29th August; but the record of that report is not found anywhere in Government records. The sub-divisional magistrate said thus:

"There is no trace of any such paper in the ordinary registers of this office. If you give me the approximate date, I shall cause another search to be made."

"The approximate date was given, further reply was got thus:

"On a further search being made I have not been able to trace any report of inspector Narayana Menon for the arrest of M. P. Narayana Menon. Mr. Narayana Menon says he sent such a report, but it might have been sent on to the District Magistrate of Malabar. For, warrants under the Mappilla Act have under section 7 of that Act to be issued by the District Magistrate."

"The District Magistrate was enquired into and he said that he had no record. Anyhow he did not produce any record. Sir, there were so many Muhammadans and Hindus in the locality. Why should the evidence of these two Mappillas alone be taken? Moreover, taking the speech into consideration, it was not a speech that an intelligent Hindu, a graduate, would have delivered on such an occasion when, if I believe the statements made in the Council by Diwan Bahadur M. Krishnan Nayar last year, forced conversions were made, properties destroyed and women decoyed. Under such circumstances, whatever might have been his cosmopolitan nature, no Hindu would have made such a speech. He should have changed his religion before he did it. I have nothing against the religion. I have got the highest regard for the Muhammadan religion. I am convinced that Muhammadanism is the simplest of religions preaching fatherhood of God and brotherhood of man, religion of the ancient Indians and the creed of the present non-Brahmans. If Mr. Narayana Menon had made that speech, so many Hindus would not have signed the memorial to His Excellency which I am going to refer to presently. I do not dispute the judgment either of the Special Magistrate or the Judges of the High Court. I have the highest respect for them. The Judges decide by the evidence placed before them. But there is a greater judge, the public, who decide by the

[Mr. C. Natesa Mudaliyar]

22nd August 1924] facts around them. There was a memorial sent to His Excellency for mercy, and the memorial was signed by persons of all grades of positions and power and of all shades of political opinion—Nambudris, Rajas, vakils especially of Manjeri, landlords and all sorts of people, especially most of the leading men of Manjeri.

"That alone shows that in Manjeri people did not think that this man would have made such a speech. The signatories include such men as Diwan Bahadur Krishnan Nayar, M.L.C., Mr. Gopala Menon, M.L.C., Mr. T. R. Ramachandra Ayyar, M.L.C., Mr. Raman Menon, M.L.C., Mr. Nambudripad, M.L.C., Mr. Madhava Raja, M.L.C., Mr. Kumaran Nayar, Diwan Bahadur T. R. Rangachariyar, M.L.A., Dr. Swaminathan, Mr. Alladi Krishnaswami Ayyar, Ammalu Ammal, sister of late Dr. T. M. Nayar, and Mr. T. R. Venkatarama Sastriyar, M.L.C., the Advocate-General. If the last-mentioned gentleman had been the Advocate-General, then he would most probably not have allowed the prosecution."

"The hon. Sir ARTHUR KNAPP:—"Did Mr. Madhava Raja sign?"

Rao Bahadur C. NATESA MUDALIYAR:—"Yes, our colleague. If such a memorial has not moved the Government, what else could? We will strengthen the memorial by passing this resolution unanimously. I only appeal to His Excellency to exercise his prerogative of mercy, mercy which becomes the throned monarch better than his crown."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I have great pleasure in seconding this resolution which has been so ably moved by my Friend Mr. Natesa Mudaliyar. I will follow my Friend's advice and try to restrict my speech to a period of five minutes. In any case I shall be very brief for more reasons than one. As my hon. Friends of this Council might remember, the Mappilla rebellion broke out at Tirurangadi on the 20th August 1921. Four days afterwards, that is on the 24th August 1921, one of the notorious leaders of the rebellion, Varian Kunnath Kunhamad Haji, went to Manjeri. Manjeri was a storm centre of Malabar in those days. There was a bank owned and managed by a Nambudiri in Manjeri. In token

3-45 p.m. of Kunhamad Haji having become the Khilafat ruler of the country, he went to the bank, took possession of all the jewels pledged there and distributed the jewels to the owners without getting money from them. That was the first act and probably the last act of Kunhamad Haji as ruler of the country. Now, the charge against Mr. Narayana Menon is that on that day, viz., the 24th of August, he made a speech to the people assembled there. I shall give the substance of the speech. It is this: that the white man's rule had come to an end, that the Mappillas had driven the white men from Tirurangadi, that if they stood together for some time more assistance would come to them from outside and that they would be able to drive the white man fully out of the country. That is the substance of the speech with which he is charged and for which he has been convicted for waging war against His Majesty the King-Emperor. The Special Tribunal convicted him, and the High Court confirmed the conviction. I have not a word to say against the judgments of those two courts, and I do not intend to make any allegations against the Judges. But that position is perfectly consistent with my assertion that the man is really innocent. Of course, it is known that courts go wrong, and unfortunately the present instance is one of those cases in which the courts went wrong. With reference to the

[Mr. M. Krishnan Nayar]

[22nd August 1924]

judgment itself, I want to say only this, that the judgments both of the lower court and the High Court are based on the evidence of two Mappilla witnesses who are prosecution witnesses Nos. 3 and 4 and who admittedly are men of no position. If the allegation of Mr. Narayana Menon having made the speech be true, it could have been proved by better persons. What is more, a number of gentlemen, pleaders, members of taluk boards, merchants and others who themselves belong to that locality, viz., Manjeri, have signed the memorial referred to by my hon. Friend, Mr. Natesa Mudaliyar, to which I shall also presently refer. A number of respectable persons from Manjeri had stated as defence witnesses that they would have heard of the speech if Mr. Narayana Menon had made it, and as a matter of fact they did not hear of any speech as having been made. I submit, Sir, that all the circumstances are in favour of Mr. Narayana Menon. He is one who is undoubtedly a non-co-operator. There is some doubt as to the exact time when he became a non-co-operator. But we are not concerned with the date on which he became a non-co-operator. Now, the most important circumstance in favour of his innocence in this matter is this: the people in the country would generally, and especially in such important cases as this, know whether the man did make the speech or not, and the memorial, that has been referred to by the hon. the Mover of this resolution and which has been sent to the Government for mercy, has been signed by about 300 or 400 people who belong to different schools of politics, many of whom have no politics at all, or have not taken part in politics at any time. That, I submit, is a most important circumstance in favour of Mr. Narayana Menon. In Malabar there are many Rajas who are in receipt of what is known as mallikhanas or political pensions; they avoid politics like fire and are so much afraid of politics that they do not know of what colour or complexion politics is. Many of these gentlemen who draw mallikhanas or political pensions from the Government are signatories to this memorial. For instance, the senior Raja of the family known as the Walluvanad family, the second Raja of Calicut, and many other persons who are mallikhana holders, have signed the memorial. And what surprises my hon. Friend, Sir Arthur Knapp, is that Mr. Madhava Raja—I am sorry he is not present here—who happens to be the President of the District Board has signed it; and if there is really any person at all who can be called a loyalist—my hon. Friend, Mr. Natesa Mudaliyar, referred to me as a loyalist and I am really a loyalist of loyalists—Mr. Madhava Raja is certainly one. There is again another Friend of mine with whom I was crossing swords this morning, Mr. Narayanan Nambudripad who is a respectable member of a rich Nambudri family and who is a President of the Taluk Board, who has signed it. There are other Presidents of Taluk Boards, many members of the District Board and of the Taluk Boards who have all signed this petition. There are so many other gentlemen who belong to Malabar that have signed it, and what is more my hon. Friend, Mr. Venkatarama Sastri, Dr. Swaminathan, Mr. Raman Menon, Mr. Rangachari and Mr. Kumara Nambiyar, the present Member for Malabar sitting in the Legislative Assembly at Delhi, have signed it. It is not likely that these gentlemen could have a personal knowledge of the fact but they would not have signed it unless they had the moral conviction that the man was innocent. It is purely a petition for mercy. Knowing that the man is innocent, I request the hon. Member for Government to extend the hand of mercy. I am not authorized by Mr. Narayana Menon to make the following

22nd August 1924]

[Mr. M. Krishnan Nayar]

statement. But I may say that if my hon. Friend is prepared to release him only on certain conditions, he may be so released. I hope therefore that my hon. Friends will support this petition for mercy and that the Government will accept it." (Cheers.)

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"With your permission, Sir, I wish to make a small amendment which will give effect to the intentions of most of the Members of the House. The hon. the Mover and the Seconder have made it clear that their wish is to make a motion for mercy being shown to Mr. Narayana Menon in view of the concurrence of two courts, and it will be an extraordinary position to take if you now say that the judgments of those courts were wrong. But in view of the large volume of opinion expressed by the memorial that this is a fit case in which the Government could exercise their prerogative of mercy, I move with this object that the words 'shall be released immediately' be substituted by the words 'may be released as an act of mercy'. I hope this will carry out the intentions of all those who wish to move in this matter."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I second the amendment."

Rao Bahadur C. NATESA MUDALIYAR:—"I accept the amendment."

The amendment was put and agreed to.

The hon. the PRESIDENT:—"The House will now proceed with the discussion on the motion as amended, which is—

'That this Council recommends to the Government that Mr. M. P. Narayana Menon, who is convicted of having waged war against His Majesty and is undergoing life imprisonment, may be released as an act of mercy.'"

The hon. Sir ARTHUR KNAPP:—"Sir, although this amendment has had the somewhat embarrassing effect of altering the whole basis of the debate in one respect, it is very satisfactory ('hear, hear'). I may admit that I looked forward to the discussion of the resolution with a certain amount of anxiety, anxiety not in regard to the manner in which the resolution is to be dealt with—that is perfectly straightforward and simple—but anxiety as to the reaction which the discussion of this resolution is going to have on the reputation of this House. We are all perfectly aware that the whole question as to how far the Legislative Councils in India are showing themselves fit to form part of the constitutional machinery is very much in the public eye at the present moment, and no one in this House is more anxious than I to see that the reputation of this House is maintained. I must say that we ran a great risk of lessening that reputation in the eyes of the outside critic if on this resolution the House had taken up the unfortunate position which it threatened to take. What was that position? It is this, that this Council, not content with claiming to interfere with and control every petty detail of administrative work, which in other countries is left in the hands of the executive, was now going to arrogate to itself the position of a sort of super-High Court. That, Sir, is apparent not only from the original wording of the resolution but also from the speeches made here. My hon. Friend Mr. Krishnan Nayar, for example, though he said that he had no intention of quarrelling with the decisions of the Courts, concluded by saying that the Courts were wrong."

[22nd August 1924]

Diwan Bahadur M. KRISHNAN NAYAR :—"One word of personal explanation, Sir. Is it possible to support a resolution of this kind without saying that the Courts have gone wrong?"

The hon. Sir ARTHUR KNAPP :—"That is exactly my point. As I suggested, this Council would have appeared in the public eye as setting itself in the position of a super-High Court claiming to revise the findings of the regularly-established Courts in the country. But in this respect wiser counsels have prevailed, and no one is better pleased than I am that we have to discuss only a petition for mercy, and not the question whether this conviction was or was not right. I may add, Sir, that a still more alarming suggestion was made—I think it was by my hon. Friend opposite, Mr. Natesa Mudaliyar—that the power of deciding whether the Courts were right or wrong is not to be vested in this House, but it is to be vested in the greater judge, the public."

Rao Bahadur O. NATESA MUDALIYAR :—"I said I have the highest respect for the Judges of the High Court."

The hon. Sir ARTHUR KNAPP :—"Well, Sir, imagine what a condition we would be in if every case were liable, whether it is a case of acquittal or conviction, to go for revision before that greater judge, the public. I trust sincerely that that is not an indication of the direction in which, in years to come, it is hoped that the constitution will advance."

Rao Bahadur O. NATESA MUDALIYAR :—"But in England it is the Parliament that is the highest authority in the land; I mean the two Houses with the King. Only we have not come to that stage still."

The hon. Sir ARTHUR KNAPP :—"Parliament, Sir, would be the last body to interfere with the independence of the judiciary or to set themselves up to revise their judgments, except of course where Parliament is itself acting as a judicial tribunal."

"Well, Sir, it is no longer necessary for me, as I expected it would be, to go into the details of the case. It is because I thought it was right that hon. Members should know exactly what the details were that I have taken the pains to get the judgment printed and placed on the table of the House. If that action of mine has in any way contributed to this amendment and has converted the proposition into one asking for clemency, no one is more gratified than I am."

"Now, Sir, we are confined to the question as to whether it is possible to grant clemency in this case."

Rao Bahadur O. NATESA MUDALIYAR :—"I expressed myself clearly that it was more a question of clemency."

The hon. Sir ARTHUR KNAPP :—"I am sorry that I misunderstood the hon. Member opposite. On the question of clemency all I can say is that nothing that has been said in the course of the debate, nothing that we know of the history and the character of the accused seems to provide any ground for clemency. That is a very definite statement, but it seems necessary to make it. Nothing has been put forward to-day to suggest that this was a sudden and unpremeditated lapse into lawlessness. On the contrary we are told more or less definitely that Narayana Menon started the career which culminated in the Mappilla rebellion as a protest against the fact that certain meetings in which he was interested had

4 p.m.

[22nd August 1924]

[Sir Arthur Knapp]

been prohibited. His course of action was perfectly deliberate. For several months before the rebellion he was touring in the more inflammable parts of the Mappilla taluks; he was accompanied generally by one of the Mappilla leaders, a gentleman who managed to get away and is now I believe in Afghanistan. He was in close association with Ali Musaliyar and Kunhamath Haji, some time 'King of Malabar'; he went about in Mappilla dress. His main object was to encourage the formation of the Khilafat Committees which as we know beyond doubt played the most disastrous part in the fomenting of Mappilla rebellion. On the other hand I have never heard that the prisoner has expressed even the slightest regret for the unhappy results which arose out of his activities. We have consulted Mr. Thorne on the whole matter. Mr. Thorne was not in Malabar during the rebellion and, unlike myself and some others, is not liable to be charged that his judgment in the matter has been upset by his recollection of the terrible events of the rebellion. Mr. Thorne says that if there was any single Hindu who was mainly responsible for the rebellion it was Mr. Narayana Menon. He says that others were bad, but that Narayana Menon was more headstrong and his opinion was more pernicious than that of anybody else. He told us also that even if Narayana Menon were to give a bond for good behaviour, he did not think that he could properly accept it because Narayana Menon was a man who could never be led to believe that he could possibly have been in the wrong. I have waited to hear some tangible reason why in this case Government should exercise clemency. But no Member of the House has supplied any reason unless it be in the form of the argument that he is really a man of very good character and, though a non-co-operator, had become so rather by accident than of set purpose. Somebody raised the question as to when he became a non-co-operator. My information is that he became a non-co-operator when as a boy he burnt down his school-house. I have no desire whatever to be vindictive, but it seems to me that this incident may well throw light on his character. I may say that in conversation with the numerous people who have approached me on the subject, I have raised the question whether there was any chance of his promising not to renew his activities. He has not given any promise. How on these circumstances."

Diwan Bahadur M. KRISHNAN NAYAR :—"If the hon. Member will authorize me, I shall see Narayana Menon and ask him to give that undertaking. Or the Government may themselves kindly ask him."

The hon. Sir ARTHUR KNAPP :—"It seems hardly to be the duty of the Government to go and approach him in the manner suggested. Moreover the suggestion has already been answered by quoting the opinion of Mr. Thorne. Mr. Thorne advises that it would be neither useful nor fair to ask him to give an undertaking because it is quite unlikely that he would be able to keep it. As the House knows, Sir, Malabar, although at the present moment I have every reason to believe it to be quiet, is extremely inflammable and the position of the Government is that it would be undertaking an absolutely unjustifiable risk if they were now to send back this man and allow him to carry on the same activities as before. I do not know if there is much use in keeping the Council longer on this matter. We have considered the matter carefully. We have considered it in connexion with the petitions of which we heard a good deal said and in regard to which I should like to mention one point to the Council. Of the signatories whose names have

[Sir Arthur Knapp]

[22nd August 1924]

been quoted by the hon. Mr. Krishnan Nayar, quite a large number have represented of their own accord that their signatures were obtained by fraud or misrepresentation."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I know who it was that was prepared to sign this petition so lightly?"

The hon. Sir ARTHUR KNAPP:—"I shall not mention names. They intimated that they signed owing to misrepresentations and wished to withdraw their signatures."

Diwan Bahadur M. KRISHNAN NAYAR:—"I do not withdraw my signature and surely there are many others at any rate that do not like to do so."

The hon. Sir ARTHUR KNAPP:—"As so much stress has been laid on these petitions, it seemed to me that I was justified in referring to this interesting point in connexion with them, and in warning the House against attaching a greater value to the petitions than they are really entitled to. I have said that I have no desire to be vindictive. I have seen Mr. Narayana Menon himself. I know there are some admirable points in his character which only increase the sympathy to which he is entitled but which unfortunately make him all the more dangerous and make his release to pursue his old activities all the more impossible."

"One point I would mention is this: during my tours in Malabar I have on many occasions sought to ascertain what the local sentiment was in the Mappilla taluks on the subject of the release of Narayana Menon and every Mappilla to whom I have spoken has returned the same answer, that if there is one man who ought not to be allowed to come back it was Narayana Menon. In confirmation of this we have the fact that not a single Mappilla at Manjeri has signed the petitions."

Mr. K. UPPI SAHIB:—"May I say that all the Mappillas that came before him are men who were brought by the police? As a representative of the Mappillas, may I say that during the last one month after the floods I had many occasions to come in contact with the Mappillas of South Malabar and Manjeri. Every one of them was asking me to table a resolution to release the Mappilla prisoners because they all know that Narayana Menon was the most innocent."

The hon. Sir ARTHUR KNAPP:—"I gather that my hon. Friend wants to contest the correctness of my statement on the ground that the Mappillas have been brought to me by the police. He is absolutely mistaken. I know Malabar and knew it probably before my hon. Friend was born and I am quite able to find my way about without the aid of the police. The reason why every Mappilla that I met insisted upon this point was they are very much chagrined at the thought that a Hindu whom they regarded as a rebel should be the person to be let out while any Mappilla remained in jail. I do not attach too great importance to this sentiment, but I cannot deny it consideration, and if present Mappilla feeling is to be respected there would be little prospect of Narayana Menon's release until such time as the Mappilla rebels come to be released in the ordinary course or in some other way."

The motion as amended was then put to the House and carried.

22nd August 1924]

VII

MOTION FOR THE ADJOURNMENT OF THE HOUSE—cont.

Mr. O. RAMALINGA REDDI:—"Mr. President, Sir, I

4-15 p.m. beg to move—

'That the business of this House be adjourned for the purpose of discussing a definite matter of urgent public importance, to wit, the treatment accorded to an hon. Member of this Council by a District Collector by his statement that some questions tabled here were treated as allegations which were received with the incredulous contempt they deserved.'

"Sir, I wish to make it clear at the outset that there is nothing personal against Mr. Thorne in any way. We are dealing with an official act of his which we consider to be improper, and which we believe, if such precedents are not discountenanced by Government, would lead to a condition of things in which Members of the Legislative Council would be prevented from doing their duty or will not be in a position to do it to the satisfaction of the people whom they represent. The supplementary question which I put to my hon. Friend, the Home Member, and which gave occasion for a regrettable extension of the field of controversy, was not intended by me as a trap for the hon. Member at all. My idea was that if he gave a reply which would, in substance, though not in form, be an admonition to the civil servants not to interfere in politics and not to adopt this kind of attitude towards the Members of this Council who also have their duties to perform, which are no less onerous than those which they themselves are shouldering, that would have sufficed and that would have conveyed its lesson to Mr. Thorne and through him to the other civil servants."

The hon. Sir ARTHUR KNAPP:—"Is the hon. Member directing his remarks to the civil service?"

Mr. O. RAMALINGA REDDI:—"To civil servants—I mean all Government servants—in the sense in which the word is used in England and not in the restricted sense in which it is often used in our country. I may say once for all that I do consider that the characterization of the interpellations of my hon. Friend, the Member for the University, that the Collector of Malabar thought fit to indulge in is an invasion on the freedom of the Members of this House and its privileges. I will not refer to the so-called dignity of this House for this reason. I am not much of a believer in dignities and prestiges which are so often used for overriding other people's liberties. I think dignity depends upon our worth. These particular privileges I am speaking of have been found by experience to be conditions necessary for enabling Members of Parliament to discharge their duties properly. I will explain how. The members of the Civil Service or of Government service generally, if they are to carry on their duties properly under conditions now inaugurated by the Reforms, should, I think, keep off from politics altogether except in so far as they happen to be members of this Council, which, of course, is a different matter. If this is not done, certain practical difficulties will be experienced, the solution of which would become another of the problems that would confront our statesmanship. The Collector of Malabar stigmatised certain of the transactions here as transactions which deserve contempt."

The hon. Mr. B. A. GRAHAM:—"It is hardly an exact description of what the Collector said."

[22nd August 1924]

Mr. C. RAMALINGA REDDI:—"I suppose I am substantially correct. I have already quoted the exact words and I am sure that by referring to the language in a briefer kind of way, I am not misleading any Member of this Council; there is no doubt there was an expressed feeling of contempt. Does my hon. Friend deny that?"

The hon. Mr. R. A. GRAHAM:—"The exact words are not quoted."

Mr. C. RAMALINGA REDDI:—"They are that the Collector received them with the incredulous contempt which they deserved."

The hon. Mr. R. A. GRAHAM:—"The allegations were received so."

Mr. C. RAMALINGA REDDI:—"The interpellations themselves were the allegations and certainly my hon. Friend knows that interpellations are not always intended merely to elicit information. They are a form of comment or criticism or an allegation if you like. The interpellations, which were to a certain extent allegations, were received with the incredulous contempt which they deserved. I wonder if my hon. Friend wants the civil servants to use stronger language than that."

The hon. Mr. R. A. GRAHAM:—"I only wanted the hon. Member to read the whole context."

Mr. C. RAMALINGA REDDI:—"I have given the relevant passage and if there are any extenuating passages, we shall be very glad to hear them. It is not as though the Government servants have not regular channels by which their rights and privileges could be preserved and defence entered on their behalf in case there is an unfair criticism of their conduct by any Member of this House."

The hon. Mr. R. A. GRAHAM:—"Criticism of the conduct not of a Government servant but of a private person."

Mr. C. RAMALINGA REDDI:—"I was saying that Mr. Thorne has no business to take the cudgels himself because there are the Members of the Government here holding the portfolios of the department in which he is serving, who could take the cudgels on his behalf, if there had been anything done by any Member of this House to his prejudice, and therefore, he was precluded by the ordinary courtesy and the usual conduct pertaining to Government servants from alluding to my hon. Friend's interpellations in the manner in which he did. Let me give an instance—a classical instance—in this respect. My hon. Friend will remember that years ago, soon after the Boer war General Sir Redvers Buller was put on half pay and relieved of his command, because in a certain speech he criticised the policy of the War Office."

The hon. Sir ARTHUR KNAPP:—"Does my hon. Friend say that a Member of this House corresponds to the War Office?"

Mr. C. RAMALINGA REDDI:—"If my hon. Friend would listen to me for a moment, I will explain the situation. What, in substance, is the difference? Members of this House are engaged in politics and if Collectors, Deputy Collectors, Tahsildars and so on are at liberty to criticise us, it means that you allow the whole bureaucracy to take part in politics and politics is, after all, very near party politics and cannot be dissociated from party. Are you going to lay down the proposition that the bureaucracy in our country can take part in politics, i.e., in party politics, criticise the

[22nd August 1924] [Mr. C. Ramalinga Reddi]

Members of this Council, which would mean that when the time for election comes their influence, consciously or unconsciously, would be cast against the candidate with whom they happen to differ. This is one of the important practical considerations which induced me to table this motion. The Collector of Malabar replies to Mr. Satyamurti and there is nothing to prevent my hon. Friend from indulging in a rejoinder and what is there, if this kind of conduct is not reprimanded and prevented, to prevent the Collector from continuing the controversy by giving a further answer and if that thing goes on, where is the end? Perhaps my hon. Friend for the University may think it best to stand for Malabar as a candidate in the next elections in view of the excellent record he has established in connexion with the Malabar Tenancy Bill; and if the Collector has said that he treats certain allegations or interpellations of my hon. Friend with incredulous contempt, the credulity or incredulity being matters which must be reserved for Members of the Government under whom the officer is serving, what would be the result? As for the contempt, it has been made clear and even the hon. the Home Member is not going to exhibit that towards the Members of this Council or with reference to transactions here.

"We therefore feel strongly that the Collector of Malabar, in an unfortunate moment probably, has set up a precedent which we cannot allow to pass unchallenged. Sir, I do not think it is necessary for me to say more on this subject. If the Collector could thus take part in politics—I said you cannot divorce politics from party politics—why not other officers of the Government; and I say that if the bureaucracy is permitted to criticise the Members of this Council, I am afraid the freedom with which we should work cannot be maintained. I would ask the Council to pronounce an opinion on this subject and I would also ask the Government to take some action on this matter, so that the conditions which are necessary for the healthy growth of constitution and the conditions which are necessary for the establishment of what we call parliamentary traditions for the preservation of which my hon. Friend the Home Member said that he was anxious as any of us, may not be interfered with by such lamentable indiscretions as those which were committed by Mr. Thorne during his recent Darbar speech. Before concluding, I would ask my hon. Friends to see that this motion is not talked out but is put to a division. We are not here engaged in small arguments but larger things which appertain to the whole letter and the spirit of the constitution. We are at the beginning of a great and big experiment and we cannot risk the chance of its success by officials trying to create an atmosphere in which we shall not have the necessary standing and the requisite freedom of speech for discharging our duties. It is at the time, I would say once again, a matter for reflection—and I do not believe it—whether Mr. Thorne did this deliberately or with the full understanding of the implications involved in it but at the same time we have a duty to perform and however much we may think that this is after all a regrettable lapse we owe a duty to ourselves and to the Government that we are in respectful terms to formally call upon the Government to take necessary notice of this particular incident and also issue the instructions to all the subordinates restraining them from such criticisms without which in the larger sense of the term we cannot work the constitutional Reforms in a commendable spirit."

[22nd August 1924]

Mr. M. RATNASWAMI:—"I second the motion. The principles which regulate the relation between the executive Government and the Legislature lie at the very foundation of constitutional Government. One of the recognised principles of constitutional Governments is that the Executive and the Legislature should confine themselves to their respective actions and this principle is commended not only in the interests of the Legislature but also in the interests of the Executive. I shall take the first. My hon. Friend Mr. C. R. Reddi did not lay much emphasis upon the dignity or prestige of the Council, but I really think that the nature of the dignity and prestige of this House is like that of the privileges and prerogatives of the House of Commons. The privileges of other Legislatures are freedom of speech and freedom of discussion and when a Member of the Executive goes out of his way and publicly criticizes the act of a Member of the Legislative Council I think it is certainly an infringement of the privileges and prerogatives of this House. The hon. the Finance Member in one of his interruptions said that the speech of the Collector of Malabar was with regard to private persons."

The hon. Mr. R. A. GRAHAM:—"I said that the allegations that were made were against a private person."

Mr. M. RATNASWAMI:—"May I know who the private person is?"

The hon. Mr. R. A. GRAHAM:—"Mr. Moidutty."

Mr. M. RATNASWAMI:—"I thought he meant the hon. Member for the University when he said 'a private person'."

"Another argument put forward during one of these interruptions was that no interference was made with the activity of any Member of the Government and that any interference arises only when it is made against an act of the Executive, and that the Legislature does not form part of the Government of Madras. I contend that the Legislature does form part of the Government of Madras."

"When my hon. Friend, Mr. C. Ramalinga Reddi, referred to the analogy of the War Office it was pointed out on behalf of Government that the analogy does not hold good, because it was a case where a subordinate Member of the Executive staff of the War Office disobeyed the orders of the supreme executive officer. As regards this matter I must emphasise that the Legislature and every Member of the Legislature is as much a part of the Government as is the Executive. We have to do much administrative work mainly by way of criticism. We are as much responsible for the administration of this Presidency as the Executive."

The hon. Sir ARTHUR KNAPP:—"I am afraid I must interrupt the hon. Member. According to the Statute the Legislature is not responsible in respect of reserved matters."

Mr. M. RATNASWAMI:—"Legally it may be so. Morally and in a larger sense we are as much responsible to the Government of this Presidency as the executive."

"Sir, I contend that the executive should keep its hands off the Legislature. Constituted as is the executive Government at the present moment such an interference of the executive Government with the Acts of Legislature may lead to very serious complications. It will be very difficult for private Members of this House to criticise the Members of the executive and

22nd August 1924]

[Mr. M. Ratnaswami]

when it is known that a man in the position of a Collector of a district takes it into his head to criticize the action of a private Member of this House. I am afraid, freedom of speech of private members of this House will be considerably interfered with. It is not only in the interests of the Legislature, it is not only in the interests of the privileges and prerogatives of this House, but in the very interests of the executive itself I plead that the executive should keep its hands off the Legislature. The efficiency of the executive depends largely upon the confidence it is able to inspire among the subjects, and this confidence which the Members of the executive earn depends upon the non-political character of their action. How can the executive inspire confidence among the subjects especially in a country like India when such important members of the executive as the collector of a district are content to allude to the activities of the Members of this Council in such a contentious manner as the Collector of Malabar has done? Very much of their efficiency depends upon their doing good work silently, but none the less effectively."

"Another element which conduces to the efficiency of the executive is its permanence. No Civil Service can do efficient work unless its tenure is permanent. Now the conduct of the Collector of Malabar, if it were widely imitated, would logically lead to the institution of a spoils system. If the Members of the executive were to interfere with the freedom of the Legislature the latter will have to turn off the executive as often as a party majority comes into power. Therefore it is not only in the interests of the Legislature but even in the interests of the executive it is necessary that such criticisms by executive officers should not be allowed. If the Collector of Malabar was justified in criticizing the act of an hon. Member of this Council, why should he not have the right also of criticizing the act of the hon. the Home Member? Is it because the hon. Member for the University is less a part of the Government than the hon. the Home Member?"

"I am glad the hon. the Mover of the motion wanted to eschew altogether all personal feeling in the matter. I have no personal feeling against Mr. Thorne and I have no quarrel with him. As Cardinal Newman said: 'It is difficult to get angry with a man whom one has never seen.' I am not angry with Mr. Thorne. I am angry with the view that is put forward by the Government of Madras. In the present case the hon. the Home Member took the view 'that the Government views with satisfaction the conduct of the Collector of Malabar in referring to a certain speech'."

The hon. Sir ARTHUR KNAPP:—"May I ask the hon. Member to refer me to any such statement? To the best of my recollection I never made such a statement."

Mr. M. RATNASWAMI:—"I am sorry. I was referring to the hon. the Finance Member."

The hon. Mr. R. A. GRAHAM:—"Will the hon. Member quote what I said?"

Mr. S. SATYAMURTI:—"If I may be allowed to interrupt, this is what the hon. the Finance Member said in reply to my supplementary question. My supplementary question was: 'With reference to clause (b) of this question, may I ask the Government whether they propose enacting any rules to prevent in future such unseemly attacks?' The reply was 'No, Sir'."

[22nd August 1924]

Mr. M. RATNASWAMI:—"This is a matter, Sir, of the privileges and prerogatives of the House. God knows, we have a few privileges, but the privileges that we have, we must maintain. We must build up traditions. We must build up the prestige, the dignity and the power of this House. I therefore appeal to Members on all sides of the House, to the Members of all parties, to bear in mind that this is a matter which affects not only one party but all parties of this House. Therefore, I hope that this motion will be passed almost unanimously. I think, Sir, that we owe a duty not only to this House and to ourselves but that we owe also a duty in this matter to the people that may come after us. This is one of the few occasions that we have of asserting our privileges, and I think we will be doing a disservice to the people that come after us if, when we had an occasion, we did not register a unanimous condemnation of the interference by a subordinate member of the executive, with the rights and the privileges of this House."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I support this motion before the House. Unlike my friend Mr. Ratnasami, I know Mr. Thorne personally and, knowing him as I do, I know that he is a good man and a good officer. I know something else also. (Laughter.) I know also the truth regarding the allegations made by my hon. Friend, the Member for the University, in his interpellation to the hon. the Home Member. I know Kallady Moidutty and his son Unni Kammu. I know also that they are respectable and honourable men, and I am glad to say so at this my first public opportunity after those interpellations were answered. I am glad also to say that I entirely associate myself with all the statements that the hon. Sir Arthur Knapp made in answer to the question of my friend Mr. Satyamurti. Again, I am glad to add my personal testimony to the honourable character of Kalladi Moidutty and his son and I would say that the allegations they were charged with are not true. My friend Mr. Satyamurti was evidently misinformed and, I may also say, that it might fall to the lot of any Member of this House to interpellate on matters of public interest, on information placed before him, and it is quite possible that we might commit mistakes. In this particular instance, Mr. Satyamurti was misinformed."

"I must say that Mr. Thorne has been, to say the least, extremely unwise, in using the word 'contempt' with reference to an interpellation made by my hon. Friend. If to-day a Collector can make a statement like this and say that he would treat the allegations made by a Member of this House with contempt, to-morrow a Deputy Collector may say the same thing and, the day-after-to-morrow a Tahsildar may say and, the day after that, a revenue inspector may say the same. As my hon. Friend said, 'God knows' our privileges are very few and we cannot afford to lose them. We are unfortunately pretending that we possess very many privileges which as a matter of fact we do not. In any case, let us try to establish some traditions and some conventions which may give us in future years some semblance of privileges at least. For all these reasons I very strongly support the motion before the House."

Mr. F. NOYCE:—"This House is jealous and rightly jealous of its privileges. But in discussing these privileges, let it make sure first of all whether there is any basis for a motion such as this. I have carefully watched the course of the debate both this morning and this evening in order to discover if possible what exactly the evidence against Mr. Thorne is. I have yet to hear it. The gravamen of the charge against him is that he

22nd August 1924]

[Mr. F. Noyce]

is said to have referred to allegations made in certain quarters which deserved to be treated with incredulous contempt. There is not a shred of evidence, as far as I have been able to discover, that when Mr. Thorne said that, he had any knowledge of what had happened in this House. Some very distinguished gentlemen, Lord Balfour for one, have declared that they never read the newspapers. It is possible that some humbler individuals follow their example: and that district officers do not find the time to study the proceedings of this Council with the attention they deserve. For all we know, Mr. Thorne may be one of these. It seems to me quite clear that the allegations under consideration must have been common property in Malabar, otherwise they would not have come to the notice of the hon. Member for the University, and have been made the subject of interpellations in this House. Mr. Thorne may well have heard of them quite independently of anything that happened here. I would therefore urge on the consideration of this House that, before passing judgment on Mr. Thorne, especially in his absence, it should make quite sure that he was referring to the hon. Member for the University, and to what passed here."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I desire to preface my remarks by two observations. In the first place, as was evident on another debate on which hon. Members of the Opposition took a very different view from what they do now, I am very jealous of the privileges and of the honours due to this House. I attempted during a debate concerning certain attacks on the impartiality of the President made in a newspaper, to lay down that our privileges were to be assimilated to those of the House of Commons. But there were speeches made to the effect that my contention was wrong, that this House is a creature of Statute, that there were no privileges other than those contained in the Standing Orders and in the rules, and therefore I felt that the attack made upon the position I then took was sustainable and, in deference to that attack, I called upon Mr. P. C. Ethirajulu Nayudu to withdraw his motion rather than raise a difficult and technical question as to the privileges of this House in comparison with the privileges of the House of Commons."

Mr. C. RAMALINGA REDDI:—"May I interrupt my hon. Friend for one moment? The motion that my friend is referring was one of censure on a particular affair. There was no question of any general ruling or enactment with reference to the privileges of this House involved. A motion of censure is of the nature of a judicial finding and we naturally applied judicial categories in taking up the stand we did. Here, the position is quite different. We are asking the Government as the head of the executive, to take notice of this and to exercise proper control over their subordinates. We are not importing any judicial considerations and we are not censuring Mr. Thorne at all."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The adjournment motion is that the treatment accorded to an hon. Member of this Council by a District Collector, by his statement that some questions tabled here were treated as allegations which were received with the incredulous contempt they deserved. The motion for the adjournment is not for the purpose of the consideration of this question, or that the Government do take notice of it. It is now a direct vote of censure which is sought to be passed on the Collector by means of this adjournment motion and, if it were not so, the Mover ought to have framed the motion differently."

[22nd August 1924]

Mr. C. RAMALINGA REDDI :—"On a point of order, is there one word of censure there? Let my hon. Friend compare it with the terms of the motion tabled with reference to the *Swarajya* attacks. We are now discussing a motion on a matter of urgent public importance, viz., certain things arising out of a certain action."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"As you have ruled, Mr. President, more than once, no motion for the adjournment of the House is allowable or permissible excepting when a resolution can be moved on the same subject. I ask therefore, what is the resolution that is sought to be moved by means of this motion for adjournment? Is it that the treatment of a Member of the House is bad? Is it that the Government do take action upon it? If the adjournment motion had been framed thus: 'The supineness or the indifference of the Government in regard to the allegations made by this Collector', yes, I grant that that may have been in order. Because, it would have called upon the Government to take a certain action and that resolution may have been permissible or allowable."

Mr. C. RAMALINGA REDDI :—"Mr. President, on a point of order, I maintain that when we table a motion for adjournment, resolutions can be moved not only on one particular aspect of it but on all the aspects involved in it; and one such is this request to Government to take notice of the action involved in this particular instance and to frame general regulations for the conduct of their civil servants."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I think the Standing Order provides that no motion for adjournment can be made."

Mr. K. KOTI REDDI :—"On a point of order, Mr. President. When once a motion has been allowed, I do not see the object in discussing that such a motion ought not to be allowed."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am not doing it. The hon. Member is perfectly correct excepting as to his conclusion."

"The Standing Order says that an adjournment motion must not deal with a matter on which a resolution cannot be moved. The matter in this motion is the treatment accorded to an hon. Member by a District Collector and this is not a matter on which a resolution can be moved. But, the conduct of the Government in regard to that treatment is a matter on which a resolution can be moved. I am not raising it as a mere technical point or as a point of order, but I do so because I am as jealous of the dignity of the House as other hon. Members are. Therefore, if this House definitely rules to-day that, directly by virtue of this motion—as I hold that this motion does—there is a censure upon the Collector, then I can say that this House has begun the precedent of censuring persons not subject to its definite control for their actions. If this House is going to do it, I say it is going to do exactly the opposite of its intention on another occasion. That is the first point I desire to make."

"The next point that I desire to make—and that is a question of the constitutional procedure—is with regard to another aspect of the matter. I think it must be conceded—I am here speaking quite irrespectively of the merits of this matter, because I may at once say, personally, that I regret both the interpellation and the answer—that the interpellation suggested that

[Mr. C. P. Ramaswami Ayyar]

because the Collector received a garden party therefore he was influenced in his official actions to do certain things and not certain others. In fact the interpellation was:

'Whether Mr. Thorne was recently recipient of a garden party. . . .

'Whether it is a fact that many Hindus have complained against Moidutty and

'Whether those complaints have been inquired into, if not why,

'Whether the Government will please

"The allegation was that Mr. Thorne who had received the hospitality of these two men was winking at treason and rebellion because of that garden party. That was the allegation made."

Mr. S. SATYAMURTI :—"On a point of personal explanation, Sir, the hon. the Law Member is drawing upon his imagination. I wish that he reads the question carefully."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I will read the question aloud once again. It reads:

'(a) Whether it is a fact that the chief culprits complained against in the matter of illicit fellings of timber from the reserve forests in Attapadi and Silent valleys in the Malabar district are Khan Bahadur Moidutty and his son Khan Sahib Unnik Kammu;'

"That is to say, two people are implicated with the crime of theft: Then:

'(b) whether it is a fact that the above persons are generally in the habit of entertaining at garden parties the chief executive and police officers of the Malabar district:

"That is the next question, whether these men are generally hospitable. Then the question proceeds:-

'(c) whether Mr. Thorne, the Collector of Malabar, has been recently the recipient of such a garden party;

'(d) whether there are a number of complaints against the said Moidutty for having instigated the Mappillas of Mannarghat to rebel against the British Government;

"That is to say, first of all he is a thief; secondly, he is a man who gives garden parties; thirdly, Mr. Thorne receives these garden parties; fourthly, these people may be guilty of rebellion. Then the question continues:

'(e) whether it is a fact that many Hindus have complained that the said Moidutty was harbouring rebels and receiving and suppressing stolen and looted properties;

'(f) whether these complaints have been inquired into if not why; and whether the Government will be pleased to inquire into those matters: and so on.

"The implication, Mr. President, is that Mr. Thorne having got these garden parties was willing to allow the persons to steal, to harbour rebels and to be guilty of receiving stolen property. That is the question put by the hon. Member for the University. That being so, certain answers were given. In dealing with the question as I said, to begin with, it is lamentable that without proper verification and in view especially with what has fallen from the hon. Member, Mr. Krishnan Nayar, and the testimony of persons

[Mr. C. P. Ramaswami Ayyar] [22nd August 1924]

who can speak with as much authority, such grave allegations against an executive officer who no doubt is represented only through the reserved half here, through the Members who are serving the reserved departments, should be raised. I greatly lament that fact. I equally lament that Mr. Thorne instead of pursuing the constitutional procedure of transmitting his emphatic and indignant protest which he was entitled to transmit and repudiate what he considers to be lying calumnies in this House has chosen

Mr. S. SATYAMURTI:—"On a point of order, Mr. President. Are 'lying calumnies' in order; I mean, is the expression parliamentary?"

The hon. the PRESIDENT:—"I am sorry that they are not only in order but very often heard of not only in this House but in the Houses of Parliament."

Mr. S. SATYAMURTI:—"Very well, Sir. I should be glad to use the expression when occasion arises."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have no doubt that the hon. Member is anxious to use it. But that is not my point. All that I am anxious to say is that Mr. Thorne unfortunately instead of repudiating what he considered to be lying calumnies through the permanent members of the service and through the Executive Council chose the very unconventional, very regrettable, very lamentable expedient of making a public speech regarding this matter. I regret the one fact as much as I do the other."

"But there is the position of a higher and wider import, namely, what is the jurisdiction of this House in this matter. If this House wants the Government to look into the matter and enquire into the circumstances under which that speech was made, if the Government is required to take cognizance of this tactless speech, of this wrong speech or the lamentable speech of the Collector, I can understand it. That is a constitutional procedure. But we are called upon to pass, as I consider and as I hold according to the terms of this resolution, a direct vote of censure when he is not able to reply to this House, when he is unrepresented in this House except through the gentlemen sitting on this bench, and this is, I submit, not within the privileges of the House. Further, Sir, as I said, I for one welcome the sentiment of this House if it be exercised in favour of laying down rules making it abundantly clear that this House has got the right, the prerogative of resenting the affront to the dignity and constitutional position of the House as a body resembling a Court of Record. But at the present moment as was rightly pointed out by Mr. Ramalinga Reddi and others who spoke on the motion there are no such rights and I would therefore ask the hon. Members to consider very carefully this question before they proceed further."

"I have only one word more to say. Looking carefully through May, what I find is that action has been generally taken in regard to what may be called libellous or slanderous statements. I refer to page 79 which starts with the sentence 'Interference or reflexions upon Members have been resented as indignities to the House itself' That is the general position with which May starts at page 79. I do not propose to go through the instances at pages 83 and 84 but I may point out that it is clear that what may be called slanderous libels have alone been the proper subject of a resolution of the House. That is the constitutional and legal position."

22nd August 1924] [Mr. C. P. Ramaswami Ayyar]

"And I may conclude as I began. While I am alive to the necessity of creating and maintaining the privileges of the House, while I will yield to none in the desire to uphold the dignity of this Assembly, yet I would appeal to the hon. Members opposite to consider whether the one object which is at the back of their minds would not be served by a resolution to the Government to investigate the matter rather than by taking upon themselves this step of passing a vote of censure upon Mr. Thorne."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, it is known to all that certain Members of the House have forwarded to you a letter to take action on the conduct of Mr. Thorne, a disciplinary action which you will have to take as the President of the House in safeguarding the privileges of this House. Regarding that matter it is said that there are no rules, there are no statutory powers vested in this House. Sir, regarding that representation made by certain Members of the House it is left open to you to consider whether you can take any action or not analogous to the action that is being taken in Parliament. In support of this, I only refer to page 94 of May where a distinction is made between admonition and reprimand. In cases of reprimand the person who is guilty is to be produced before the Parliament."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That is the very matter on which argument proceeded, that the Parliament in England was also a High Court and could deal with people for contempt of that court."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"In reply I will only refer the hon. the Law Member to the previous page, page 93, where it is said that the power that the Parliament exercises is not as a court of record, but acting as a court of record."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"By tradition."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"A distinction is drawn between a court of record and the Parliament acting as a court of record. If you can make a similar distinction, you can take action and register a note of admonition against the person. But that is altogether different and has nothing to do with the present motion before the House. This is a case in which the Government is expected to take action on the vote of the House. That is the distinction which I want to make between the letter that is addressed to you and this motion. Mr. Thorne is a servant of the Government. He has acted in a way which is objectionable according to the well-known parliamentary procedure. He made certain statements saying that the business conducted by a particular Member of this House is incredibly contemptible. My submission is that a public servant stands on quite a different footing from an ordinary citizen. It is the duty of the President to take disciplinary action. That is one thing. It is the duty of the Government also to see that their servants do not interfere or in any way comment upon the conduct of the Members of this House. In so far as their servant's conduct is concerned it is subject to the disciplinary control of the Government and this motion now is in the form of a recommendation that the Government should take action against him. As far as the responsibility of the member who put a question is concerned, it is in the rules that every member is responsible for the allegations contained in his question, and when you have admitted a question and when the Government have not taken any

[Mr. C. V. S. Narasimha Raju] [22nd August 1924]

action calling upon the member to substantiate his statement, I do not think that a subordinate servant of the Government should be at liberty to say that the questions are contemptible."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Mr. President, Sir, I wish to say a few words on the constitutional position involved in the question before the House. But before doing so, I wish to make my own personal position clear on the facts of the case. I accept the statement of my hon. Friend, Mr. Krishnan Nayar, when he spoke about the high character of the two Indian gentlemen whose names were mentioned in the question. I accept the statement of my hon. Friend, Mr. Noyce, when he said that there is not a scrap of evidence to show to what particular person Mr. Thorne was referring to. I would, however, ask this House to treat the facts of the case apart from the constitutional position. Let us ignore Mr. Thorne for the present. Let us ignore the statements attributed to him. One question which I would like to place before the House is this. Is this House protected, is there a privilege in this House against any statements or criticisms made by a public servant of the Government service? It is in that light and in that light alone that I wish to say a few words. Two questions have been raised. One is that this House not being a court of record, not being empowered as we have seen to its chagrin on a former occasion to punish for the contempt of this House, what is the remedy? If we have no power at all why should there be a resolution of this kind? The second question raised was how can the public officer who has no representative in this House and has no opportunity to defend himself, how can a question of this kind be raised in this House? I will take the latter question first. I am sorry the hon. the Law Member who raised these two questions is not in his place. I hope my words will reach him. On this point, to begin with I would say that the public services in this province have seven representatives in this House. It is their duty to get up at once and condemn in the strongest possible terms when any undue aspersion is cast upon their subordinates. I do not attach much importance to that. I do admit that this House is not a court of record, that this House has not got anything like the semblance of the powers that are being wielded by the Houses of Parliament."

Mr. C. RAMALINGA REDDI :—" On a point of explanation, Sir. I may point out that these judicial powers were called into vogue in dealing with people independent of the Government. And as we are dealing with the subordinates of Government who are responsible to this House, we have every right, I submit, to exercise this form of pressure indirectly on them through Government."

The hon. Sir ARTHUR KNAPP :—" May I ask my hon. Friend whether we are to understand that the Government servant by becoming a Government servant loses his rights."

Mr. C. RAMALINGA REDDI :—" Not at all."

The hon. Sir ARTHUR KNAPP :—" Does my hon. Friend differentiate in this matter between a servant of Government and a member of the public?"

Mr. C. RAMALINGA REDDI :—" In so far as the quasi judicial functions of the House are concerned. Take for instance England. The House of Commons would not act as a court of record in the case of Government servants, but only journalists and other independent people."

22nd August 1924]

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I am sorry, Sir, that this skirmish across the table has interrupted me."

" Sir, this is more or less due to the talk that is going on across the table between Mr. C. R. Reddi and others. Apparently the trouble arose because I could not see or hear what was going on. However, Sir, there was a time when it was believed that the House of Commons did not possess this power of trying for contempt and sending people to jail through its own officers. In that connexion I should like to read a passage from Anson's book on the Law and Custom of the Constitution, at page 189. It runs thus :

" It is noticeable that in the case of *Burdett versus Abbott*, while Bayley, J., rests the claim of the House to commit on its parity of position with Courts of Judicature, Lord Ellenborough, C. J., rests his decision on the broader ground of expediency, and the necessity of such a power for the maintenance of the dignity of the House :

" If there were no precedents on the subject, no legislative recognition, no practice or opinions in the courts of law recognizing such an authority, it would still be essentially necessary to the Houses of Parliament to have it; indeed, they would sink into utter contempt and inefficiency if, whenever they were insulted, they were obliged to await the comparatively slow proceedings of the ordinary courts of law for their redress? That the speaker with his mace should be under the necessity of going before a grand jury to prefer a Bill of indictment for the insult offered to the House? They certainly must have the power of self-vindication in their hands; and if there be any authority in the recorded precedents of Parliament, any force in the recognition of the legislature, and in the decisions of the courts of law, they have such a power."

" Now, Sir, I cited that passage not by virtue of the observations made therein. But certainly it is one thing to say that we have not got powers over the general public as, as a matter of fact, we found to our bitter experience some days ago, and it is altogether a different thing to say that we are powerless against a Government servant. ('Hear, hear'). Hon. Members of this House must have within their recollection the controversy that was raised in England about the year 1905, the Windham controversy as some of them may remember. They may remember how an Under Secretary, Sir Anthony Macdonald, interfered in some questions of policy concerning Ireland, how later on the Chief Secretary Mr. Wickham repudiated it, and how finally the controversy ended in the resignation of the Chief Secretary, and all the trouble that attended that controversy. All these are familiar to the Members of this House and I do not propose to repeat them here. But I do say this : that it is a recognized policy there as well as in this country, as contained in the rules of conduct of the public servants, namely, that public servants should not take part in politics. And what does this criticism of a Member of this House mean if it is not taking part in politics? Sir, I do not in the least mean to say that we here, with all the protection which these four walls afford to us, should run amock and accuse people and make statements against any person. Certainly it will be mean of any Member of this House to do anything of the kind. But when a certain statement had been made in this House, I think, Sir, it ought not to be possible for a Government servant to repudiate in the manner in which it is suggested or alleged—I do not say proved or accepted—now in connexion with this motion. When such a thing has happened, to say that this House has no power seems to me to

[Sir K. Venkataraddi Nayudu] [22nd August 1924]

reduce responsible Government in this province to almost a farce. But the Government is a United Government—at least we assume that it is a united Government. To-day it has happened in the case of a Collector of a district. To-morrow let us suppose it may be the Director of Public Instruction or the Director of Agriculture or some other officer. The Ministers are responsible to this House. This House has got the power of dictating the policy to the Ministers and in that sense they can make the subordinates under them work the policy of this House. Can it be said that this House has no control over these officers? And if it has got such a control, what is the proper way of enforcing it? Certainly it has got the power to put in the strongest language possible. Calumny is perhaps not a strong word. If there is a stronger word, I am prepared to use it. If the hon. Member is in the wrong, the proper thing to be done by the officer is to speak through his representatives. There are seven representatives and it is due to them, in fact I think it is the duty of every Member of the Government to defend all officers under them, if not on the spur of the moment, if not when the charges are being made, at least at a later stage when they can certainly obtain information from the officer concerned, and nail the lie. That will be the proper course. But if it is left to the officers themselves to attack Members of this House in public meetings where are we to be? As my friend Mr. Krishnan Nayar has pointed out, to-morrow a revenue inspector or a tahsildar may say in the same manner whether we deserve it or not. If we deserve it, let us receive it coolly from our equals in this House. That is our position, and as somebody remarked, we do not mind calling each other names in this House. But it is due to the dignity and position of this House and the responsibility of this House which enacts laws of the land, that that House cannot be made the subject of condemnation outside by its own servants."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I propose that the question may now be put."

The hon. Mr. R. A. GRAHAM:—"Sir, before the question is put, I should like to say a few words. I wish to bring the discussion down a little nearer to the facts. Much has been said about the constitutional position, and the position of Government servants with reference to the Council. It has been said that it is their duty to keep themselves out of politics and to take no part in politics; and that if they have anything to say in repudiation of allegations made against them, the proper way to do it is through their representatives in this House. I would remark in the first place, however, that there is no question here of taking part in politics and that the particular allegations referred to in all these discussions were not allegations against the Collector of Malabar but allegations against two private individuals. It may be that the hon. Member or hon. Members of this House who represent those individuals or their community or constituency are the proper persons to undertake the indignant repudiation of unfounded allegations made against them. They have not, I suppose, however, succeeded in getting anybody to repudiate the allegations in the Council. I would ask the Council to remember the facts. It was not anything spoken against himself that the Collector of Malabar was referring to. At a meeting at which he was presenting a Kaiser-i-Hind medal to a gentleman at Palghat, these other gentlemen against whom certain unfounded allegations had been made were present. It was the Collector's duty on that occasion . . ."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I say, Sir, that only one of them was present on the occasion? That is my recollection."

22nd August 1924]

The hon. Mr. R. A. GRAHAM:—"I will not dispute that statement. It was the Collector's duty on that occasion to make an appropriate speech and it was certainly in consonance with that duty to refer to other holders of distinctions who were present and I find it difficult to understand, apart from any constitutional question or question of dignity of the House that any Member of this House can object to the statement in itself. The statement was this: 'I believe that in circles which are aware of the facts, the allegations to which I have referred have been treated with the incredulous conditions which they deserved.' He went on to say: 'I hope that no man may be tempted which they deserved.' I am deterred from his public duty by fear of such rash misstatements. I am afraid that if the Government were to adopt the procedure suggested by Sir K. Venkataraddi Nayudu and indulge in indignant repudiations at the time when questions are answered, there would be considerable trouble in the House. I want to make it clear that there is no question of criticism of the acts of the Legislature, that Khan Bahadur Moidutty and his son really had no opportunity of repudiating these allegations on their own behalf and that so far as the dignity of this House is concerned, the best way of preserving it is the avoidance of what may be mildly termed unfounded allegations."

Sir JAMES SIMPSON:—"Mr. President, like my hon. Friend the late Minister for Development, I should like to say a few words. I will not deal with it from the constitutional aspect of the question as he did, but I should like to deal with it from what might be called a severely practical point of view. I oppose this resolution. In my opinion, it is a case of 'much ado about nothing.' When last I had the pleasure of speaking in this august Assembly, I had occasion to refer to the great Satyamurti as a man with no vision and without a message. After what had transpired to-day, I think I would like to add, 'a man weak and vain and with no sense of humour.' Is it not a fact, Sir, that every man when he enters public life is immediately criticized and liable to be told that his questions and his speeches are beneath contempt? I would not go the length of saying that the Collector was right to say that of hon. Members of this House. But, I will say this: What does it matter even if 50 Collectors tell Mr. Satyamurti that his interpellations and speeches are received with incredulous contempt? Personally, I have received them with the contempt which they deserved. And I am bound to say this, that looking at any order of the day and the number of less questions that Mr. Satyamurti asks, he is running a great danger of bringing this House into contempt. I would like hon. Members to look at it from that aspect. Public men are likely to be criticized, and more often are from that aspect. I am bound to tell Mr. Satyamurti that 99 men out of 100 hon. Members. I am bound to tell Mr. Satyamurti that 99 men out of 100 with whom I come in contact, simply dot the i's and cross the t's of that which Mr. Thorne is alleged to have said. He expresses my sentiments entirely, and the great number of right thinking men in this Presidency are saying every day, when they read their newspapers, what Mr. Thorne perhaps in a moment of forgetfulness months ago did on one occasion say. Is it conducive to the dignity of this House that we should waste our time in taking up months afterwards a question such as this? Then, what about the hon. Member Mr. Satyamurti who asks some 50 to 100 questions every day? What is the good of these questions? What is the good to the Presidency of all these questions, and what does it matter, I say, even if Mr. Thorne did say like that? Let us have more sense of humour."

[22nd August 1924]

Mr. C. RAMALINGA REDDI:—"May I interrupt the hon. Member? I thought he himself admitted that the officials should not criticize hon. Members of this House."

Sir JAMES SIMPSON:—"I would not go the length of saying that. That is the more reason why they should perhaps be more cautious in their remarks than Mr. Satyamurti."

Mr. C. RAMALINGA REDDI:—"Do I understand him to say that officials can criticize Members of the Legislative Council, and that Members of the Legislative Council should take it as a joke?"

Sir JAMES SIMPSON:—"I would not say that. But I must ask Mr. Satyamurti to take it in a sense of humour. He is a man who gives plenty of knocks. And he ought to be prepared to take them. But he comes to this House for protection. That is not what I expect from a man like Mr. Satyamurti. That is the way I would like to ask the House to look at this question, to look at it from a practical point of view. We, as legislators, are bound to be discussed and criticized and told this, that or the other thing, that our questions and our speeches are beneath contempt. Very very often they are! Let me ask the House to look at it in this way. There is no man in the Madras Presidency at the present moment who has a more difficult and a more delicate task to perform than the Collector of Malabar. Are we going to harass him in the task he has just now on hand by throwing at his head some unguarded remark he made months ago? Let us have more sense of humour than that."

"Mr. President, I strongly oppose this resolution."

Mr. S. SATYAMURTI:—"Mr. President, I am very sorry to have lost the esteem of the hon. Member, Sir James Simpson. But, may I tell him that I come from an electorate of seven thousand registered graduates and that I have received nearly four thousand of their votes; and I know, whatever Sir James Simpson and his friends may think about Mr. Thorne's allegations, that I am getting the increasing confidence of my electorate; and, so long as I get that, I care this much for the opinion of Sir James Simpson and his friends. He has made himself ridiculous by his speech."

Mr. C. RAMALINGA REDDI:—"Order, order. These strong expressions should be avoided."

Mr. S. SATYAMURTI:—"I am very glad to hear that. But I wish my hon. Friend had risen when Sir James Simpson was attacking me and ridiculing me, expending all his Scottish humour on my devoted head. I may not have any sense of humour, but if Sir James Simpson is attacked like that, I should like to know how he would feel. It is easy to preach the Sermon on the Mount so long as it does not touch you."

"Now, what are the facts in this case? I had information from a source which I consider absolutely respectable, and against whom I have heard nothing, who came and told me, and I made such inquiries as one in my position in Madras can make regarding that. On that, Sir, I sent those questions, and, if I may say so respectfully, your office looks with lynx eyes on all questions that we send and admits them only after careful scrutiny. Those questions were admitted and were answered and they were not answered with any 'incredulous contempt.' Government said they had no information. They took time, and they have not up to date, so far as the records of this House go, said anything about the Collector's garden party, or the

[22nd August 1924]

[Mr. S. Satyamurti]

Collector's lace garland. The hon. Sir. Arthur Knapp undoubtedly made a statement about a week or two afterwards defending these two gentlemen. Therefore, those are the facts.

"Now, Sir, whether Mr. Thorne could have gone to the Darbar and held a Member of this House to contempt is the matter which is sought to be brought before this House by this resolution. My position is this. If it is a case between myself and Mr. Thorne personally, I can very well take care of myself. The newspapers of the Madras Presidency are not closed to me and I can get as many statements printed as I want from me and from my friends contradicting Mr. Thorne. But, Sir, I happen to be a very humble Member of this House, and I feel that what I am asking them now is not in the name of Mr. Satyamurti to defend him against Mr. Thorne, but in the name of a colleague of theirs to defend him against the Collector of Malabar who is, and ought to be, their servant. If it is a personal matter concerning myself and Mr. Thorne, then I shall defend myself, and in that I have used my sense of humour. I want to inform Sir James Simpson and the 99 per cent of his friends who dotted the i's and crossed the t's of what Mr. Thorne said, that I have so far not taken any notice of it, I have never said a word against it, and I have treated the whole thing with the contempt it deserved. But, Mr. President, I have to bring this particular matter before this House, simply because I feel that in difficult and trying times, less strong men than myself may be deterred from performing their duties, if Collectors are allowed to go about with their swords against them and anxious to put them to use whenever they liked. We are slowly developing responsible Government in this country. The bureaucracy in this country is still strong and wields undoubted influence. It seems to me that unless betimes this House puts its foot down upon these recalcitrant Collectors, who cannot keep a cool head and a cool tongue in their mouth, it will come to this that they will be interfering with the rights of the Members of this House. I want to elevate this controversy from the personal one to which Sir James Simpson wanted to reduce it. It is not a personal controversy. It is an impersonal controversy, a controversy affecting the rights and privileges of the Members of this House as against the indiscretions of a district officer of Malabar. My hon. Friend, Sir James Simpson, concluded his argument with a plea of very difficult and trying times for the Collector of Malabar. That may be so, but very difficult and trying times are also facing us. Let Sir James Simpson realize that we, on this side of the House, when we try to discharge our duties, have got to incur the wrath of the Treasury Benches, we have got to face the ridiculous remarks of Sir James Simpson, and we have got to face many other things. In spite of that, we try to do our duty, and if, in the course of our duty, we are to be subjected not merely to the rapier thrusts of our Colleagues here, but also to the stabs beneath the belt by people outside the House, whom we cannot answer on the floor of this House, it seems to me, Mr. President, it is really asking too much of us. It is in that sense, Sir, that we appeal to you. We appeal to you and to Members of this House. I have nothing personal against Mr. Thorne, I have no personal grudge against him—and none of us has—I have not even seen him. But what we do feel is that when an attack is made against a Member of this House, it becomes a question above all party considerations."

"I therefore appeal to every section of this House to vote for this motion unanimously."

[22nd August 1924]

The hon. Sir ARTHUR KNAPP:—"Mr. President, I cannot help being reminded in this connexion of a rhyme in French, which when translated runs: 'This animal is a very wicked animal. When attacked it is in the habit of defending itself.' It seems to me that a feeling of that kind is at the bottom of the whole of this discussion. A Member of this House makes certain allegations, not only against the Collector, but against certain very prominent members of the Collector's district. On the occasion of a Darbar, the Collector assures the people assembled of his confident belief that the allegations that had been going round with regard to these people had no foundation and ought to be contradicted. One hon. Member has said that the whole basis of official efficiency is that the officer concerned, in this case the Collector, should have the confidence of the people. He is perfectly right. And I maintain that if Mr. Thorne, knowing of all these insinuations that were being made about Mr. Kallady Moidutty, a leading and respected resident of the place, had refrained from letting it be known that he, at any rate, did not believe those stories, he would have lost some of the confidence of the people. I have the greatest sympathy with Mr. Thorne in his desire to clear Mr. Kallady Moidutty and his son of these 'lying calumnies,'—I think that was the expression used—which had been put in circulation against them. I am very much surprised that my hon. Friend, Mr. Satyamurti, did not realize how provocative were the questions which he asked, both in regard to Kallady Moidutty and the Collector, seeing, as it is now proved, that they were entirely without foundation, and I think that he would have done better from every point of view, if he had waited for a better jumping off ground for a discussion of this kind than the one on which he now stands and which I regard as a very weak ground. My hon. Friend Mr. Krishnan Nayar has told us, as great many others have done, that these two gentlemen were absolutely undeserving of the calumny that from a privileged place here was heaped on their heads. This House wants to stand on prestige. But surely its prestige is not enhanced if it permits its Members to get up here and taking advantage of the privilege of the House make false insinuations against the character of outsiders. It is not as if it were a matter of public necessity for so far as I can see the mention of the names of these two gentlemen was not called for in the public interest. It was quite open to my hon. Friend to have asked a question on the subject without deliberately inserting the names of these two persons.

"As I said, it would be much more in consonance with the dignity of this House if a Member were not to be allowed from the position of privilege to scatter insinuations of that kind."

Mr. C. RAMALINGA REDDI:—"Our point is that all these corrections to Mr. Satyamurti could have been administered by the hon. the Home Member and there is no need at all for the Collector to interfere."

The hon. Sir ARTHUR KNAPP:—"Sir, the Collector in this case being human has acted like the animal which defends itself when attacked. I am not prepared to say any more than the hon. the Law Member that the Collector was altogether discreet in seizing a public opportunity for making the correction. How far the newspaper correspondents are to blame for making it public, I do not know. My suggestion, Sir, is that so far as this incident is concerned, the House will be well advised to leave it alone. The present discussion has arisen from the question whether Government intended to pass

22nd August 1924]

[Sir Arthur Knapp]

orders which were calculated to prevent the recurrence of such an incident. The answer given was 'No'. It is to that answer that hon. Members mainly object. The reason why Government did not think it necessary to pass any orders to prevent a recurrence of this incident is that the Government trust that the provocation out of which this instance arose is not likely to recur."

Mr. C. RAMALINGA REDDI:—"I am afraid my hon. Friend is making the case worse. We contend that we have certain duties to discharge and if we do make allegations, there are hon. Members opposite to administer corrections to us and we refuse to recognize the right of Civil Servants to attack us."

The hon. Sir ARTHUR KNAPP:—"Am I to understand the position to be that my hon. Friends object to any Government official making any comment or criticism upon anything that is done in this Council?"

Mr. C. RAMALINGA REDDI:—"Excepting through their accredited representatives here."

The hon. Sir ARTHUR KNAPP:—"In public?"

Mr. C. RAMALINGA REDDI:—"That is a different matter. Let him send up his criticism to the hon. Member in charge of the department. But if every officer begins to attack Members of this Council and takes part in politics, what is the good of all this?"

The hon. Sir ARTHUR KNAPP:—"I understand that this House wants to claim a sort of licence, a licence to say what it likes so far as Government servants are concerned."

Mr. C. RAMALINGA REDDI:—"We do not ask for a whit more privilege than what is being enjoyed by the Members of the Legislative Councils all over the world. If we go wrong, there are hon. Members opposite to put us in the right. If we attack an officer improperly, there are members of the Treasury Benches to deliver a counter attack. We cannot subscribe ourselves to this doctrine now put forward for the first time that officials can attack Members of the Legislative Council and thus take part in politics. It would mean ultimately influencing elections as well."

The hon. Sir ARTHUR KNAPP:—"My hon. Friend has misunderstood me. I am not laying down any new doctrine. Government did not lay down rules on this subject because instances of this kind have never occurred before. Provocation has not been given and such a discussion has not arisen."

Mr. C. RAMALINGA REDDI:—"So it comes to this. If there is provocation here, the officials would attack us and that would be considered right by the hon. the Home Member."

The hon. Sir ARTHUR KNAPP:—"I am not prepared to say that. But I cannot pretend to be surprised if when provocation is given, an officer tries to justify himself in the eyes of reasonable men even at the risk of breaking a rule. I cannot view with any sympathy the theory that hon. Members of this House can get up and make absolutely irresponsible statements,—lying calumnies—and then complain that somebody in a moment perhaps of heat has been rash enough to answer them back. As Sir James Simpson said, we have got to accustom ourselves to being hit back."

Mr. C. RAMALINGA REDDI:—"But not by officials."

The hon. Sir ARTHUR KNAPP:—"The part which officials ought to take in this matter has not yet come up for consideration."

[Sir Arthur Knapp]

[22nd August 1924]

"There is only one other point. Honourable Members have been horrified at the idea that Government servants should take part in politics by making comment on matters which have been before this House. May I remind them that this document, the report on Indian Constitutional Reforms, on which the whole of our present constitution is based, this document itself lays down that Government servants are expected to be far more vocal than they have been. They should not retire to their offices, and as some hon. Member said, be seen and not heard. They should come out in public and take part in discussions on public matters. As I understand my hon. Friends opposite, he does not wish them to do that but would preclude them from making any comments on public affairs. If that is my hon. Friend's position I, can only say that he is departing very radically from the foundation of the experimental stage of the Reforms through which we are passing."

Mr. C. RAMALINGA REDDI:—"Does my hon. Friend under the shelter afforded by that want to allow officials to take part in elections and support one candidate against another?"

The hon. Sir ARTHUR KNAPP:—"Certainly not."

Mr. C. RAMALINGA REDDI:—"If that is objectionable, attacks of this kind also are equally objectionable."

The hon. Sir ARTHUR KNAPP:—"I am answering the very general proposition that officials should take no part of any sort in public affairs of this character. I am going on the general proposition which, I understand, is to put forward that it is the privilege of this House that no official shall make any comment or criticism on what has happened in this House. I believe that is the position which my hon. Friend wants to establish."

Mr. C. RAMALINGA REDDI:—"I want the Civil Service to occupy a position analogous to what it occupies elsewhere."

The hon. Sir ARTHUR KNAPP:—"I am afraid, Sir, my hon. Friend will have to wait. They are not in an analogous position now, and as long as the present constitution exists it is impossible to reach that stage."

Mr. J. A. SALDANHA:—"Is there not a rule in the Public Servants' Conduct Rules that when a public servant is attacked by anybody in the public press he cannot write to the press defending his conduct without the permission of the Government? I know there is a rule like that. How does it entitle a Government servant to defend himself under the guise of a public function? That is the question."

The hon. Mr. R. A. GRAHAM:—"If that question is put to me, I must say that he is not defending himself at a public meeting at all."

The motion for adjournment was put and carried.

To-morrow's sittings

The hon. the PRESIDENT:—"Does the Government want to assemble later than 11 to-morrow?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Are there questions to-morrow?"

The hon. the PRESIDENT:—"There are five questions."

"Perhaps I may inform the House that to-morrow is treated as not a day reserved for non-official business and therefore we are not putting on the full number of resolutions required for a non-official day. We are putting up a

[22nd August 1924]

[The President]

single resolution with which the Government are willing to deal to-morrow. I understood that the Government were willing to give to-morrow out of their time, the time which would ordinarily have been reserved for official business for the purpose of discussing a single resolution. If that were to be over before 12, we would then adjourn. If the Government wish to go on with the list of resolutions, I have no objection."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I shall only say this. His Excellency the Governor who was asked about this matter definitely allotted to-morrow as a non-official day. That is how I understood him. There may be a certain amount of misunderstanding on the matter. May I request the President to put off his decision on the matter?"

The hon. the PRESIDENT:—"I have no objection to set apart to-morrow as a non-official day. If so, we have to put up 15 resolutions for 6 p.m. the day. There are already more than 15 resolutions on the paper and no further ballot would be necessary. But, in that case as we have done only two resolutions, if the third resolution should be over any time to-morrow, we would have to go on with the fourth and then the fifth and so on. In fact, I have had representations from Muhammadan Members that we should go on with the fourth also. And if we are to go on with resolutions the whole of to-morrow, I have no objection to including to-morrow among the non-official days. I am in the hands of the House."

The hon. Sir ARTHUR KNAPP:—"May I suggest that it entirely depends, as I understand it, upon how His Excellency has decided, i.e., whether to-morrow has been or has not been allotted as a non-official day? My understanding was that, although His Excellency was not prepared to allot an extra non-official day for general purposes, he was quite prepared, in view of the importance of the resolution on the Lee Commission recommendations, to allow special facilities for that discussion. That was the basis on which we were going this afternoon. In a private letter received from His Excellency, reference is made to the possibility of fixing another engagement for to-morrow afternoon, and that seems to show that he did not expect to-morrow to be a full non official day."

The hon. the PRESIDENT:—"The Government are as well aware as I am that if I regarded to-morrow as a day reserved for non-official business I would have under the Standing Orders to put up 15 resolutions for the day, no matter how many or how few were actually discussed. Are the Government willing to do that, or are they willing to discuss one particular resolution?"

The hon. Sir ARTHUR KNAPP:—"I think that the correct description of the Government's attitude was till this afternoon that His Excellency would not agree to to-morrow being set apart as a non-official day."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I think the decision to have to-morrow was based entirely on the resolution of the Lee Commission, and if that is agreed upon, it is out of the question to think of the other resolutions."

The hon. the PRESIDENT:—"I think we are agreed on the Government side as well as on the other side that to-morrow is not to be regarded as a non-official day but as a day which will be availed of for the purpose of discussing the Lee Commission resolution, and that after that is over we should adjourn."

[22nd August 1924]

The hon. Sir ARTHUR KNAPP:—"I may suggest, Sir, as I think my hon. Colleague the Law Member suggested, that the actual decision as to whether to-morrow is or is not to be regarded as part of the days allotted for non-official business rests with His Excellency. If that is so, I do not think it is necessary to discuss it here."

The hon. the PRESIDENT:—"Do the Government intend, or does the hon. the Law Member intend, that, if we go on the whole of to-morrow with the Lee Commission resolution, then to-morrow should be regarded as a non-official day?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is not a matter in which we have any say. It is entirely left to His Excellency to decide, depending on what we do to-morrow."

Diwan Bahadur M. KRISHNAN NAYAR:—"I believe His Excellency has this privilege of allotting as many days as he likes for the transaction of non-official business. I think he has been pleased to tell us that he has allotted six days during this session, and I believe, Sir, it is within your privilege and within your power to allot which particular day out of these six days will be allotted for non-official business. I think His Excellency has no voice in this matter. That is my understanding according to my reading of the Standing Orders and the Rules. I believe it is in your power to allot a particular day for non-official business."

The hon. the PRESIDENT:—"If there was an understanding that to-morrow was one of the non-official days, I should have put up 15 resolutions for the day. Of course, the paper contains more than 15 resolutions and it has been circulated already. But there would be the question, after the Lee Commission resolution is over, whether we are prepared to go on with the other resolutions which hon. Members will then be entitled to discuss. But what hon. Members on the Government benches have said is that their impression was that to-morrow will be occupied only with that resolution, and that whether it should be over late or early we adjourn after that and inasmuch as the whole day is not to be devoted to non-official business it is now for the present excluded from that category."

Mr. ABBAS ALI KHAN:—"May I then ask, Sir, whether to-morrow is an official day or a non-official day?" (Laughter.)

The hon. the PRESIDENT:—"It is neither."

The Council at 6-7 p.m. then adjourned to meet again at 11 a.m. on Saturday, the 23rd August 1924.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL

Saturday, the 23rd August 1924

The House met at 11 o'clock, Mr. President (the hon. Diwan Bahadur L. D. SWAMIKANRU PILLAI, C.I.E., I.S.O.) in the chair.

I

QUESTIONS AND ANSWERS.

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

- (1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.
- (2) The questions and answers shall be arranged in order of subjects.
- (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.]

Depressed Classes.

Steps to punish those responsible for prohibiting the depressed classes from entering the courts and public offices in Chidambaram.

555 Q.—Mr. R. SRINIVASAN: Will the hon. the Home Member, the hon. the Law Member, and the hon. Member for Finance be pleased to state what steps the Government propose to take to punish the officials and menials responsible for prohibiting depressed classes in Chidambaram from entering the courts and public offices?

A.—If the hon. the Member will specify instances of members of depressed classes being prohibited from entering courts or public offices the Government will have enquiries made into the matter.

Mr. S. SATYAMURTI:—"May I ask the hon. the Home Member whether there are now any provisions made for public notices being hung on the walls of these courts and public offices to say that members of the depressed classes, as members of every other class, have free access? I ask this, Sir, because there is some doubt expressed."

The hon. Sir ARTHUR KNAPP:—"I am not aware that there is any doubt on the subject and therefore it did not occur to the Government that there should be any such notice hung up. I may also remind the House that as a result of yesterday's resolution which the Government have accepted they are arranging for an announcement on the matter."

Mr. R. VEERIAN:—"With reference to the answer asking for particular instances, may I give two instances, and may I know if the Government will be pleased to make necessary enquiries into the matter? The Dharmapuram Sub-Magistrate's Court does not even allow depressed classes as also the District Munsif's Court at Tanjore."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am astonished to hear of the instance of the Tanjore District Munsif's Court. I shall make enquiries. But is the hon. Member quite sure about his facts?"

[23rd August 1924]

Mr. R. VERRIAN :—"I feel certain that the hon. the Law Member will be pleased to enquire into the matter. Whenever a member of the privileged classes gets appointed as a district munsif this sort of trouble arises."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"For the matter of that I am a member of the privileged class myself. What I am asking is if the hon. Member is sure of his facts that I may make further enquiries on the matters?"

Mr. R. VERRIAN :—"There are different types of them, Sir. Some of them are more advanced in social reform and some are not."

Civil Justice.

Travelling allowance for jurors and assessors.

556 Q.—Mr. A. CHIDAMBARAM NADAR : Will the hon. the Law Member be pleased to state the class of fare and the daily batta allowed for jurors and assessors attending the Sessions Courts in the district?

A.—Jurors and assessors are paid travelling allowance and daily batta at the rates allowed to second-class witnesses attending Criminal Courts. These rates are published in the Criminal Rules of Practice (1910).

Mr. S. SATYAMURTI :—"May I ask the Government to call for the information?"

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

Irrigation.

Repairs to the embankments of the Muttayar.

557 Q.—Mr. S. MUTTAYYA MUDALIYAR : Will the hon. the Law Member be pleased to state with reference to the answer to question No. 613, dated 18th March 1924, regarding Muttayar, what action has been taken and whether the embankments have been raised?

A.—The information asked for by the hon. Member in his previous question has been called for from the Collector whose reply is awaited.

Payment of kist for lands irrigated under the Manniar channel.

558 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state whether the ryots in the lands irrigated by the Manniar channel are made to pay their kist in one instalment and why?

A.—The Government have no information.

Reforms.

The hon. Sir A. P. Patro's speech at Guntur.

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

(a) whether the attention of the Government has been drawn to the recent speech of the hon. Sir A. P. Patro at Guntur on the question of Reforms; and

23rd August 1924]

(b) whether the hon. the Minister's opinion was taken for sending the report of the Local Government on the Reforms Inquiry; if so, whether it was same as, or in any way different from, the speech referred to in (a)?

A.—(a) The Government have seen a report of the speech referred to.
(b) The Government are not prepared to answer the question.

Mr. C. V. VENKATARAMANA AYYANGAR :—"Considering the fact that the hon. the Ministers are responsible to this House and that the speech was made by the hon. the Minister at a public place, may we know as to what are the reasons why the Government would not answer it?"

The hon. Mr. R. A. GRAHAM :—"The Government regard it as an indelicate question which they are not prepared to answer."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am sorry the hon. the Minister for Education is not here. Otherwise we could have asked him a supplemental question if he is prepared to give us that information. But in his absence we ask the hon. the Finance Member to say, so far as the Minister is concerned, whether he will not consider that the information might be furnished. I do not ask for the opinion of the Government but the whole question is about the Minister who is responsible for this House."

The hon. Mr. R. A. GRAHAM :—"I have said that it was a question which would not be answered."

Mr. C. RAMALINGA REDDI :—"May I take it that he says that it is an indelicate question because it deals with a delicate matter?"

The hon. Mr. R. A. GRAHAM :—"I am afraid I cannot explain what an indelicate question means."

Mr. C. RAMALINGA REDDI :—"We shall then be in this difficulty, Mr. President, that the House will be practically precluded from asking any question on a matter which the Government think is delicate."

The hon. Sir ARTHUR KNAPP :—"Not once, Sir, but many times have we declined to divulge the proceedings within the Cabinet."

Mr. M. RATNASWAMI :—"May I take it that the reason why the hon. the Finance Member used the word *indelicate* was that the Government do not desire to wash their dirty linen in public?"

The hon. Mr. R. A. GRAHAM :—"I deny the existence of any such thing."

Mr. C. RAMALINGA REDDI :—"May I take the hon. the Finance Member to mean that they never wash?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The only suggestion is that the linen was always clean."

Mr. S. SATYAMURTI :—"In view of the fact that the hon. Members of the Government refused to take any part in the discussion on Mr. Krishna Rao's motion urging the grant of provincial autonomy and in view of the complete, strong and persuasive statement of the hon. the Minister for Education at Guntur in favour of the grant of provincial autonomy, may I ask the hon. the Finance Member if that speech of the hon. the Minister for Education was delivered to impress the electorate or it was his opinion as communicated to the Government of India?"

[23rd August 1924]

The hon. Mr. R. A. GRAHAM:—"I must decline to answer that question."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I request the hon. the Minister to tell us whether his opinion is the same as that contained in his speech at Guntur or different?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I do not answer that question."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I ask the hon. the Minister for Education whether his speech expresses the considered opinion of the Ministry?"

The hon. Rao Bahadur Sir A. P. PATRO:—"It is the considered opinion of the Minister who delivered it."

Mr. S. SATYAMURTI:—"In view of the theory of joint responsibility which has been advanced by this Government, may I know if that is the opinion of the Minister personally or the joint opinion of the Government, at least in the Transferred half?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"At least, Sir, will he tell us whether he consulted the Chief Minister on the speech?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know whether his speech at Guntur stands on the same level as the one at Trichinopoly?"

Mr. C. RAMALINGA REDDI:—"Sir, since no question is going to be answered, may I ask another, whether the speech at Guntur was delivered by Sir A. P. Patro as Minister or as a Member of the Government?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know whether his speech at Guntur was shown to the hon. the Chief Minister? The hon. the Minister for Education says that it was delivered by him as a Minister. Is that as a Member of Government?"

The hon. Rao Bahadur Sir A. P. PATRO:—"Not as a Member of the Government but as a Minister who is a public man."

Mr. C. RAMALINGA REDDI:—"Do I understand that Ministers are not Members of the Government?"

Mr. S. SATYAMURTI:—"May I know, Sir, if Sir A. P. Patro has one set of opinions as a man and another as Member of the Government and a third as Minister?"

Education.

Eligibility of re-converted Hindu students of the depressed classes for concessions in regard to education.

560 Q.—Mr. R. SRINIVASAN: Will the hon. the Minister for Education be pleased to state whether the students born of parents of Hindu faith belonging to the depressed classes, who had embraced other religions for the purpose of education, and have since reverted to the old faith are eligible on admission to public schools and colleges for the educational facilities and concessions granted to depressed classes students—boys and girls?

A.—Yes.

Mr. R. SRINIVASAN:—"May I know whether there is any kind of ceremony in case of reconversion?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I am not aware of any."

23rd August 1924]

II

POINT OF ORDER REGARDING THE ADMISSIBILITY OF CERTAIN MOTIONS WHICH ARE NOT RECOMMENDATIONS TO GOVERNMENT.

Mr. C. RAMALINGA REDDI:—"Sir, as directed by you and with your kind indulgence, I wish to state in public some points of order which in the course of recent correspondence with your office, I raised 11-15 a.m. in connexion with some of the business here."

"The first is with reference to the resolution regarding the Lee Commission's recommendations. As originally tabled, the resolution contained also a reference to the Trichinopoly speech of the hon. the Minister for Education and it was sought to convey the disapproval of the House, and you allowed and the first part of the resolution dealing with the recommendation only, and as regards the second part which dealt with the speech of the hon. the Minister for Education, you were of opinion that that portion could not be allowed as it did not raise a definite issue. The term used by you, Sir, was, 'definite issue', and I took the liberty of requesting you to reconsider the matter on the ground that the opinion expressed by a Minister on the Lee Commission's recommendations was a definite issue and that we could not treat it as an opinion delivered by him as a private person, since it was to be presumed that the attitude he took as a Minister or a Member of the Government—I do not know if there is any distinction between these terms—must have tallied with the opinions he expressed in public and that, therefore, in addition to the issue being a definite one, it was also one in which the House could exercise its right of holding a popular Minister accountable for his action."

"The second point which was submitted was with respect to a motion tabled by me and several of my hon. Friends, which ran as follows: 'That this Council disapproves of the conduct of the hon. the Minister for Local Self-Government in not throwing open the presidencies of Cuddapah and Guntur district boards to election in violation of a certain resolution passed by this Council and accepted by Government'. You were of opinion that that motion could not be allowed because it was not framed as a 'recommendation to Government'. On that I took the liberty of submitting to you that that ruling cut very deeply into the very principle of responsibility that these Councils were supposed to represent in a partial measure at all events; and in reply to your communication, I ventured to draw your attention to the following points, viz., that all motions need not be in the recommendatory form, that motions which express approval or disapproval are permissible, and that though we agree that so far as the members of the Government serving in the reserved half are concerned this House could not move or discuss any vote of censure about them, such a procedure was open to us with reference to the hon. the Ministers who were supposed to be responsible to this Council and accountable for their actions. I also pointed out that during the course of discussion in a certain committee which was appointed to consider questions of procedure and which was presided over by your distinguished predecessor, Sir. P. Rajagopalachariyar, the question, namely, the right to move motions of censure, was raised and it was all along openly understood that the right existed but that the hon. the President should see to it that it was not exercised in an irresponsible manner or merely to vex the Ministers. During those discussions we agreed that the admission of such questions should be left entirely to the discretion of the hon. the President and that if

[Mr. C. Ramalinga Reddi] [23rd August 1924]

he was satisfied that such motions were tabled *bona fide* and on specific issues, then naturally the procedure current in other Legislatures which also are supposed to embody the principle of responsible Government, would be followed here. I submitted also that if your ruling were to stand, it would render the direct enforcement of responsibility by this House absolutely impossible, for, every motion will have to be a recommendation. And in another connexion you were good enough to say that you could not ask the Government to condemn themselves. Putting the two together, it comes to this, if I may express it in syllogistic form, that every motion should be a recommendation, Government cannot be called upon to condemn itself and therefore, no motion of censure could be moved either on the hon. the Ministers or on the Members of the Executive Council; and I have already conceded that no such motion could be moved on the Members of the Executive Council."

The hon. the PRESIDENT:—"I do not know if the hon. Member wishes to drive us to a syllogistic corner. If so, I am bound to point out that it is quite possible to recommend to the Government to take action against a particular Minister though not against the Government as a body."

Mr. C. RAMALINGA REDDI:—"Sir, when my hon. Friend Mr. Maruthu-
vanam Pillai wanted to express disapproval regarding the manner in which the Kannambadi agreement was rushed through, you ruled it out of order."

The hon. the PRESIDENT:—"That is because the Government as a whole cannot be censured by the Government."

Mr. C. RAMALINGA REDDI:—"Supposing we worded it thus: that the conduct of my hon. Friend the Law Member be taken due notice of by the Governor in Council, then would it have been in order?"

The hon. the PRESIDENT:—"I dare say that would have been in order."

Mr. C. RAMALINGA REDDI:—"In fact, you suggested—though you did not say in so many terms—that if we worded them in a recommendatory form—and I know they could thus be worded if one was clever at round-
about ways of expressing one's self—they might be allowed. We shall certainly employ the method you suggested, later on. But I still claim that under the constitution we have the right of expressing directly and in set terms approval or disapproval of the conduct of the hon. the Ministers. As I have already stated, I do not claim that such a right exists against the hon. the Members of the Executive Council. Instead of asking His Excellency the Governor in Council to take notice of the conduct of this Minister or that Minister, which would mean that we are not here as the representatives of the people but only as additional members to advise His Excellency the Governor, I hold that we have, as representatives of the people, the right to censure the Ministers if the Council thinks it fit. Further, there is also a technical difficulty in the procedure you suggested. The appointments of the Ministers, it has been said, is a matter left for the individual discretion of His Excellency the Governor and it is not a matter for the Governor in Council. So far as I understand, all resolutions are addressed to His Excellency the Governor in Council. So, some of our hon. Friends might raise the other point of order as to how we could ask His Excellency the Governor in Council to take notice of the conduct of a Minister, which virtually becomes

23rd August 1924] [Mr. C. Ramalinga Reddi]

asking him to censure him, when the appointment and dismissal are matters vested in His Excellency the Governor and not His Excellency the Governor in Council."

The hon. Sir ARTHUR KNAPP:—"May I say, Sir, that there is a slight discrepancy in what the hon. Member has stated? The resolutions are not addressed to the Governor in Council; they are addressed to the Government. With regard to the transferred departments, it means the Governor acting with the Ministers and with regard to the reserved subjects, it means the Governor acting with the Members of the Executive Council."

The hon. the PRESIDENT:—"I may remind the hon. Member—I thought he was aware of it already—of the formula which has been suggested in another province, to recommend to the Governor acting with the Ministers to require a particular Minister or the Ministry as a body to resign."

Mr. C. RAMALINGA REDDI:—"I accept my hon. Friend the Home Member's interpretation. When I used the expression 'Governor in Council', I used it loosely, as including also Governor and Ministry. How can I appeal to the Governor acting with the Ministers to dismiss a Minister especially when one hon. Minister has claimed that the Governor is bound by the decision of the majority of the Ministers? It seems to me the other course is to move an address. I am not revealing any secret when I say that you deprecated that procedure and wanted us to make a very very sparing use of it. I, therefore, raise all these constitutional points before you. We shall certainly adopt whatever procedure you consider will, in substance, meet the claims which we advance. At the same time we think there is something in the question of the form also since that is symbolic of the rights which this Council is supposed to possess under the new constitution."

The hon. the PRESIDENT:—"I wish first of all to say that the points raised by the hon. Member for Chittoor are difficult constitutional points and they have been regarded as such in all the provinces in which the question has been raised. Consequently the decision I am adopting for the present is subject to such development of practice or such modification of legal opinion as the House and I may think fit to adopt in future. I have however very carefully considered these points now and in the past when similar questions were raised I considered them with due care and since the questions are of a very general character I think I should say at once what I think about them."

"I have taken legal advice on the constitutional points raised by the hon. Member for Chittoor and I have come to the conclusion that I am not empowered to admit any motion for the purpose of discussing matters of general public interest except such as are also recommendations to the Government. This conclusion follows directly from the definition of a resolution in the rules, read with the opening sentence of Rule 23. The definition is 'that a resolution is any motion for the discussion of a matter of general public interest'; and Rule 23 opens with the words:—'Every resolution shall be in the form of a specific recommendation addressed to the Governor'. I do not consider that the residuary power vested in the President by Standing Order 79 can be used to admit motions for the purpose of discussing matters of general public interest except in conformity with Rule 23, because under section 72D (6) of the Act, Standing Orders can provide for the conduct of business only in so far as it is not provided for by rules made under the Act."

868 POINT OF ORDER REGARDING THE ADMISSIBILITY OF CERTAIN MOTIONS
WHICH ARE NOT RECOMMENDATIONS TO GOVERNMENT

[The President]

[28rd August 1924]

That this *lacuna* in the rules—as regards motions for the discussion of matters of general public interest which are not recommendations to the Government—was intentional rather than otherwise appears from the following passage in the Montagu-Chelmsford Report on Indian Constitutional Reforms:

“When Ministers become, as we intend they should, accountable to the Legislative Council, the Council will have full means of controlling their administration by refusing them supplies or by means of votes of censure, the carrying of which may, in accordance with established constitutional practice, involve their quitting office.”

“I may observe in conclusion that in general there can be no matter of general public interest which cannot be reduced to the form of a recommendation to the Government, and in that form the Standing Orders regarding ballot provide with one reservation for any such matter being brought forward with reasonable expedition before the Council. The reservation of course is that it is always open to His Excellency the Governor under Rule 22 or Rule 23 to disallow any resolution on the ground that it cannot be moved without detriment to public interest or on the ground that it relates to a matter which is not primarily the concern of the local Government or on the ground that it is not within the restrictions imposed by sub-rule (1) of Rule 23. The Governor no opportunity of disallowing it if he should choose to do so has itself been regarded by authorities elsewhere, and rightly, in my opinion, as an intrinsic objection to the admissibility of such a motion under the present constitution.”

“I have two other remarks to make. The enforcing of responsibility which the hon. Member has referred to, as everybody is aware, is not statutorily done either here or in the United Kingdom. It is a convention and we are at perfect liberty to adopt and act upon this convention. Here, as in the United Kingdom, the question of what is admissible under the statute and under the rules having the force of Law is distinct from a convention.”

“The second remark I have to make is that the several changes which have recently been made in the rules regarding ballot have been made with the object of enabling questions of this kind to be brought forward with reasonable expedition before the Council, once a month, more or less. So long as the Council is sitting, it is possible for hon. Members to bring resolutions before the Council and as regards the chances of ballot they will probably be neutralized in one meeting, if not in another. I must say that the rules, as I read them, do not permit, of a discretion in favour of such motions as the hon. Member has referred to. I believe, however, that this drawback is to a great extent, I might say almost completely, neutralized by the fact that it is possible to bring forward such a motion as a resolution in conformity with the rules.”

MR. S. SATYAMURTI:—“Sir, arising from the statement that you just now made, I wish to make one statement. I do not want to question your ruling not only because it is improper that any Member of this House should do so, but also because you have generously stated that your very careful consideration of the question is subject to future developments. Sir, you have acted in this matter, just on the first day of the session, in a manner which if I may respectfully submit was not quite correct. The hon. the Law Member tabled a motion asking the approval of this House for starting the Mettur project. In form it was not a recommendation to the Government because the Government cannot recommend something to themselves. If the

POINT OF ORDER REGARDING THE ADMISSIBILITY OF CERTAIN MOTIONS
WHICH ARE NOT RECOMMENDATIONS TO GOVERNMENT

28rd August 1924]

[Mr. S. Satyamurti]

resolution had been moved asking the approval of this House for a project which the Government would be starting in future and if the Government were going to establish a convention that whenever they started large schemes involving some definite and new policy they should get the approval of the Legislative Council, I would not object to such a course, because it is a good thing that responsibility is established in the reserved half of the Government. But what I do object to is, in view of the statement that a resolution can only be in the form of a recommendation to the Government, whether the Government after having missed a chance can set down a motion—not in the form of a resolution because the Government cannot make a recommendation to themselves—and ask this House to express its approval of a certain scheme. Sir, if your altered ruling just now given is correct, then I submit the previous ruling was wholly out of order. I do not want to question your ruling already given, but what I do submit is there may be occasions when certain Members of this House may want to express approval or disapproval of a certain thing and if you, Sir, thought it fit to give preference to the resolution moved by the hon. the Law Member, we the Opposition deserve even greater consideration at your hands, because our chances are very much less than theirs. We have to wait for chances of ballot. If you agree with me that that motion was rightly allowed, then I submit to that ruling, but at the same time I would urge the same ruling must apply to us also. I am sure that you will not put too much strain upon these rules and Standing Orders and that you will give your very careful consideration to the matter and give a ruling on the point.”

The hon. the PRESIDENT:—“The hon. Member for the University has established such a reputation for clear thinking that I wish to assure myself whether he is not aware that the hon. the Law Member's resolution was in order because he was making a motion which was in fact a recommendation to the Government.”

MR. O. RAMALINGA REDDI:—“The motion as worded was that this House ‘approves’ of a certain project. It was not worded in the form of a recommendation to the Government. If this House should be called upon to approve of a certain thing, it can also be called upon to disapprove of certain other things. Having admitted that motion of approval, our claim is that motions of disapproval are equally admissible.”

The hon. MR. C. P. RAMASWAMI AYYAR:—“Mr. President, I may say that with regard to the form of the words employed in regard to the resolution concerning the Mettur project, I express, if I may venture to say so, my complete agreement with the ruling that has been given from the chair. It would have been technically more correct if the resolution had been expressed so as to conform to the rules, namely, ‘that every resolution should be a recommendation to the Government,’ and following that principle, perhaps, it would have been the best form if the resolution had been framed in this manner ‘that this Council in approving of such and such matter desires or recommends to the Government to take steps to complete, etc.,’ or something of that kind. I might say that it was before I had the advantage of perusing or hearing the ruling which has now emanated from the Chair that that proposition was adopted. I fully realize that the hon. Member for the University feels, as also the hon. Member from Chittoor, that it would be a good thing if a project of that kind involving capital expenditure, spread or to be spread

[Mr. C. P. Ramaswami Ayyar] [23rd August 1924]

over a number of years, should have the scrutiny and examination of this Council before it is effectively launched. It was considerations of that character that made the Government bring forward such a resolution.

"But I may say that if Government and myself in particular had had the advantage of your ruling of to-day, the wording of the motion might have been modified so as to conform to the terms of this ruling."

11-45 a.m.

The hon. the PRESIDENT:—"I would just say one word. I did examine this particular motion before it was put on the agenda; but I only examined it from the point of view of legality just as I do with other matters like that of balloting, Government business and so on. This particular objection did not occur to me then. But I think there is an essential difference between that and the motions for the propriety of which the hon. Member from Chittoor has been contending. The hon. the Law Member would have been prepared if the objection had been pointed out to him to recast his resolution in the form desired; but the hon. the Member for Chittoor is not prepared, on principle, to recast his resolution in the form that is suggested. That is the whole difference. He is contending for a principle."

Mr. C. RAMALINGA REDDI:—"May I explain myself? If you drive us to that length we are all prepared to recast these motions in the form of resolutions. But I thought that a great question of public right was involved, and that therefore it was incumbent on us to raise this debate and elucidate an authoritative pronouncement. That is the reason why I gave notice of these points of order which have been raised with your kind permission this morning."

"With reference to your statement there are two considerations I would submit with due deference to you. One is the question of priority to be given to votes of censure as in the House of Commons. On that subject you were good enough to give us two solutions as it were. One was that according to the revised system of balloting the chances of these motions coming up at an early stage have been improved and the second and more valuable suggestion which you conveyed to me in your letter was that I might arrange with the hon. the Leader of the House so that if he was agreeable, time could be found. The other thing is about the admissibility. It seems to me that this is the more important of the two questions. I have very carefully listened to your very weighty pronouncement, and I find that the quotation from the Montagu-Chelmsford Report is more in our favour than against the admission of these motions."

"As regards the other point that on all matters of public interest the motions should be in the form of recommendations so that, if need be, His Excellency may use his unfettered discretion, but that anything which seeks to deprive him of that discretion should not be tabled, that would cut away from our powers a great deal. On every resolution, on every motion, he has the final say under his reserve powers. If he had no reserve powers I can quite understand the force of your point."

"You also referred to the fact that even in England responsibility, in the sense of having to resign office, was a matter of convention and we are conforming to it. If our motion was to the effect that So-and-so do quit office, this Council would be arrogating to itself the power of appointments

23rd August 1924] [Mr. C. Ramalinga Reddi]

and dismissals which it is undoubtedly not entitled to. We only convey our expression of approval or disapproval on such and such a thing and it is entirely left to His Excellency what action he takes or not takes. Therefore on all these grounds we would most earnestly request you to reconsider the whole situation, since, what we consider to be one of the fundamental principles of the Reforms Act is at stake, and if you are so advised and deem it proper, to give a further ruling on a later occasion as you please."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is one matter, Sir, which comes to my mind and it is a matter which I venture to think, with all respectful submission to you, arises out of the discussion regarding the motion or resolution. Perhaps, now that I have considered it carefully, it might have been better if I had introduced a token motion of one rupee as a grant for the Mettur project and got it considered by this House. This is a matter which deserves careful consideration, and the Government will pay very careful consideration to the subject before they bring forward any motion of the kind. Because, after all, as has been pointed out to me, it is through the demands, either specific or token demands for grants, that the Government normally moves either in regard to the formulation of a policy or when asking the Council to approve of its actions. That might be an alternative method to a resolution in cases of that kind. These are matters which deserve consideration. I wished only to throw that out as a suggestion for being considered as the importance of the question demands."

Mr. C. RAMALINGA REDDI:—"May I offer one remark before we close this debate? I do not really see why my hon. Friend, the Law Member, should be so apologetic for one good thing he has done."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Perhaps, because it is so solitary." (Laughter.)

Mr. C. RAMALINGA REDDI:—"We approve of the course he took and we should like to encourage Government to come forward with such resolutions. Not long ago, in the House of Commons, the Prime Minister himself tabled a resolution asking the House to approve a certain policy he was pursuing. All resolutions cannot be translated into the terms of pounds, shillings and pence or rupees, annas and pies. In this particular instance the Government ask us to sanction a project which would ultimately cost seven crores of rupees by voting half a rupee to-day. That might have been a very good course technically. But we want the Government to take the Council into its confidence and table more of such motions. I remember, once, the hon. the Minister for Education saying that he himself would be glad if all the Government schemes were first put before the Council for approval and then sent to the Finance Department, in which case it could not, perhaps, interfere so often and so badly as it does now. I think I can leave this matter to your judgment. I do hope that whatever ruling you finally pronounce will be such as to advance the cause of Reform and not retard it."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, my remarks, perhaps, would have been somewhat more relevant, if I had been able to catch your eye at least on the third occasion I rose. Perhaps it would be now unnecessary to travel the ground over again. I would only draw your attention to two incidents which occurred, one in the Legislative Assembly and the other in this House nearly two years ago. I happened to be present at the Legislative Assembly as a visitor in the year 1922, about February or March, when the hon. Mr. Innes, on behalf of the Government, introduced a resolution

[Sir K. Venkatarreddi Nayudu] [23rd August 1924]

in the Assembly asking for the approval of the Assembly for the expenditure of several lakhs of rupees for the British Empire Exhibition. It was not a token motion. He did not ask for the expenditure of even a single rupee, because the expenditure had to be incurred long after that date. Similarly, in this Council we moved a resolution to the same effect. I had the honour of moving that resolution as Minister for Development asking the permission or assent of this House for the expenditure to be incurred later on in connexion with the British Empire Exhibition. I do not therefore see any objection to the form in which the Mettur resolution was brought forward by the hon. the Law Member."

Mr. S. SATYAMURTI:—"In view of the subsequent statement made by the hon. the Law Member, I would like to say for the information of the House and if I may respectfully say so, for your information also, that the moving of a resolution by a Member of Government is highly inconvenient to the Government. I really cannot see how a Member of Government can make a recommendation to the Government. He has got a far more advantageous position, he has got a far more confidential position and he has got a far better position wherefrom he can make recommendations to the Government."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I wanted the House to make a recommendation."

Mr. S. SATYAMURTI:—"If the House should make the recommendation, it should be left to a private member to move the resolution. A resolution can be disallowed by the Governor; so that, when the Governor disallows it on the ground that it is not in the public interest, is it proper that the Members of the Executive Council and the Ministers should give notices of resolutions that might be admitted by you and allowed or not by the Governor? Then it may be that the very hon. Member who moved the motion here may have to advise the Governor as to whether the Government ought to accept it or not. I should like to know what will be the unhappy position of the hon. Member. He has come to this House. He has made a motion, and if the Governor does not accept it, is he to resign? It seems to me that this will be setting a very bad precedent. After all, Mr. President, the chapter of resolutions in this Council should be soon put an end to. This is a relic of ancient times when this House had no responsibility of any kind, when we met like a debating society, passed pious resolutions and left them to be carried out or not. We must have far more direct and far more effective means of controlling the Government by the votes on the budget grants and such other things, and motions of the kind the hon. Member, Mr. C. Ramalinga Reddi, wanted to move here. It seems to me that especially in view of the impending future development you, Sir, would give such a ruling as to give more and more importance to motions of this kind and to budget grants which the Government may make rather than rely upon the antiquated precedents. The instance which my hon. Friend from Godavari referred to was probably one which occurred in the pre-Reform days."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"On a point of order, Sir, the resolution which I spoke of was one which was passed in the Assembly in the year of grace 1922. The reforms were introduced as early as 1920."

Mr. S. SATYAMURTI:—"I do not see the point of order there. We undoubtedly possess certain rights. Sir, we are realizing more and more our

23rd August 1924]

[Mr. S. Satyamurti]

powers. We request you to reconsider this matter and not put us in the very difficult position of having to move resolutions on these matters which have got to go through all these obstacle races, the ballot box, the Government disallowing it and so on. This is the only statement that I have got to make. In order that you may not have to strain the law in favour of the Government tabling motions of this kind, a more satisfactory way would be for you to ascertain the sense of the House—you have means of ascertaining what is the opinion of a fairly large number of Members of the House—and act accordingly. It is in this way that popular legislatures are made to grow. You cannot really write in a book all that you want to do hereafter. It must be left to men of large imagination like you to develop the power of a body like this."

The hon. the PRESIDENT:—"I would like to make two further remarks. The first thing that I want to say is that whenever a very large section of the House is anxious to bring a particular matter before the House, there are undoubtedly conventions for the purpose of enabling them to do so independently of the ballot. Such conventions exist in England and there is no reason why they should not be acted upon here. In fact, we are acting upon one of these conventions to-day. The Government have made arrangements to let the House discuss a motion which many hon. Members were anxious to discuss about the Lee Commission. Similarly, it is open to the Government, at any time, in deference to the wishes of any large section to make an arrangement in the same manner, and they might do it by giving up a part of their own official day, or by allowing discussion in connexion with an official motion introduced *ad hoc*, like the token motion referred to by the hon. the Law Member, or in any other suitable manner. Such means undoubtedly exist and it is to these means that I was referring when I asked the hon. the Member for Chittoor to confer with the hon. the Leader of the House as regards a convenient time for motions such as he desired. It is certainly desirable when a very large section of the House wants a particular matter to be brought forward urgently that it should be done independently of the ballot and the Government have the means of doing it. That is one thing."

"And the next is connected with the first. I deprecate the bringing forward of such express motions as votes of censure and votes of no-confidence even in any of the manners that I have just alluded to except on occasions of real weight. I think it will be found in all the authorities on the constitution that though such motions are well-known expedients in the House of Commons, they are not brought forward at every session. They are brought forward at fairly long intervals and on really important occasions. If hon. Members would kindly realize that, I have no doubt that Government would also realize the reasonableness of allowing time for such motions when they are really wanted. It will be found from the authorities that the more general means adopted in power or for expressing a want of confidence or for censuring a particular Minister are the ordinary means open to a Member in connexion with a budget motion or a motion which may be agreed upon between the parties as a motion the result of which will be taken to be a vote of confidence or no-confidence in the Minister or the Ministry."

"The House will now proceed to discuss motions on matters of general public interest."

[23rd August 1924]

III

MOTION ON A MATTER OF GENERAL PUBLIC INTEREST

LEE COMMISSION REPORT.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, in the absence of Mr. Rameswara Rao, I beg to move the resolution. You may remember, Sir, that my name was drawn as the fourth in the ballot held last just after Mr. Rameswara Rao and that no resolution was entered against my name for the simple reason that this was the only resolution which I had sent up. I think therefore that I have got a right to move the resolution in the absence of Mr. Rameswara Rao."

The hon. the PRESIDENT :—" I have the result of the ballot here and I find that Mr. Ramalinga Chettiyar comes fourth on the list. And this is his only resolution. As such, I think the hon. Member is entitled to move the resolution in his own right."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, the motion that stands on the order paper runs like this:

'That this Council recommends to the Government that it should convey to the Government of India the opinion of the Council that the Lee Commission's recommendations regarding Public Service should not be given effect to in this Province.'

" Sir, this matter is probably next in importance only to the question of further reforms among those that are agitating the public mind at the present moment. The Lee Commission and the report which they submitted are seen to have had a sort of ominous career from the beginning. So far as India and Indian public opinion are concerned the opinion was expressed that no Commission was necessary just now to go into the question of the further emoluments and other things connected with the superior services in India. The Imperial Assembly voted against the grant that was asked for by the Government for this Commission. Since then, Sir, every side of public opinion that has expressed itself has expressed itself against this Commission and its recommendations.

" At the outset I may say at once that it is not my desire to say that the members of the superior services who have been recruited in England and elsewhere and are serving in India have got all that they want and have no complaint whatever. That is not my position at all. I know, Sir, from several European friends of mine that their financial position is anything but what it should be and that the increased expenditure both here and in England has drained their resources very much indeed and many of them are actually verging on poverty and debt. So it is not on the ground that the members of the superior services are already well off and should not get any further emoluments that this objection is raised. It is raised on a much more important ground. In the old days when Lord Morley's dictum, namely, that so long as he could see India cannot have self-government, held ground, probably the recommendations of the Lee Commission would have been hailed from that position. It is admitted both in India and in England in responsible quarters that India is already put on the road to self-government, to responsible Government, and it is to have it soon. How soon is a question with reference to which opinion seems to be divided. We, Sir, Indians of all shades of opinion are agreed that this responsible Government should come

23rd August 1924] [Mr. T. A. Ramalinga Chettiyar]

at once while on the other side there are Europeans who think that it should be delayed for some time. I am using the word 'Europeans' advisedly. Non-official Europeans who generally did not take any part in politics have come out on this matter and they have been persistently agitating that the further grant of reform should be held over for at least ten years. That is the resolution, Sir, that was passed by the Calcutta European Association only a few days back. So far as Indian opinion is concerned, as I submitted, it is fairly general, almost unanimous, that responsible Government should come into force as early as possible, if not immediately. If that is to be the case, the services can no longer be what they were before. In the old days the best arrangement that the Government could find was to send officers from England and elsewhere for almost every service from the Indian Police, the Indian Civil Service and other specialized services down to even officers like the Veterinary Assistant Superintendents. They thought that all superior officers should be Europeans recruited in England and Great Britain. That position can no longer be maintained since responsible Government is what we ought to have, as I said, sooner or later, sooner according to us, later according to the Europeans. If responsible Government is to mean anything at all, it does not mean simply that all the superior services should be held by Europeans and that only the Ministers should be Indians. If the policy is going to be enunciated by the Ministers it means, Sir, that the choice of the persons to carry out that policy should be within the control of the Ministers themselves. Otherwise what the Ministers want to do can be frustrated easily by the persons through whom they have to work. Any person who has had any administrative work can easily find for himself that if only there is a difference of opinion between the executive officer and the person who enunciates the policy, the policy can never be expected to be carried out. So, Sir, in the interests of responsible Government, it is absolutely necessary that all the officers who are charged with the execution of the policy should be under the control of the Ministers. So long as the services are recruited in England, so long as these are all-India services appointments to which are made by the Secretary of State, so long, Sir, it will be impossible for the officers to be brought under the control of the Ministers. In the interests of responsible Government therefore it is absolutely necessary that these services should cease to be all-India services recruited either by the Secretary of State or the Viceroy but should become provincial services. I object to the recommendations of the Lee Commission for the reason that the Commission wants that several of the services should still continue as all-India services. That is my main objection. Secondly, Sir, the Lee Commission also makes a difference between the Reserved and the Transferred subjects. It says that, so far as the Reserved departments are concerned, the services should be all-India services and recruitments should be made as hitherto by the Secretary of State and that with regard to the Transferred half appointments may be made in the provincial services, thus bringing them partially under the control of the Ministers. I say partially advisedly. I will refer to that later on. This arrangement of division between Transferred and Reserved departments is likely to have a deleterious effect. We are now asking for provincial autonomy and only the other day we passed a resolution in this Council asking for complete provincial autonomy for this province. While this division of Reserved and Transferred departments is going to remain it will mean that the officers of the Reserved departments will always object to the transfer, for the moment the subjects

[Mr. T. A. Ramalinga Chettiyar] [23rd August 1924]

are transferred they will have at least partially to come under the influence of the Ministers. Again, Sir, there is the implication that this division is going to continue. This Council has given its unanimous decision in favour of provincial autonomy and outside opinion is also in its favour everywhere. If that opinion is to be considered, this recommendation in favour of the division between the two halves cannot remain at all. Thirdly there are the proposals made for Indianization. Apart from the objections that I have raised it is admitted in the Lee Commission's report itself that Indianization is the policy to be adopted and they themselves recognize the change in the position with reference to this matter from things as they existed before 1917 and as they exist now. The year 1917 is the period when the historical announcement was made about the grant of reforms to India.

"1917 is the year in which the historical announcement was made about the grant of responsible government to India and the Indianization of the services. After that it has been accepted that for the purpose of giving responsibility to Indians, Indianization of the services is absolutely necessary. Well, Sir, Lord Islington's Commission was appointed before that historical announcement though the report was published after the announcement was made. In this report of the Lee Commission they seem to be only following Lord Islington Committee's report in this matter of Indianization. They only want the Indianization to be made sooner. They do not seem to have really understood or followed the change of policy which has been effected as a result of that historical announcement of 1917. Well, Sir, after that historical announcement has been made, the question for consideration should only be whether it is necessary to continue this recruitment outside India at all. That is the position which they ought to have considered and which I beg to submit the Lee Commission has not realized at all. No doubt in one or two places they do refer to this change of policy. But it is only in exceptional cases and in cases in which it cannot be avoided that we have to continue recruitment outside India. That does not seem to have been realized at all and that is my first complaint with reference to this part of the report. Well, Sir, then, going to the actual recommendations in regard to the Indianization that have been made with reference to the two important services, the Indian Civil Service and the Indian Police Service, all that they expect is that in the course of 15 years the Indian Civil Service ought to have 50 per cent Indians and of 50 per cent Europeans, and the Indian Police Service should have at the end of 25 years an equal number of officers of both races. Well, what does it mean, Sir? It means that even after 25 years the services are not to be indianised. They are to continue 50 per cent Europeans, though there are to be 50 per cent of Indians also along with the Europeans. Does it mean responsible government at all? Does it mean that the Indians are going to rule their own country even after 25 years? The Commission says that these are to be only 50 per cent Indians and 50 per cent Europeans in these services. It means, Sir, that this is an arrangement made for the purpose of continuing the state, the political state, of the country which we have got at present. No Indian, Sir, can be a party to an arrangement like that and I do not think any Indian will be prepared to accept the recommendation of the Lee Commission in that respect. These are important services and if responsible government means anything at all, it is in these departments that we want to have Indians in order to have our own control and our own government. But these are still to be reserved for Europeans and for recruitment

23rd August 1924] [Mr. T. A. Ramalinga Chettiyar]

outside. And the control of these officers, their appointments being made by the Secretary of State, is to continue to rest with the Secretary of State. Sir, there is this implication also which ought to be clearly understood, namely, that when an appointment is made by the Secretary of State, the officer appointed is to have the protection of the Secretary of State for ever until he retires and he is to be continually under control from outside only and not under the control here in the province itself, not even in India.

"Well, Sir, there is another result of this recommendation which will have to be considered also, namely, if these officers continue like this and the recruitment is to be as recommended, it will be a very long time indeed before any Indian can rise to important posts—I am putting it rather high when I say 'any Indian' but I mean a very large number of Indians—to rise to superior posts. Among the senior men we have got a very large number of Europeans now. The result of continuing this sort of recruitment will be that for the next fifteen or twenty years the Indians who are going to be recruited will have no chance of filling the superior posts, and that the Government will have to continue under European management and control meanwhile, even though responsible government is granted and even though the Parliament is going to accede to our request for the grant of provincial autonomy at once. Even then the real management and control of Government will be under the permanent heads of departments who are Europeans. What does this show? I submit, Sir, that we are only hoping as an aid to self-government to have the necessary training for those who carry out the policy. But in the present state of things, the Ministers only come in in the interval between the taking of advice and the execution of policy. What sort of real control and responsible government they are going to have can thus very well be imagined. Well, Sir, it is for these reasons that I think the report of the Lee Commission cannot be accepted at all.

"And there is one other factor which we will have to take into consideration, namely, the financial aspect. Well, the recommendation in the report is that we are to continue recruitment in the several departments as they are doing now on an Imperial scale and the scales of some of the emoluments of these services are also to be increased. As I said in the beginning, it is not my contention that the members of the superior services at the present moment are all very well off or that they need no relief. But at the same time we will have to look to the state of India also. We are admittedly backward and education has not sufficiently spread. There are a very large number of people who are still illiterate. Medical relief has not gone very far and even taluk headquarters are not at present well served with hospitals. Sanitation is not at all helped in any way by the Government, and there are so many ways in which the Government has to help the people. Admittedly India is in a backward state indeed. If we are going to make lee-way and if we are going to make the people get more benefit out of the taxes that are raised in the country, the cost of the services on the permanent establishments should be very largely reduced. Well, Sir, what is the provision that is made in the report for reduction of the cost of the establishments, they actually have provided for increase. Only the other day the reply was given by the hon. the Finance Member. I believe he said that the additional cost of accepting the recommendations of the Lee Commission's report, so far as the Presidency is concerned, would be 9 or 10 lakhs. Well, Sir, that will be the cost in the first year, but as we go on it will increase for a few years, and

[Mr. T. A. Ramalinga Chettiyar] [23rd August 1924]

then it will become stationary. That is the position unless there is a large provincialization of the services, when probably there will be a reduction. The question is where have we got the money? We have got so many demands on our purse. Can we afford to spend the 9 or 10 lakhs for the services? So, Sir, if my first and my present contention are to be accepted the only way in which the problem can be worked is by practically stopping recruitment outside India. If, for instance, Indian officers are promoted and there is no further recruitment from outside, the posts will be gradually filled by Indian provincial service men. The result will, I believe, be that the additional cost can more or less be met very soon and there will be a gradual saving on establishments. As I said, on political grounds, responsible government will mean nothing at all if this recruitment is to continue in England. On economical grounds also it will be impossible for us in India to bear these increased charges on the emoluments of officers if the present recruitment is to be continued outside India. So, the only way in which the payment of the present members of the services their emoluments can be effected is by reducing the number of imperial services, and as vacancies arise in the imperial services by filling them up with provincial service men. Well, Sir, there is a difference between the two and it is like this. We can take provincial service men like my friend Mr. V. T. Krishnama Achariyar who is working in the Secretariat. I suppose he is turning out as good work as the other Secretaries to the Government. But the cost to the State of Mr. V. T. Krishnama Achariyar's appointment is about two-thirds of the cost of the other Secretaries to the Government. Well, Sir, nobody can really say that by the appointment of persons like Mr. V. T. Krishnama Achariyar the efficiency of the work and office has been reduced. Well, Sir, it may be said that there are some unfortunate exceptions to such cases. But that will be the case in both races. I do not think a European as a European can be said to be better than an Indian as an Indian. It may be that there are good Europeans and good Indians, and it may also be that there are bad Europeans and bad Indians. It does not mean that on account of nationality the work will suffer. So, as I said, by introducing Indians in place of Europeans there would be a saving of a third of the cost of the establishment. I am not rabid in my views regarding these things. But I may say that the only justification for any recruitment in England will be the impossibility of finding persons to do the work in India. If in India for the pay that will have to be fixed for the services at the present moment, Indians are available, I do not see any reason why we should fix anything more than what we have fixed for the provincial services at the present moment. But if Indians are not available for those posts, and it is absolutely necessary to get men from outside, by all means let us go and have them from outside. I won't be a party to saying that in case you do not find men in the country you should not get a man from England. Try to fill the appointments here only; if not, go elsewhere, but I won't be a party to not getting men from outside at all. I would rather say 'try your best to get men in India. If it is not possible to get them and if it is absolutely necessary to pay higher and to get them from England, by all means, do so.' That will also help us to consider this fact. If we are to pay higher amounts to the services and get them from outside, the question will be frequently coming under consideration and after a time it will automatically adjust itself. With that reservation, and I think that is the only reservation that can possibly be thought of in a country which is to have responsible government, there should be no thought of recruitment being made from outside India for any of the services.

23rd August 1924] [Mr. T. A. Ramalinga Chettiyar]

"So, Sir, both on the political ground as well as on the financial grounds, I think the case is quite plain that we cannot accept the recommendations of the Lee Commission, and it is on these grounds that I beg to make the motion that stands on the paper. This is not a question in which there is any question of party or any such thing. It was refreshing to find that many Members of the Ministerial party, like Sir P. Tyagaraya Chettiyar and Sir K. Venkatarreddi Nayudu, were, if anything, even stronger than the Members on this side of the House in condemning these recommendations. So, I hope that this resolution will not be considered as a party matter, and will be accepted unanimously by both sides of the House."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Mr. President, my hon. Friend Mr. Ramalinga Chettiyar has dwelt at great length on the reason for not supporting the Lee Committee's recommendations so far as this Presidency is concerned. I do not think it necessary to give any further detailed reasons for not adopting the recommendations here. So, I have great pleasure in seconding the resolution moved by my hon. Friend that the recommendations be not adopted so far as this Presidency is concerned."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, I have given notice to move an amendment and I request that you will be pleased to allow it."

The hon. the PRESIDENT:—"You have not given the necessary notice, I understand?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"No, Sir."

The hon. the PRESIDENT:—"The amendment was:

'Add the following words at the end:

'and if the recommendations regarding the present European officers are to be accepted at all, it shall be only on condition that when vacancies occur in their appointments, 50 per cent of them be not filled up and the other 50 per cent be filled up by recruitment in India.'

"Does anybody object to that amendment being moved?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Yes, Sir, I object."

The hon. the PRESIDENT:—"Standing Order 60 (1) says:

'If a copy of such amendment has not been sent to the Secretary two clear days before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail, unless the President, in the exercise of his power to suspend this order, allows the amendment to be moved.'

"I do not see any reason for the exercise of my discretion in the matter, and I cannot permit the amendment to be moved."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Then I shall speak on the main proposition, Sir. My intention to move the amendment was not to speak against the proposition, but I wanted to take the practical side of the whole thing. There is no doubt whatever that we are all against the Lee Commission Report inasmuch as it is likely to be very costly, if not for other reasons. It has been said just now that even in the first year, it is likely to cost about 10 lakhs, but I have my own fears as to the correctness of that statement. We are accustomed to hear that these estimates are very much lower than the actuals when they are given, and they are likely to rise as even the heads of Bavana. But I am only putting the case as to why it should not be accepted entirely. I am only saying, Sir, that in spite

[Mr. C. V. Venkataramana Ayyangar] [23rd August 1924]

of the various reasons that may be urged from the other side, the whole thing should be rejected. I am only giving another reason, in short, as to why it should be rejected, and, if it is not completely rejected, that it should be accepted by the Secretary of State, if at all, with some serious modifications.

"The one thing I am saying is this, viz., that so far as the present European members of the Service are concerned their number is unnecessarily very large. That is practically admitted by the Committee's Report itself when they admit practically that so far as the Transferred departments are concerned, the future recruitments might be done in India alone. We were told in answer to a question yesterday, that even in the Reserved departments, so far as the Police department is concerned, wherever retirements are made under the new rules of pension, those vacancies shall be filled up by promotions from the provincial service. So that, it is granted practically that the number of European officers is unnecessarily high, and that in the present practically insolvent state of our Presidency, we cannot afford to incur large expenses unless and until there is at least some guarantee that this additional expenditure is in any way met with. It is therefore I say that as vacancies occur, at least 50 per cent of them be not filled up and that the remaining 50 per cent be filled up by recruitments in India.

"Taking the Civil Service alone, there are about 100 vacancies listed for them. But there is a rule that some 200 of the appointments can be filled up by Europeans. So that, if there are only 100 appointments reserved for them, by a peculiar rule of making allowance for leave and other things, they have 200 officers in it. That means they are filling up a number of appointments which are not reserved for them."

The hon. Mr. R. A. GRAHAM:—"May I ask the hon. Member what the number of civil servants we have in this Presidency now is?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"178, I believe."

The hon. Mr. R. A. GRAHAM:—"But there are not 200, I believe?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"The rule says that about a 100 or so shall be reserved for the Civilians and the rule also permits the appointment of some 200. It is purely by an accident that the number is a little below that now. That is all. But still there are 78 or 80 over the number of listed appointments for the European Civil Servants. I am not exaggerating at all. I say that even for the present if, out of this 200, the Europeans are restricted only to the listed appointments."

The hon. Mr. R. A. GRAHAM:—"Those appointments are reserved for the Indian Civil Service, and not for Europeans."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I will say the 'European recruited Indian Civil Service.' Recently, of course, that has been made to include Indian recruitment also for some years. I have studied the rules quite well. This year, for the first time in the history of the world, they may say that the number of Indian Civil Servants examined in India is larger."

The hon. Mr. R. A. GRAHAM:—"It is about the sixth time in the history of the world."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I meant to ignore the war period when the rules were suspended and non-civil service examination

23rd August 1924] [Mr. C. V. Venkataramana Ayyangar]

wallahs were appointed to the Civil Service. I was only referring to this that it is practically admitted now, according to the Lee Commission Report that that so far as the Transferred departments are concerned, heavens won't fall if the Europeans are not continued to be recruited. And so far at least as one Reserved department, that is the Police department, is concerned, the rule seems to be that where proportionate pensions are received under these favoured circumstances, the vacancies may be filled up by promotions from provincial service."

The hon. Mr. R. A. GRAHAM:—"There is no such rule."

Mr. C. V. VENKATARAMANA AYYANGAR:—"The recommendation of the Government of India will answer that. I said 'a rule' merely because a rule can be changed only by a rule. There is, therefore, the rule that they can be filled up by promotions from the provincial officers. Therefore, what I was coming to was this. There are now about 178 or 180 Indian Civil Servants—Indians meaning mostly Europeans there—and taking 30 or 35 years as the normal period of an Indian Civil Service officer, it means only about five or six vacancies every year, and, therefore, if 50 per cent of them are not filled up, that is, if two or three appointments are left vacant in a year, I do not think it will matter much. Therefore, as a matter of compensation, if really they want large increments of pay, passage money and other things at our cost, we will only say: 'Agree to this condition; we are prepared to give you some money provided you agree that the vacancies that are likely to be caused in the Indian Civil Service and other Imperial services will not be filled up by 50 per cent whenever they occur, and for the other 50 per cent there shall be recruitment in India. I do not think there is anything wrong in it so far as the Transferred subjects are concerned, and in one or two instances, the Reserved subjects also. A number of gazetted appointments have been reduced, and we are thankful to our Ministers that they have gone so far in reducing the number of high appointments, especially in the Imperial services. Therefore, there will be nothing seriously wrong if 50 per cent of the vacancies are not filled up and 50 per cent are filled up by recruitment in India. Our Provincial Service officers, especially in the higher grades, are already doing very good work. My hon. Friend, Mr. Ramalinga Chettiyar, referred to one of them, but there are a number of them like that; probably, Mr. V. T. Krishnama Achariyar is leading them. These people are doing immense service and absolutely nothing can be said against them. Therefore, if the other 50 per cent of the appointments be filled up by recruitment in India, either from accredited officers of the Provincial Service, or by competitive examination in India itself, there will be nothing wrong."

"My first point is that this Lee Commission's Report should not be accepted, because it would be costing us a very large sum, which we cannot afford to spend in the present state of bankruptcy of this Presidency. Secondly, I am afraid that the cost estimated by the hon. the Finance Member, with due respect to himself and his Secretary whom we all know to be very careful in these matters, may not be found sufficient when we go on, but the increments we will have to pay in the coming years will be found to be very large. There is an idea that three years hence there will be a deficit of 80 or 40 lakhs, even without the Lee Commission's Report, and with the Report it may be going up to 70 or 80 lakhs. Therefore, the only way of limiting that is, if the Secretary of State is to give effect to the

[Mr. C. V. Venkataramana Ayyangar] [23rd August 1924]

report—we will say that as a matter of necessity—we will have it on condition that the future vacancies are not filled up by 50 per cent, and that the remaining 50 per cent are recruited in India itself.

“With these few words, I support the resolution.”

Mr. R. VEERIAK :—“Mr. President, I am sorry I am reluctantly obliged to oppose the motion which has been made by my hon. Friend, Mr. Ramalinga Chettiyar, with very good intentions. I am an Indian and I have got the same kind of sentiments as every other Indian member, if not more. I wish that there should be European element. I say this from the Adi-Dravida point of view. If Indianization of services is made, I am sure that all the members of the depressed classes who are working as domestic servants under the Europeans will be thrown out of employment . . . (Laughter).”

“Each European gentleman is supporting about four Adi-Dravida families. (Cheers.) There are the syce, the boy, and other domestic servants (Laughter.) I am sure they will all be out of employment and there will be regular chaos then. (Laughter.) There is no provision made for them. There is no safeguard whatever provided against that difficulty. Our position will become very much worse. This is a very important matter, Sir. I do not know whether hon. Members realize their position. If they do so I am very grateful and thankful for them. With these few remarks, Sir, I wish to oppose this resolution.” (Laughter and cheers.)

Mr. SAMI VENKATACHALAM CHETTIYAR :—“Sir, I rise to support the proposition of my hon. Friend, Mr. Ramalinga Chettiyar in requesting the Government of Madras to convey to the Government of India that they should reject the Lee Commission's recommendations so far as this Presidency is concerned. I do so for two fundamental reasons. The two grounds upon which I base my objection for the adoption of these recommendations of the Lee Committee are political and financial. It is quite true that the recommendations of the Lee Commission were unanimous and that the Commission itself consisted of four Indian members. It is also equally true that the recommendations of no other Commissions so far have been received with such universal disapproval as the recommendations of the Lee Committee.

“I attach very great importance to the political ground upon which I base my objection to the adoption of these proposals. The one basic motive which actuated the members of the Commission in making these recommendations is to maintain what is called the British character of the administration in this country. It is true that while accepting the reforms granted under the Chelmsford and Montagu dispensation we assented and we still adhere to the principle of maintaining the British character of the administration. But that sentiment or acceptance of the Indians for continuing the British character of the administration should be made the basis of retarding the progress of this country seems to me to be a tragedy. We do require the help of the British, we do require the advice of the Britishers in governing this country. But we want them also to help us to realize our Swarajya as soon as possible. Any proposal retarding the progress of Indians in getting what is called ‘responsible government’ will certainly be resented by any Indian whatever his political complexion may be.

23rd August 1924] [Mr. Sami Venkatchalam Chettiyar]

“Sir, coming to the financial grounds I need hardly remind this House that of all provinces in India Madras is the poorest province, and the most backward. While we are groaning under the heavy provincial contribution we are asked to contribute another ten to fifteen lakhs of rupees by way of emoluments to those who are in superior services. The members of the Committee themselves say that it is not that the service is getting on with the bare sustenance for life but with a view to make the appointments as lucrative as they were twenty years ago that they make these recommendations. I am glad and I am thankful to the members of the Committee that they did not think of going back to the period of the days of the East India Company when every servant of the company was said to have returned to England with ships laden with gold and diamonds. The members of the Commission further compare the income of a British merchant to a civil servant. I do not know if European merchants who are present here would allow this comparison to be made. I know that merchants though they make what seems to be huge profits in one year run the risk of losing all that they make the very next year and in some cases much more also.”

Sir JAMES SIMPSON :—“Yes.”

Mr. SAMI VENKATACHALAM CHETTIYAR :—“I am glad that Sir James Simpson says ‘yes’. Therefore, the analogy of a British merchant and a civil servant does not hold water for a minute. Again what justification is there to make recommendations in respect of emoluments, pay, passage and further prospects while the prospects of non-gazetted services were not even thought of? Shall I ask what steps they have taken to increase or improve the condition of the non-gazetted services? Does it mean that these people who are in the non-gazetted services are able to maintain themselves in decent condition? Have they not got the social obligations which every Hindu, Muhammadan or Christian has in this country? Of course, regard has been paid to the sentiments of Englishmen that themselves and their ladies should receive the medical assistance from one of their own race. I bow most respectfully to the cultivation of that sentiment. Surely, every decent woman feels that one of her own countrymen should be consulted in her ailments. So also, there are other social obligations which an Indian has to perform in a Hindu, Muhammadan or Christian family. Has any regard been paid to those obligations and in what way have these superior services helped to get the non-gazetted services adequate pay or emoluments? Nothing has been done so far and I feel it a great block for further progress of this country to accept these recommendations. It has been said that since the introduction of the Reform Act, the privileges, the prestige and the power of the civil services have gone down, and that therefore they should be compensated. Well, Sir, I have heard on many occasions comparisons being made between the Mother of Parliaments and the Legislative Council and between the loss of prestige of civil servants and the responsible government we have had on account of the introduction of these reforms. As has been pointed out, by my hon. Friend Mr. Satyamurti on some other occasion, I wonder what additional advantage we have had since the introduction of the Reforms Act. It is true that our seats are arranged in the fashion of the Houses of Parliament. Nothing more than that do we see. There has been more occasion for talk and for one criticising the other. We realized the pitiable condition of the Ministers sitting opposite. True, so long as

[Mr. Sami Venkatachalam Chettiyar] [28rd August 1924]

shackles are on their heads, they are powerless. At any rate, the speech of the hon. Sir A. P. Patro in Trichinopoly indicates the manner in which they are contending against the reactionary forces in their Cabinet."

The hon. Rao Bahadur Sir A. P. PATRO:—"I never said that in Trichinopoly."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I am glad the hon. the Minister has corrected me. I mean his speech at Guntur. In Trichinopoly he was forced to tell other things deliberately."

The hon. Rao Bahadur Sir A. P. PATRO:—"The Trichinopoly speech was a voluntary and deliberate speech."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, I was saying that the Ministers are in a truly pitiable condition. But for the fact that they sometimes now and then try to defend and shield the other half, we shall have no complaint against them. Let them say, 'we are one with you, but there is the force dragging us; we shall bow to them and support them.'"

The hon. Rao Bahadur Sir A. P. PATRO:—"We are working a diarchical system of Government."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"The ex-Minister for Development said the other day that angels could not work diarchy. I go even further and say that even devils cannot work diarchy. That is true; but here these recommendations are only perpetuating this diarchical system. They are carrying the system even into the Services. They are putting on the heads of the Ministers certain Civil Servants over whom they have no control. Even now they have no control. With the adoption of this report their control would be zero. I wonder whether any Minister who has any self-respect would like . . ."

The hon. the RAJA OF PANAGAL:—"I protest against that statement, Sir. I have no civil servant put on my head."

Mr. S. SATYAMURTI:—"Why?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I am referring to the future. I said 'if these recommendations were passed'—the hon. the Minister should have heard it. Does the hon. the Minister now protest, Sir? (Laughter.) When these recommendations are adopted it would not be possible for any Minister or any Indian Executive Councilor to get on with this Government."

(Cries of 'Why, why' from Government benches)

Mr. G. F. PADDISON:—"The speaker says now the Ministers can retain their self-respect with regard to the Services, and if these recommendations are carried out it would be impossible. I should like to know what the proposals are to which he refers."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Does the hon. Member mean that even now there is no control, and that there has been no change on account of these recommendations?"

Mr. G. F. PADDISON:—"I want to know what the change is."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"The change is this, Mr. President. I gather from the Government of India Act that but for certain objections which were trotted out by the hon. the Law Member, it would be

23rd August 1924] [Mr. Sami Venkatachalam Chettiyar]

within the power of the Ministers to exercise control over the services under them. But an antiquated despatch of the Court of Directors has been brought in to deprive them of this control though the said despatch is now disowned by the Government of India."

The hon. Mr. R. A. GRAHAM:—"May I ask, Sir, the hon. Member, what this has to do in regard to the resolution before the House?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"That is entirely for you, Mr. President, to call me to order if I am going out of the way. If the Members of the Legislative Council have decided to move this proposition, it is after great deliberation. We know that constituted as the House is, it is after great deliberation. We know that constituted as the House is, it would not be possible at this stage of the country to incur the displeasure of the Civil Services. Unless we are satisfied that these recommendations were effectively retarding our progress towards self-government which was guaranteed to us by the British nation, we would not have ventured to table a resolution of this sort. Therefore, this resolution is indicative of the resentment and dissatisfaction of these recommendations, and I humbly request the Government of India not to put them into effect so far as this Presidency is concerned."

The hon. Mr. R. A. GRAHAM:—"Sir, if hon. Members expect me to expound the views of the Government on the question now before the House, I am afraid I must once more disappoint them. The Government, as a Government, cannot express their opinions there is no reason why individual members should not express their opinions ('hear, hear'), and give their votes. All that I propose to do is to say a few words to remove, if I can, a few misconceptions that may have arisen. But before doing so, I should like to remark that after the pressure that has been put upon the Government to find time for a discussion of this resolution it was somewhat surprising when I arrived this morning to find how few Members thought it necessary to attend. After about an hour's talk on a matter which had no sort of interest, I believe, except for the legal mind, there are now a few more signs of interest and a few more Members have arrived. But even now I think that the resolution should more properly be worded: 'That this Council recommends to the Government that it should convey to the Government of India the opinion of a few Members of this Council that the Lee Commission's recommendations regarding the Public Services should not be given effect to in this Province.' (Laughter.) It may be that the attendance of official members is not large, but I say nothing about individuals. I think there has been some misconception as to the scope and purpose of the Lee Commission. Complaint has been made that they have not recommended complete provincial autonomy. That is entirely outside the scope of the Commission . . ."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I did not complain that they had not recommended provincial autonomy. I know that this particular Commission cannot do that. I only said that the recommendations are so made that they cannot fit in with provincial autonomy."

The hon. Mr. R. A. GRAHAM:—"Well, Sir, what I mean is that the Lee Commission had to deal with affairs as they are now. It was not for them to recommend an immediate change in the constitution, and they were dealing only with the present conditions of the superior Public Services. The hon. the Mover said that the services can no longer be as they were

[Mr. U. Rama Rao]

[23rd August 1924]

where they always reigned supreme, as to enable them to render a helping hand in their professional work and never made them soar high in the field of medical service or profession. At the same time, it must be admitted that the Indian Medical Service had done excellent service in the past and had contributed materially to the advancement of Western Medical Science in India. The time has now come that this purely military ridden service shall have nothing to do with the civil population. The R.A.M.C., which should absorb the present Indian Medical Service, should consist of two separate units, the European medical men to look after the European Army and the Indian men, purely and exclusively, the Indian Army. The Lee Commission report, for obvious reasons, is silent on the point and unless such an arrangement is made, I am afraid, there would be room for incessant complaints.

"The abolition of the Indian Medical Service raises the important question of providing a distinct medical department on the civil side and this the Commission proposes to meet by the constitution of a separate civil medical department for each province. This is as it should be. But I strongly urge that the recruitment for this service should be in India and not in England. No doubt, as the Commission suggests, it should be part of the terms of contract that every officer of the Civil Medical Service should be liable for service with the R.A.M.C. (India) in the event of a war involving a general mobilization.

"I am very strongly opposed to any increase of pay or allowances of the Indian Medical Service and to the grant of family passage allowances to the European members of the service. Indeed the pay of the service should be reduced in 1924 as promised by the Secretary of State, because the cost of living both in India and England has come down at least 20 per cent since 1920 when the last increase of pay was granted. The country can bear no more burden. I strongly oppose any discrimination between an Indian and a European member of the Indian Medical Service in the grant not only of pay but also of allowances of any kind now or hereafter.

"With regard to the Commission's proposal to maintain a minimum number of British officers in the Civil Medical Service to meet the medical needs of British officers in civil services and their families and their consequential recommendations (1) for grouping of districts for that purpose and posting a medical officer to one station in each group within easy reach of each district, (2) for meeting the travelling allowances of the officers and their families in stations where there are no British medical officers, (3) in the alternative, to pay the travelling allowances to the British medical officers themselves, I consider, that they constitute a curious departure and are calculated to create feelings of jealousy and animosity between Indian and European members of the profession and at the same time will adversely affect the interests of the British civilian patient in times of sudden illness, necessitating immediate medical aid. I am, therefore, strongly of opinion that the above recommendations should be thrown out.

"Europeans coming to India should be prepared to submit to treatment by Indian doctors. No Indian doctor has been appointed in England to look after Indian officers and other Indian residents in England of whom there are several thousands, and there are several Indian doctors settled in England who have extensive practice exclusively among English people.

23rd August 1924]

[Mr. U. Rama Rao]

"An Indian life is as valuable as a European life; and if a European is entitled to a European doctor, the millions of Indian people in this Presidency are equally entitled to Indian doctors.

"With reference to medical instruction and the appointment of professional chairs in the medical institutions, I am of opinion that the best men—the pick of the profession—to whatever race or clime he may belong, ought to be chosen, and if need be, to be specially recruited. I have no objection to their being paid very attractive and tempting salaries which they really deserve. All that I want is that the best possible instruction should be made available to the students in medicine and that the present unsatisfactory method should be given a speedy go-by.

"The last point is about the appointment of Honorary Physicians and Surgeons which the Commission has scrupulously left untouched in their report. The scheme of appointing Honorary Physicians and Surgeons should be enlarged, with a view to the speedy formation and development of an independent medical profession. The present half-hearted and haphazard method of appointing these Honorary Physicians and Surgeons gives rise to grave doubt as to the success of the scheme. It must be our aim to see that all our medical institutions are manned by Honorary Physicians and Surgeons as is the case in other parts of the world, so that medical relief in India may be as cheap and as easily obtainable as in other parts of the world.

"The South Indian Medical Union is in entire agreement with the Medical Unions of Bombay and suggests that the honorary system of staffing the Civil hospitals with private medical practitioners as in the United Kingdom should be extensively adopted.

"The Union puts forward the suggestion—I entirely agree—that all further recruitment to the Medical Services, both the R.A.M.C. and the Provincial Medical Service, should be stopped. The existing members of these Services should continue to serve their time, and, as they retire or otherwise vacate their posts, their places should be gradually replaced by private medical practitioners as Honorary Physicians or Surgeons, the paid staff in the Civil hospitals being entirely composed of House Physicians and House Surgeons appointed every six months, and these latter are freshly qualified young doctors, resident in the hospital premises with free board, lodging and laundry supplied, and a small honorarium given.

"The Union is strongly opposed to the creation of any new superior Provincial Service in addition to the already existing Provincial Service. Although they do not advocate the immediate abolition of the existing Provincial Service, they certainly feel convinced that all further recruitment to it on service basis should stop and the scheme of honorary workers brought in gradually as vacancies arise. The Union feels convinced that a large number of fully qualified and efficient practitioners will be willing to offer their services for such honorary appointments in the hospital and medical schools and that this will not only stimulate the free growth of the independent medical profession, but will also help to maintain a higher standard of scientific methods in their medical work, both inside and outside these institutions. The result is that the public at large, and not merely the sick that need institutional treatment, are thus provided with a highly efficient, up-to-date and skilful set of medical men and women.

[Mr. U. Rama Rao]

[23rd August 1924]

"At a meeting of the South Indian Medical Association recently held in Madras, it was resolved that the recommendations of the Lee Commission with regard to the Medical Services are drastic and extravagant and that they should not be given effect to. I voice forth their feelings to-day and I hope the Council will not overlook independent Indian medical opinion in this matter, conveyed in these resolutions."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Sir, it has been said by the hon. the Finance Member that at the beginning of the sitting of the House to-day the attendance was meagre. We know that the first portion of the work of the House is devoted to questions and answers and we know that one important question of a constitutional nature is going to be made and that you, Sir, will answer it. The hon. Member for Finance wanted to demonstrate from the fact that because the House was at the beginning this morning meagre, it did not evince any interest in the discussion of this resolution. The only point to be considered is whether the House is thin or otherwise at the time when the question is being discussed and not if the House was thin some time earlier. Seeing now the strength of the House, the hon. the Finance Member cannot say that a House with over seventy Members present is a House which can be said to be thin. I may be permitted, in this connexion, to bring one important fact to the notice of this House. As far as the permanent servants are concerned, this House does really evince very much interest because their attendance is quite full. I do not think that they were appearing in the House hitherto in so large a number during the discussion of any other subject except that they do come at the time of the division just to show their full strength. Of course, I do admit that this is an important matter concerning them and I do further admit that they are fully aware that the feeble voice of this House will be practically of no consequence against the determination of the Secretary of State on the question of their salaries and so many allowances. But when we discuss the question, we do so with the consciousness that we are discharging our duty by our constituencies. We are fully aware that by this time the solution to the question has already been made, or will be made very soon. Before our feeble voice is heard, the Secretary of State might have come to a decision, and from the proceedings in Parliament some of us do believe that he has come to his conclusions, but that he only wanted the formality of hearing representations of the people in the Legislative Assembly as well as in the local councils to be observed. Attention of the House was drawn to paragraphs 10 and 11 of the report and it was stated that the reasons why the Commission was asked to settle this question was on account of the paucity of European candidates for the Indian Civil Service examinations. But, Sir, after the publication of the report, and after the statement of the Secretary of State in Parliament, did matters improve? The figures quoted by the hon. the Finance Member show that there is not any increase in the number of the European candidates that sat for the competition. Then, what does this demonstrate? We are only draining the revenues of India without achieving any object. Why pursue the same thing hereafter? Provincial autonomy is very closely connected with the Lee Commission report."

"It has been said that in the matter of the Transferred subjects all the superior services held by the all-India services should be continued and further recruitments to those departments should be purely in India. That shows that the Commission has accepted as far as the Transferred subjects are

[Mr. C. V. S. Narasimha Raju]

23rd August 1924] concerned that further recruitment in England should be stopped. Had they stated regarding the Reserved subjects that further recruitment should be stopped whenever the Reserved subjects should be transferred, that would have been satisfactory. But they did not make that statement. We all know that according to the Joint Committee Report, further transfers of all subjects can take place even before the decennial inquiry was contemplated. That is, it was stated in the Joint Committee Report that even during the period of ten years, further subjects may be transferred if the Secretary of State is so pleased."

The hon. Sir ARTHUR KNAPP:—"May I ask if the hon. Member has got the Joint Committee Report? My impression is that the Committee distinctly recommends to the contrary."

Rao Bahadur Sir K. VENKATAREDDI NAYUDU:—"Professor. Richards in the House of Commons stated that the Act did contemplate such a transfer."

The hon. Sir ARTHUR KNAPP:—"I thought the hon. Member was referring to the Committee's report."

Mr. S. SATTAMURTI:—"It was at question time in answer to Mr. Benspor, a leader of the Labour party, that it was stated that at the end of ten years all the reserved subjects must have become transferred."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I do believe, Sir, even now there is a provision in the report that after five years on the recommendation of the provincial Governments some more subjects may be transferred. That is my recollection; therefore, the question of provincial autonomy is mixed up with the Lee Commission report. If to-morrow some more subjects are transferred, what will be their position? Theirs will be an anomalous position. If the report had stated, as I already pointed out, that when some more subjects become transferred, further recruitment shall be stopped, it would have been alright. On the other hand, what is the impression now left in our minds?"

"It is clear that the Indian Civil Service would reach the 50 per cent stage after 15 years and the Indian Police would reach it after 25 years. Is this attitude which the Commission took justifiable? The Commission have also said by implication that provincial autonomy in these departments should not be granted for fifteen and twenty-five years. It has been said that in the year 1919, the Indian element was fixed at 33½ per cent and that it should be increased by 1½ per cent every year. It is also said that the Commission was liberal in saying that hereafter the Indian element would be fixed at 40 per cent to start with."

The hon. Mr. R. A. GRAHAM:—"Sixty per cent."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Even otherwise, we ought to have reached the 40 per cent limit by this time, because five years have elapsed since the first statement was made and at the rate of 1½ every year, the number should now be 40. So, what is the enormous change that is now recommended?—An increase of 20 per cent. I do not think the Indians will be satisfied with this very liberal recommendation according to the view of the hon. the Finance Member."

The hon. Mr. R. A. GRAHAM:—"I did not say whether it was a liberal recommendation or an illiberal recommendation. I merely mentioned the fact."

[23rd August 1924]

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Now, coming to the most important part of the resolution, I would like to draw the attention of the House as to how far the present finances of this province will allow any extra expenditure that will be caused if the recommendations of the Lee Commission are given effect to. It is within the province of the hon. the Finance Member and the Finance Secretary to state what the present state of our finance is. We know that the last budget presented to us was a deficit budget according to the estimation of some of us. Of course, Sir Charles Todhunter, the ex-Finance Member, took pains to prove that the finances were improved at the time when he presented the budget. But some of us refused to believe that the finances did improve. He also said that it was a balancing budget, but subsequent events clearly show that the budget cannot be called a balancing budget. In reply to a question put by Mr. Yahya Ali two or three days ago, it was stated that funds could not be found from the balances to meet the extra charge which would be incurred if effect is given to the Lee Commission's recommendations. When this is the financial position, we are justified in saying that we do not want any of these recommendations. We know that year after year the most important of the services are starved; the Ministers who are in charge of the nation-building departments complain day after day that the finances of our country do not permit them to take any advanced step in their respective departments. What does this show? It clearly shows that the Government exist for their own servants, to give them high salaries and to improve their position and they do not care for the nation-building departments. I do not want to enter into any controversial question."

Mr. P. L. MOORE :—" I rise to a point of order, Sir. The hon. Member says that he does not wish to enter into any controversial question, but at the same time he says that the Government exist only to give the salaries of the officers."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I am only stating a fact according to my belief."

Mr. P. L. MOORE :—" But I think the question may be said to be a controversial one."

The House adjourned for lunch at 1-35 p.m.

After lunch (2-30 p.m.)

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I was saying that the Government exist for its servants. Mr. Moore has taken objection to that. What I intended was that the Government existed for its servants and not that the services existed for their salaries. In that statement, I am fortified by one of the greatest Parliamentarians, Mr. Bright, who spoke as follows :

" If the House will follow out the argument, they will come to the conclusion that the taxes of the people of India are oppressive to the last degree and that the Government which has thus taxed them can be tolerated no longer and must be put an end to at once and for ever. I wish to say something about the manner in which these great expenses are incurred. The extravagance of the East India Company is notorious to all. I believe there never was any other service under the sun paid at so high a rate as the exclusive Civil Service of the East India Company. Clergymen and missionaries can be got to go out to India for a moderate sum—private soldiers and officers of the army go out for a moderate remuneration—merchants are content to live in the cities of India for a percentage of profit not greatly exceeding the ordinary profits of commerce. But the Civil Service, because it is bound up with those who were raised by it and who dispense the patronage of India, receive a rate of payment which would be incredible if we did not know it to be true and which, knowing it to be true, we must admit to

23rd August 1924] [Mr. C. V. S. Narasimha Raju]

be monstrous. The East India Government settles salaries about at Bombay, Calcutta, Madras, Agra, Lahore and half a dozen other cities which are up to the mark of those of the Prime Minister and Secretary of State in this country. These salaries are framed upon the theory that India is a mine of inexhaustible wealth although no one has found it to be so but the Members of the Civil Service of the East India Company. The policy of the Government is at the bottom of constant deficit. The Chancellor of Exchequer has twice recently declared that expenditure depends upon policy. That is as true in India as in England and it is the policy that has been pursued there which renders the revenue liable to this constantly recurring deficit."

" Coming to the question of deficits, we have had a series of deficit budgets year after year for the last six years and I am sure that on account of various circumstances, our current budget will be a deficit budget."

" I wish to draw pointed attention to one of the recommendations of the Commission, viz., that there should be a minimum percentage of European Medical Service in this country and that the Civil Service must have the facility of being treated by such officers only. I am unable to understand the reason for this recommendation. I suppose this recommendation must have been based on racial considerations. If that be the case, it is a lamentable feature of this report. We know, as a matter of fact, that during the course of the War, when British Medical Servants were not to be found, many important towns were manned by Assistant Surgeons, and to the knowledge of a good many of us, their services were well appreciated by the European as well as the Indian community. When that was the case, I do not see any reason why they should make a pointed reference in this Report to the British Medical Services and say that, so far as Collectors are concerned, they should be attended only by British doctors."

" As many others want to speak on this subject, I do not wish to make any reference to the various other recommendations of the Commission "

Mr. B. MUNISWAMI NAYUDU :—" Mr. President, Sir, in supporting the resolution which has been moved, I do not want to refer to each and every recommendation of the Commission but only to some of the more important recommendations contained in the Lee Commission's report. Some of these recommendations have been recognized by the Montagu-Chelmsford report itself and they have made further recommendations for the improvement of the pay, prospects and emoluments of the superior services. If we criticize the report taking into consideration what we consider to be the logical outcome of their recommendations, we do so because we have in view the ultimate promise that has been made by the British Parliament that diarchy, which is intended to be a mere transitional stage, should go and that we are entitled to have full provincial autonomy. Keeping that point in view, I propose to examine the various recommendations made by this Committee."

The recommendations may be classified into two broad divisions, viz., (1) regarding the recruitment and control over these services and (2) regarding the pay and prospects of these services. So far as the first point is concerned, we are thankful to the Committee in that they recognize that so far as the officers in the Transferred departments are concerned, recruitment in England ought to cease hereafter. They recommend that those officers who are now serving in the Transferred departments and who belong to the All-India Service will have to be there; and they provide in paragraph 17 of the report that they will continue to enjoy all the privileges which they now enjoy. They have also provided not only for the establishment of a Public Service Commission but also for the recruitment of these services in

[Mr. B. Muniswami Nayudu] [23rd August 1924]

India itself on a provincial basis. I only wish to read to this House the reasons which induced this Commission to come to that conclusion. On page 8 this is what they say :

'Ministers themselves have told us that the All-India Officers serving under them with negligible exceptions have given most loyal support in carrying out their policies, but the constitutional anomaly remains that the control over the Transferred field contemplated by the framers of the Government of India Act has remained incomplete. Our proposals are framed to remedy this particular anomaly.'

'I wish this House to clearly understand that if Parliament and our Government were sincere in their desire to give us full provincial autonomy or full responsible Government, this is one of the anomalies that have to be removed sooner or later, better sooner than later. They also say on page 8 :

'Subject however to the assumptions in paragraph 17, we are not convinced that the risk attending the change is sufficient to outweigh the argument for carrying to a logical conclusion the constitutional change effected by the Government of India Act in this field of administration.'

'Lastly with regard to the All-India Services this is what they say :—

'Our conclusions under this section of our report are dependent on the assumption that no change will be made in the position of the existing members of the All-India Services operating in the Transferred field, that they will retain all the rights of officers of an All-India Service, and that they will receive any concessions in pay, pension, allowances, etc., which are sanctioned for corresponding All-India Services in the "Reserved" field of administration.'

'That, Sir, is the conclusion of the report and I say that so far as the administration of the Transferred departments is concerned, it is a necessary concomitant of the Government in the Transferred half, if the Transferred departments are to be under the control of the representatives of the people, that the control of the All-India Services could be completely transferred. What I say is that in future these services should be placed on a provincial basis. I am dealing with this question mainly from the point of view of the provinces. I am not concerned with the central subjects or recruitment by the central administration at Delhi. We are more concerned in this House with regard to the subjects that are to be administered by us. I am concerned only with that aspect of the question. At one time it was said that the necessity for continuing recruitment in Europe was only to continue the British character of the administration and that without that character the whole administration might fall to pieces. There is difference of opinion on that even now, but in spite of this fact, the Committee themselves have found it necessary to say that the logical conclusion to which the Reforms must go is that so far as the services in the Transferred departments are concerned, they must be under the complete control of the Ministers.

'It is stated in the report that the percentage of Indians recruited to the Indian Civil Service in the present year is 89 and they propose to increase this percentage by a sort of recruitment. I gather from the report in my hand that hereafter 80 per cent will be taken by direct recruitment and 20 per cent by promotion of the Provincial service men.

'That I understand, Sir, is the report. They worked out that within a 2-45 p.m. period of 15 years they may be able to arrive at a percentage of 50 to 50, Europeans and Indians in the cadre. It means this : that in addition to the European and Indian I.C.S. men recruited already, the Secretary of State will be going on recruiting and adding to the number of men who are now serving on this basis. So that even after the statutory commission of 1929 when it would be considered that other departments of the Government should also be transferred,

• 23rd August 1924] [Mr. B. Muniswami Nayudu]

we will be in no better position so far as the number of officers in the Indian Civil Service is concerned whom we will have to continue. Also, the number of men who would be in the position in which the framers of this report consider that they should be in regard to the Transferred departments would be still very large. If really we look forward to a date when provincial autonomy in whatever degree or measure is to be granted, we must see that this recruitment outside India is limited to the narrowest limit. I do not find any mention about it in the report and I take objection to it because, if really there is to be provincial autonomy granted and an honest attempt made to work it, real control must be vested in the hands of the Ministers who must be responsible to this House. And this can only be done by minimising the number of officers over whom the Ministers have no control and reducing it to the lowest number possible. If really that was the object with which the committee approached this question, their recommendation should be different from what it is now. Therefore, if we now object to recruitment outside India by the Secretary of State, it is because hereafter, when the Government might think fit to transfer all the departments of the administration to popular Ministers, we will be having a large number of Imperial officers over whom the Ministers in charge of those departments then will have no control. It would take a pretty long time before the number of people over whom they would have no control is reduced and anything like responsibility is thought of.

'The next question that I wish to refer to in this connexion is that, if I object to recruitment outside India, it is not on any racial grounds at all. Recruitment outside India may be from among Europeans as well as Indians, and my object in so far as this is concerned is to see that recruitment is made of officers who will ultimately come under the control of responsible Ministers. If that be our object, we could not achieve it if we tolerate and continue the system of outside recruitment by the Secretary of State and, to the extent to which we reduce it, to that extent it would be a welcome step.

'Sir, now I come to the financial aspect of the question. There are about four main recommendations. So far as the basic pay is concerned, there is to be no increase. In 1919-20 just when the Reforms were ushered in, their pay was increased by the Secretary of State. If only one looks at the debates in this Council in the first year of its existence after the Reforms, one would understand the difficulty with which we were able to make both ends meet. A large slice of the surplus that we had of about two crores of rupees went to the satisfaction of the increased pay that was granted by the Secretary of State to the Imperial services.'

[The hon. Mr. R. A. GRAHAM :—'Only a small proportion of it went to the Imperial services.'

Mr. B. MUNISWAMI NAYUDU :—'I am speaking relatively to the number of men in the Imperial services as compared with the number of men in the other services. I agree that the whole of the two crores did not go to the Imperial services alone; but taking relatively, man for man, it was a very large slice that was given to the Imperial service men. And, what is it that we now find? There is now a proposal made which would immediately cost us 10 lakhs more, and the question is, how is this 10 lakhs to be found? So far as the financial position of this Government is concerned, due to various abuses—prominent among them being the iniquitous impost—we have been hardly able to make both ends meet. We had, during the last four years, two

[Mr. B. Muniswami Nayudu] [23rd August 1924]

rather very unpleasant taxation measures, and, though at one time the arguments of the people who said that the increase in the court fees would only make it more difficult for poor men to have their grievances redressed in a court of law were discounted that prophecy has been more than ever fulfilled now. The increase of stamp duties has been working very heavily upon the poor litigants. Therefore, if only we can find 10 lakhs for the purpose of cutting down that increase we sanctioned two years ago, this Council will be very glad to do it and the whole country will be thankful. Instead of giving to the poor people this much-needed relief, we are asked to find 10 lakhs more to meet the increased pay and allowances of the services who are already highly paid. We went and asked the Government of India request ing and imploring them to give up the iniquitous impost; they would not agree. Now, how is this Government going to accept these propositions which involve us in the first year itself 10 lakhs more? And, what is more, they recommend that with effect from 1924-25 this increase shall be given effect to. We had our budget and it was not at all possible to have anything left by way of balances and if this increased pay, etc., is to be met out of that budget, it would be really difficult to make our budget balance at the end of the year, and, to the extent to which we are going to find ourselves involved in this matter, to think of balancing our next budget would be impossible. The only solution, if this proposal is to be given effect to, is for the Government of India to take the responsibility for the increased expenditure we would be put to. Another solution that I would suggest is that if recruitment outside India in regard even to Reserved departments is stopped, and if it is based on a provincial basis by the Government of India or by the Public Services Commission, the cost ultimately to the tax-payer for the services of those so employed would be only two-thirds of what it would be if we have Imperial officers. If that is done, we may be able to meet from future retrenchments the money necessary to pay the persons who are in service.

"Now, with regard to the direct recommendations contained in the report, it is proposed to give them a higher rate of overseas pay and remittance concessions. It is proposed to add to the overseas pay a little more than what they now get, and, together with the remittance concessions, they would be getting considerably more than what they now get. There is a proposal to give them passage money also, that is, each officer would have four return passages, his wife also would have return passages, three or two, and his children also are entitled to return passage. I suppose, Sir, this is the first time that we find such a system introduced in the service. If it is a question of a small sum of money, one can understand it. But what is it that we find? We find that something like 25 lakhs of rupees are required for this purpose. My submission is that no passage money should be given. Is it after all in the interests of economy, in the interests of the officers themselves and in the interests of the country that we should defray the whole expense which they incur in the matter of these voyages? Can we not find a way out by the Government giving some portion of it and the officers concerned finding the other portion? Is it necessary to constitute a fund for the purpose subscribing Rs. 50 every month for each officer and is it necessary that 25 lakhs should be taken out of the finances of India to be appropriated for this purpose? I submit that the idea of Government paying the whole of it from the finances of the country is not at all justifiable.

LEE COMMISSION REPORT

[Mr. B. Muniswami Nayudu]
-23rd August 1924]

"Then, Sir, so far as the medical attendance is concerned, the Commission have made very curious proposals. I do not object to a certain number of European medical men being retained in India and maintained for attendance on the services, but why not the officers concerned pay for it if they want to consult eminent doctors? Suppose they want to consult a big medical man; are the State officers to bear the burden? Can you not at least make the officers pay a good portion of it? If this is not done, they might only consult eminent men, because they are sure that the Government is to meet the cost of it. If my suggestion is accepted, the officers would have to pay some portion of the cost. Would that not be more in the interests of economy than giving them carte blanche in the matter? These are some of the objectionable features of the report. Therefore, I say that the Lee Commission's report in effect affects the finances of the country to a large extent and threatens us that the recruitment to the All-India services would go on as merrily as ever. Until we are given provincial autonomy, recruitment will be going on every year. I, therefore, appeal to the House and to the services, whatever may be the necessity for providing and guaranteeing, to see whether it is necessary that conditions under which they were recruited, to see whether it is necessary that they should go on adding these burdens upon us by further recruitment. After all, if necessary, the British character of the administration would continue seeing that the number of officers in the higher services is already large and, for some twenty years, they would still continue to be a very large percentage in the administration. I therefore associate myself entirely with the resolution moved by my hon. Friend, Mr. Ramalinga Chettiyar."

Mr. S. SATYANURTI:—"Mr. President, Sir, it is a matter of some regret that the hon. the Leader of the House, who is one of the signatories to the report, is not here. If he were present, perhaps, he might have told us some of the reasons why, contrary to all expectations, the Indian members signed this report. Secondly, Sir, it is a matter of some regret to me that the hon. the Education Minister, who let himself go at Trichinopoly with unmitigated enthusiasm over these starved services, whose protecting angel he assumed himself to be, has not yet taken the House into his confidence and told us why he made that speech; but that is neither here nor there.

"So far as this resolution is concerned, its actual terms are confined to this Province, but the conditions of the various provinces, so far as the carrying out of the recommendations of the report goes, are more or less similar and, therefore, what we say applies to the report as a whole. Before I go on to say the few words that I want to say in support of the resolution, may I, with the leave of the House, express my emphatic dissent from the most extraordinary position which Mr. Veerian, as a representative of the depressed classes, thought fit to take up? He has no vision of the future of his community except as domestic servants of the European servants of the Crown in this country. I do not think he represents anybody except himself when he says that. I look forward most confidently to a future for his community, and to the extent to which we substitute more and more Indians for Europeans, I sincerely trust."

Mr. R. VEERIAN:—"Sir, may I clear the position? There seems to be some misapprehension. I am understood to have said that the depressed classes should work as domestic servants under Europeans. The fact is that they will not be employed as domestic servants under Indians."

[28rd August 1924]

Mr. S. SATYAMURTI:—"As a matter of fact, my friend's idea is confined to the Coimbatore district. There are many Indians who have private servants from that community in their houses. It seems to me to be a very petty, small, narrow point of view from which to look at this broad question. Can we not rise above this petty consideration and look at it as a national question where the interests of all of us are alike? The hon. the Finance Member analysed this report into three independent parts. I agree with him that like the Curate's egg this report is good in parts. The framers of this report themselves say, Sir, that they want the report to be accepted, or rejected as a whole. They say that their proposals are interdependent. That is why we have taken the responsibility for recommending to this House a rejection of the whole report. If we can take some portion, I am willing to do so, but since the Commissioners want that the report should be looked at as a whole, we are obliged to reject it as a whole."

"Before going into the individual recommendations made, I wish to present before the House some very plain facts which we are prone to overlook. India is, as a matter of fact, the poorest country in the whole world, and yet she has got the costliest Civil Service in the whole world. These are two statements of fact which nobody can deny. Then, why all this talk of a starving service of a country which can afford to pay, and which ought to pay? If only members will keep back this argument and the counter-argument and face these fundamental facts squarely, they can come to no other conclusion except this that we can look at this report as unacceptable to the extent to which it seeks to saddle this country with a burden to the tune of more than a crore of rupees. There may be grievances of the services, some of them legitimate, many exaggerated. But after all, Mr. President, we can only cut our coat according to the cloth. If this country really cannot afford to pay more, surely the services cannot say: 'We do not care what becomes of your education; we do not care what becomes of your hospitals, or what becomes of your industries; only let us have our pound of flesh.' It is a position which is possible only in this country where the services call the tune and the people pay the piper. Then, Sir, my hon. Friend, Mr. Muniswami Nayudu, made a statement from which I respectfully dissent. He talked of the British character of the administration. I wish to know what it is."

Mr. B. MUNISWAMI NAYUDU:—"I did not make any such statement except saying that it is alleged to be the reason for the bureaucracy to continue for some time to come."

Mr. S. SATYAMURTI:—"I stand corrected, Sir. But there is the usual argument about the British element in the services. The Lee Commissioners also have stated that they will work up to a certain percentage, because what they consider to be the British character of the administration must be maintained by a minimum of foreign element in the services here. Sir, I emphatically dissent from this view and I do so on a very high authority, that of the present Premier of England, the Right Honourable Mr. Ramsay MacDonald, who, writing in his book on the Government of India about this matter, says:

'The real problem which the recruitment of the Civil Service raises is: must there be a British Superior civil service if the British connexion is to be maintained? And the answer will depend largely upon the view one takes of the nature of the connexion. If one assumes not only that India should remain subject to the British Crown but subject to British administrative authority, one must conclude that there ought to be a sufficient number of British in the highest Government posts to give direction and tone to the whole of the Government;

[Mr. S. Satyamurti]

28rd August 1924]

Comparatively few are required to do this, but that few must be maintained at all costs. If one however assumes that India may remain subject to the British Crown and yet govern itself with a genius and efficiency all its own, the importance of the British nucleus in the civil service is not so great. British Governors will then remain as in the Dominions, but their position will be ceremonial and symbolic rather than administrative.'

"And he concludes thus:

'For myself, I have come to take the other view. I believe that the imperial connexion can be kept up by a self-governing India enjoying with the appropriate modification, Dominion privileges of Home Rule. More polished efficiency is not the end of our custodianship of India; a Pax Britannica is not the end; the end is Indian life, abundant, responsible, spontaneous.'

"If that is the view which we ought to cultivate more and more, it seems to me that there is no point in preserving any class or number of posts for the Britishers in the Civil service, or in any service in this country. Every one knows that even if we stop recruitment from to-morrow, it will take 30 and odd years more before we can have a completely Indianised service. I ask how long, Oh! Lord, how long are we going to wait till this talk of Indianisation is going to materialize? It seems to me that the more we accept the recommendations of the kind which the Lee Commission has made, the more distant will be the day when the services will be thoroughly Indian. My position is this: that we must immediately stop recruitment outside the country to all Indian services, except on short-term contracts for special work which can be done only by specially qualified people. And the ideal system will be that developed in the Dominions, especially in the Commonwealth of Australia, where they have a commission of their own and they recruit in their own country for their services. It seems to me, Mr. President, that the Commission have done well in recommending the very speedy, almost immediate, appointment of the Public Services Commission as contemplated in section 96 (c) of the Government of India Act. I really cannot see why that Commission has not yet been appointed. I am bound to say that I agree with my hon. Friend, Mr. Muniswami Nayudu, that I look at this question, not from the point of view of British versus Indian, so much as from the point of view of justice to those who have got to run the Government in this country. Mr. President, I am quite willing to have the Britisher as a servant to carry out the policy dictated by representatives of responsible Legislatures. But I am not going to allow the permanent servant of the Crown any longer dictating the policy even as against responsible Ministers of the Crown. If there are any specific grievances of these members of the services, I think they can and ought to be redressed. But I submit, Mr. President, that before their specific grievances are redressed, they must be made part of the settlement of the large constitutional question of India's progress towards swaraj. Now, a Reforms Enquiry Committee is sitting. The Lee Commission report may be put into the boiling pot along with so many other documents. Let Indians and the British Government come to a settlement with regard to the next stage in India's progress towards Home Rule, and if, in the course of the settlement, there are specific grievances of the men in the services which have to be redressed, and if they are put before and approved by the Legislative Assembly, I am perfectly willing that as part of the settlement these grievances may be redressed. But I refuse to commit myself or my country blindfold to this inordinate demand of the services while the constitutional question is still pending solution."

"I have only a few words to say, Mr. President, with regard to the specific recommendations of the Lee Commission. There is only one aspect of it on which I want to enlarge, if I may. That is with regard to the control of the

[Mr. S. Satyamurti]

[23rd August 1924]

services employed in the Transferred half. At this stage I may say that this report contemplates the continuance of the present unnatural diarchical system. Throughout this report there is no contemplation of any immediate or even remote transfer of all the subjects, either provincial or central, to popular control. They assume that there will be diarchy and they make proposals on that basis. It seems to me, Mr. President, that this one defect takes away the report from the field of practical politics. Now, Sir, what can be the position of the Ministers who have got servants under them who have direct access to the Governor? All of us, I dare say, have read the evidence in the newspapers only last evening of a responsible Minister before the Reforms Enquiry Committee, which evidence has not been shaken in the least in spite of the very strong cross-examination by the powerful civilian members of the Committee, that the Ministers feel helpless because the permanent servants under them can always go on appeal to the Governor against their decisions. It seems to me, Mr. President, a most unnatural system that we who are the Members of the Legislature should be supposed to be controlling the gentlemen on the Treasury Bench, whereas the real people who pull the wires behind the screens are the permanent civilian servants who look here like lambs and sheep but who retire into the dark chambers of the Governor.

The hon. Sir ARTHUR KNAPP :—"Is it parliamentary, Mr. President, to use the expression 'sheep'; I am not objecting to the use of the word 'lambs'."

Mr. S. SATYAMURTI :—"I may continue, Sir, who retire into the dark chambers of the Governor, and try to influence him against the deliberate decisions of this House. It seems to me, Sir, that the position has only to be stated to be refuted. In spite of the extraordinary answer of the hon. the Law Member relying upon an antediluvian despatch of 1857, and in view of the answer of Sir Alexander Muddiman in the Legislative Assembly to a similar question with regard to the powers of the Governor and of the Ministers respectively over the services, it seems to me that we cannot accept the recommendation of the Lee Commission that the control should continue to be in the hands of the Secretary of State. Then, Sir, with regard to the Public Services Commission itself, although they recommend the appointment of the Commission, they recommend also that the fixing of the standards of qualification and the methods of examination should be determined by the Commission in consultation with the Secretary of State and the Government of India and the Local Government. My suggestion, Sir, which is much more in consonance with the progress of this country to the ideal aimed at, is that the consultation should be with the popular legislatures of this country.

"Then, Sir, there is one extraordinary provision about medical relief, viz., the principle that attendance by medical officers of their own race should be available for members of the Civil Service and their families. I must emphatically protest against that. I do not think that it is a legitimate grievance at all. I think, Sir, that it is a manufactured grievance. I have seen in England and Scotland and in Wales popular Indian doctors enjoying wide practice among the natives of those countries. I do not see, Mr. President, how Indian doctors can be so popular there and how when Englishmen and Scotchmen cross over to India they suddenly develop this aversion to being treated by Indian doctors. Even to-day in Madras the most popular doctor with the Europeans is one Indian by name, Mr. Rangachari.

[Mr. S. Satyamurti]

23rd August 1924]

It seems to me therefore that it is merely an attempt to perpetuate the Indian Medical Service. No arguments can be found for it except this. The Indian Medical Service cannot exist but for this manufactured racial demand.

"I have already said, Sir, that all these proposals, according to the Commissioners, should be looked upon as interdependent. They say that the main proposals in the report are vitally interdependent and in view of the urgency of the case it is recommended that they should be considered as a whole and acted upon with as little delay as possible. It seems to me, Sir, that we cannot be clear here as to how far our recommendation or our resolution is going to affect the decision of the powers that be. The Right Hon'ble Lord Olivier speaking in the House of Lords made a speech which has puzzled me. He said that time had been given to the Legislatures to discuss the report. At the same time, in answer to the hard opposition in the House of Lords, he said that although that opportunity had been given, it was given because the necessary delay involved would be great indeed in any case. Whether that means that consultation is a formal affair and that he will pass orders irrespective of the recommendations is a matter on which I cannot venture to say anything now. I do say this, Mr. President, that before the Secretary of State and the Government of India make up their minds and want to give more money to these services or strengthen them in their position, it is our duty to communicate to them the opinion of the people of this country and that opinion is this; that already we have a too highly-paid service, that their grievances, except probably in a very few cases which may require further investigation, are not real; in any case, even if they are real grievances, we cannot afford to redress them on the scale on which the Lee Commission has recommended, because we cannot afford it; that the control of the services must be in the hands of the Ministers responsible to the Legislatures and that, therefore, the giving effect to the recommendations will be one more slap in the face of India. And I want, therefore, every section of this House to tell His Majesty's Government and the Government of India that if they give effect to the recommendations of this Commission, they will do so at their own risk."

Mr. G. F. PADDISON :—"Mr. President, I should like to say first of all, speaking as a member of the services now under discussion, 2-15 p.m. that we in the services are very grateful to the mover of this Motion for the extremely moderate tone in which it has been moved. We all felt—and I think we felt similarly in regard to several speeches made to-day—that there is in this House a feeling that if we in the services have grievances, they should be redressed. I am speaking now of the members at present in the services and I say that we have grievances which ought if possible to be redressed. That is what we feel and I hope the House agrees with me on that point. This feeling which is found not only in the speeches made here but also in conversations outside, has been a great help to us in the services in the difficult position in which we now find ourselves. People may think that the services do not care for the opinions of this House. I can assure the President and the Members of this House that that is not so. It does make a great deal of difference because we, the members of the services, feel that we have this House behind us ready to help us if we are in difficulties and ready to have a kindly eye upon our numerous failings which we all admit. Moreover, there is another point. What has given great pleasure to us in this House is the very little reference that has been made to the racial question. We are as anxious as you are that this racial question should be

[Mr. G. F. Paddison]

[23rd August 1924]

avoided, and I think from what we have heard to-day we may take it that though the Brahman, non-Brahman, Muhammadan, Christian, European and Indian differ in various small and comparatively unimportant details, the thing that this House cares about is that every Member of it should have the interests of India and of this Presidency at heart (hear, hear). I am the President of the European Government Servants' Association and I can assure you, Mr. President, and this House, speaking of the services as a whole, that that is the feeling that we all have. We want to see that these reforms go through. We are particularly proud of the way in which Madras, as opposed to some other provinces—I won't specify names (laughter)—has buckled to and endeavoured to work these reforms and the difficult question of diarchy as best it could, and I am sure that we all try our best to secure the interests of this Presidency. Knowing that as well as anybody here, and especially having at heart the interests of the depressed classes and knowing the meagre pittance I can get for their wells and things of that sort—no one can be more ready than I am to come forward and plead here on behalf of these classes—I still say, we want a rise in our emoluments. What the Commission has said is this, and it is admitted on all hands, that there has been since 1914—for some curious reason it is the year that is generally taken as the starting point—a 60 or 70 per cent rise in the cost of living. Those of us who have children and those who have dependants on us at home—I am not talking personally—are all feeling the financial strain. Now, we have got to carry on our work. If we have got to carry on our work under a burden of harassment as to what a person is going to do if his wife is ill and wishes to go home or his children have to be educated, and you do not know whether you can afford to send them home; if we have to pledge our insurance policies as many have done—the insurances on which when men die their families have to be maintained; if these things have to be done, the efficiency of the service, I am afraid, does very largely suffer. And I am most grateful to the Members who have spoken on the subject in the way in which they have referred to these difficulties, and if they exist, it is their duty to redress them.

“Well now, the main point of attack on this report seems to be on the question of recruiting, whether there should be more or less recruiting in England. There is actual increase, I can assure you, in the number of Indians to be recruited in India in this report. But what I want to make quite clear is this. If it goes out that you condemn the Lee Commission's report on the ground of recruitment, it will look to the unobservant eye that you are against getting recruits in India. It will be thought that that is the fact as the resolution now stands, because it does not mean that you are going to have the whole loaf. I may explain what I mean. You want the whole services to be Indianized. Now the Lee Commission have offered to you half a loaf. Then, you boldly say ‘We won't have half a loaf’. But surely in sending up your recommendation so that it may be an instruction to the Government you should be quite clear as to what exactly you mean. On that point of recruitment, my personal opinion may not much matter. But as persons are giving their opinions on this point, I think I may as well make my small contribution to the discussion. I think that perhaps the Lee Commission report was in this sense rather premature. It might have been better first to determine the policy to be pursued and then settle the sort of recruitment. But is that a reason for honourable gentlemen, who have spoken now and who want more Indianization, to say that they won't have the reform that the Commission have given? It is not, I respectfully beg to submit.

23rd August 1924]

[Mr. G. F. Paddison]

“Before I sit down I want to say a word or two on one or two other points. One is the point connected with the medical men, and I think it is the only racial point that has been raised. It is frankly racial; though not racial exactly, it is national. If you find a colony of Englishmen in Rome, Paris, Constantinople or wherever they happen to live in large numbers, there you will, as a matter of fact, find an English doctor, and I think I am right in saying that he is the man to whom they will go for treatment. It is a curious fact, but yet it is a fact. That was the point that the Commission had in mind when they spoke of that principle that an Englishman, if he wishes to have himself or his family treated, should be given the opportunity of calling in a British medical man. Some persons stated that they agree in that principle, and we are very grateful to them for having said so. But there was one point raised which, I may frankly say, astonished us. The point raised was that members of the services ought to have a British medical officer within their reach, that is to say, they have to get their travelling allowance for going to and fro. And the idea in the mind of my friend Mr. Muniswami Nayudu appears to be that supposing a person lives, shall we say, in Berham-pur, and this particular doctor lives in Vizagapatam, this man will be so fond of and have such a passion for railway travelling that he will spend his days in hurrying backwards and forwards between Vizagapatam and Berham-pur to consult a doctor about an imaginary ailment. I think the idea is as imaginary in itself as it is extraordinary. I may say that people hate going by train and they hate seeing a doctor (laughter); and they will not, I am quite certain, make extra journeys for this purpose.

“I am again most grateful to this House for another matter. I expected when I came to this House, I may frankly say, that speaker after speaker would get up and speak about the bloated and exorbitant demands of the already overpaid bureaucrats and all that sort of thing. But we heard very little about it. We were only compared to sheep and lambs, but I am very grateful to Mr. Satyamurti for what he has not said. (Loud laughter.)

“Lastly, I want to say a word about the depressed classes. Now, I think what was said by Mr. Veerian about the question of butlers and syces is a very irrelevant detail (hear, hear). The number of butlers and syces that we Europeans employ out of six or seven million depressed classes makes a very very small impression, I may say not a bit. What we want in the depressed classes is that they should be able to take their share in the life of the country. But only we want time (hear, hear). That is the feeling with regard to the depressed classes, and that is a subject on which people belong to every shade of political opinion agree, and they do feel that their present position is like that of the Muhammadans twenty years ago. I remember Sir Muhammad Habib-ul-lah once telling me this: ‘If you want to take your place in the life of the country I have only one word to say to you and I say it three times. That is, educate, educate, educate!’ And in the last twenty years since I have been out here, there is a most extraordinary difference in the part that the Muhammadans are taking in the social, political and every form of life in the country. The Adi-Dravidas, the Adi-Andhras and other members of the depressed classes are now waking up in much the same way, and they request—and I think it is not an unreasonable request—that till the period that they are ready to take their place in the country, they should have special measures for their protection and that they should be helped in various ways, so that they may ultimately stand upon their own

[Mr. G. F. Paddison]

[28rd August 1924]

legs. If you are keen on provincial autonomy, as you expressed in the resolution the other day and if you know the British public as I know them and the British Labour Party especially, you will be strengthening your hands enormously in your request if you are able to meet the criticisms by saying 'we are making special arrangements to look after the depressed classes and shall see that till they take their rightful place, they are educated and that till they are able to become men capable of holding their own places in the councils, district boards, taluk boards and municipalities, they will be kept under special protection.' That is the objection of Mr. Veerian. I think that is at the back of his mind as well as that of Mr. Satyamurti when he spoke the other day. Let him look at the much smaller thing, the back of my mind, and I think he will agree with me that I have interpreted him correctly.

"With these words, I do not want to oppose the resolution (hear, hear), but I do want to make it clear that you should somehow or other make it known that it is not on the ground of redressing grievances, but that it is on political and financial grounds that you are objecting to the Lee Commission's report. If we are to get the provincial contribution reduced, which is our due, then we are all agreed that we shall have our grievances redressed." (Laughter and cheers.)

Mr. L. C. GURUSWAMI:—"Mr. President, Sir, it does not look as though much in the way of equipment is required for a modern Indian politician—shall we say Madras politician? A Government measure has just to be brought before the Council. Our politician flares up in his fury, says it is pernicious, destructive and calculated to suck the life-blood of the nation as a whole. The Nationalist paper applauds. Our hero is deified. Our friend, supported and encouraged by this environment, moves forward in his triumphal march, and finally, lost in the sense of his own self-consequence, ends either as a great egotist or as a lunatic.

"It is within the recollection of this Council, or any other Council for that matter, that our great shouting politicians, always asking for this and that, never accepted without a snarl anything that was offered by the Government on the recommendations of a Royal Commission in good faith. It has become the nature of the Indian politician for ever to grumble, to find fault, to fling dirt, if possible, and to impute motives to our paternal Government, and to always condemn and deprecate their policy. Besides these, continuous hectoring and nagging is used by some vixenish politicians to secure for themselves a fine berth which will be a fine nest of rest to them after getting hoarse in their throat by continuous shouting for two or three years; for, it is not an unusual phenomenon to see the Government, when they find the pest intolerable, thinking that the shortest route to silence them would be to buy them up with a nice job, often take that step, irrespective of his competency for the place.

"This need not be so, for his ravings no more reach the mass of the people. You generally hear the adage:—

రాముడు విలిచే నేమి, రావణుడు విలిచే నేమి. మనకు కొంత భోజనము దొరికితే చాలు. భగవంతుని చేరవలయును.

Which means, 'What does it matter who rules, whether Rama or Ravana so long as we get our morsel of rice and are allowed to seek God unmolested than the inhabitants of Mars'. If Government only knew this, they would

28rd August 1924]

[Mr. L. C. Guruswami]

pay no more heed to this type of politicians than an elephant to a flea-bite. To illustrate the above, it is within our daily common experience that as regards these howlers, who are asking for self-Government and Home rule and becoming chelas of Desamathas and Lokamathas, and pretending before the poor people to seek to emancipate the country from foreign domination, to which, as a matter of fact, they owe their very culture and education, the moment they get a comfortable berth in Government, their so-called patriotism and love for their country take wings and fly away to the nether regions, and the erstwhile patriot and dreaded demagogue becomes a sworn slave of the bureaucracy.

"Now we have the Lee Commission's recommendations before us. These recommendations have been made by men like the hon. Mr. Bupendranath Basu, the hon. Mr. Samarth, the hon. Sir Muhammad Habib-ul-lah Sahib Bahadur, now the Leader of this very Council, and Rao Bahadur Hari-krishna Kaul, every one of whom has identified himself with the cause of the people and even favoured Congressmen.

"However, to look at these from our own standpoint, we decidedly believe they are premature. A tyranny of the worst type will ensue if effect is given to these recommendations, and the depressed classes who form sixty millions of the people of the country would be the greatest sufferers. The helpful hand of the Englishmen protectively stretched out will then be withdrawn and the caste Hindu will then at his own leisure gradually crush the life out of us and finally exterminate us altogether. The caste Hindus would protest that they would safeguard our interests, as we see now from the evidence given by these men before the Reforms Enquiry Committee, but the poor sheep have sufficient experience of these wolves to once again trust themselves in their hands. For, how did the caste Ministry use its opportunity when it got it? It is the unanimous opinion of the depressed classes of the whole country, judging from the evidence that was given before the Lee Commission by the representatives of the depressed classes in all the different provinces, that further Indianization should be stopped immediately, and proper and adequate safeguards should be given to them, so that the caste-men will not have any chance whatsoever to interfere with their amelioration and aspirations; and until and unless the depressed classes who form the main bulk of the population of the country come up to the level of the oppressing classes, we say the country is not fit for any further Indianization, for, the speed of the fleet is reckoned by the speed of the slowest ship in it, and the progress of the country depends entirely on the progress of the masses."

Rao Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, Sir I think it is only right on my part if I should reciprocate the very kind and brotherly feelings and sentiments to which our hon. Friend Mr. Paddison has given expression this evening. I may assure him, Sir, that it is not only now, but on a previous occasion some months ago, that I myself had the honour of giving expression to the views to which he has given expression this afternoon. Whatever be our difficulties in finding money for the introduction of the Lee Commission's recommendations, we, for our part, Sir do not grudge to pay those who find it difficult to get on with their present emoluments, provided that such cases are limited to those who are now in service. And there is a very good reason, Sir; apart from the desire of our countrymen to see that the officers of the public service are kept contented for, we cannot extract the best service out of persons who are not contented

[Sir K. Venkataraddi Nayudu] [23rd August 1924]

there is another and perhaps more reasonable ground, and that is to be found in the fact that those who are now in service were recruited under conditions which do not obtain now. To-day they have got a right to say: 'we have been entertained into the service on particular conditions and particular promises and on certain expectations. Things have changed in this country and we are asked to adjust ourselves to these conditions. Is it not right that you should look to our conditions and see that we are compensated for the loss?', whatever it may be, whether it is as regards their privilege, or their prestige, or the enjoyment of certain rights which they have now ceased to exercise. For these and many other considerations, many of us are certainly of opinion that what is demanded by them in the shape of extra emoluments need not be grudged to them. And, to my countrymen who think that India is very poor and cannot afford to pay, my only answer is, the price of liberty is incalculable, and if, in winning that liberty, we have to satisfy certain officers of our own, certainly I say, purchase it at any cost. But, Sir, can this argument be applied to the fresh recruits hereafter coming? Does the reasoning which I have just now mentioned apply to those who are to be hereafter employed? We are now on the threshold, as it has been said, of an experiment in responsible Government, and full responsible Government is to be granted to this country the moment there is substantial Indianization in the public service. That is an expression, Sir, which I find in the Joint Report of Mr. Montagu and Lord Chelmsford. Well, that is rather a very vague expression, I admit. But I take it that if the Lee Commission's Report is adopted and given effect to, this substantial Indianization would certainly never be reached. For, what is it that we are told? We are to go up to the limit of 50 per cent by way of recruitment, which would make us reach the stage of 50 per cent in the public services, in some cases in 15 years, and in some other cases in 20 years, but that percentage must necessarily continue for another 30 years to take the place of those who were recruited in the last 25 years. That would mean that for 55 years, this 50 per cent will continue if the Lee Commission's Report is to be accepted. In other words, it means that full responsible Government will be denied to this land until 55 or 60 years. Is that the contemplation of the framers of the Government of India Act? If not, how are these to be reconciled? The hon. the Finance Member told us that any question of provincial autonomy is foreign to this enquiry. I submit, Sir, it is not so. It is perfectly relevant to it."

The hon. Mr. R. A. GRAHAM :—" I said it was no part of the reference to the Lee Commission."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I stand corrected ; and if there is no objection, it is then for us to draw arguments for our demand for provincial autonomy. I submit that with regard to that demand, the Lee Commission's Report goes directly counter to it. We want immediate provincial autonomy. What does that mean? It means that we must have sufficient or substantial Indianization in the words of the Joint Report. And, when is this Indianization to be attained if the Lee Commission's Report is to be given effect to? Again, how can there be any responsible Government? How can the Ministers, assuming that all those who sit on the Treasury Benches are Ministers when provincial autonomy is granted, be made responsible to this House, and how is that responsibility to be adjudged and scrutinized? The Ministers will be responsible to this House

[August 1924] [Sir K. Venkataraddi Nayudu]

when provincial autonomy is granted. But under them will be at least 50 per cent of officers who are subordinate only to the Secretary of State for India, who are directly under his control and whom, of the seven Ministers, none could in any way control in the sense in which they can control the provincial civil servants. Our objection to the Lee Commission's Report is not so much for any concessions of pay or emoluments, whatever it may be, but it lies entirely in the matter of recruitment.

" One circumstance you will notice, Sir, will have to be mentioned here and that is about the proportionate pensions. When the proportionate pension scheme was propounded and given effect to after the Reforms, India had no answer to give to it. We have known several officers who have applied for proportionate pension certifying in the ordinary course that they were not satisfied with the reforms. But some of these men happened to be expert officers who came to this country as mere recruits and fresh men and learned their work here. Of course, they rendered their service very ably, I must admit, but at the same time they gained experience of tropical agriculture and other sciences, and when a larger salary was offered to them elsewhere, they could very conveniently go. Of course, I would not in the least object to that, because, when they were introduced into our service, they thought that they would have a career in this country; but when they found that that career was wanting, they have a right to say that they want to go away. Are we to place ourselves in the same position with regard to the future recruits also? If the Lee Commission's Report is to be given effect to, and if the future recruits also are recruited in the same conditions mentioned in the report, certainly the same thing is likely to be repeated, for, in the next advance in responsible Government, they will be entitled to say: 'You recruited us under these different conditions; therefore give us the same conditions and the same pay as you gave to the officers in 1919.' What will be our answer? That is our fatal objection to the Lee Commission's Report, not that we grudge to pay something more to those who have carried out their work ably, loyally and honourably. But any system which will stand in the way of our reaching responsible Government, any system that will put a clog in the machinery which is intended to drag that chariot, I say that system and that clog must be removed and must not be allowed to be there. Let them come on the conditions that we impose. Let them be prepared to serve in the country in all the reforms that may be granted to us from time to time. If that is agreed upon, and if these conditions are not to be binding on us in future, certainly we have no objection to recruit them. But, with all the conditions placed in the Lee Commission's Report, I submit that it would be impossible, with all the facilities we have, to get on to the stage of full responsible Government, the services being directly controlled by the Secretary of State, and the Ministers, who are supposed to be their heads, being controlled by the people's representatives. I think that will satisfy persons with whom we have no quarrel."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Mr. President, I wish to point out that my objection to the Lee Commission Report is based on three grounds. The first is that it is intended to impede the working of the reforms in this country. The second is that it will have the effect of prolonging Indianization of the services to a long period. Thirdly, it throws an additional burden on the tax-payer without much justification. I shall deal with these three points separately."

3-46 p.m.

[Sir K. Venkatareddi Nayudu] [23rd August 1924]

there is another and perhaps more reasonable ground, and that is to be found in the fact that those who are now in service were recruited under conditions which do not obtain now. To-day they have got a right to say: 'we have been entertained into the service on particular conditions and particular promises and on certain expectations. Things have changed in this country and we are asked to adjust ourselves to these conditions. Is it not right that you should look to our conditions and see that we are compensated for the loss?' whatever it may be, whether it is as regards their privilege, or their prestige, or the enjoyment of certain rights which they have now ceased to exercise. For these and many other considerations, many of us are certainly of opinion that what is demanded by them in the shape of extra emoluments need not be grudged to them. And, to my countrymen who think that India is very poor and cannot afford to pay, my only answer is, the price of liberty is incalculable, and if, in winning that liberty, we have to satisfy certain officers of our own, certainly I say, purchase it at any cost. But, Sir, can this argument be applied to the fresh recruits hereafter coming? Does the reasoning which I have just now mentioned apply to those who are to be hereafter employed? We are now on the threshold, as it has been said, of an experiment in responsible Government, and full responsible Government is to be granted to this country the moment there is substantial Indianization in the public service. That is an expression, Sir, which I find in the Joint Report of Mr. Montagu and Lord Chelmsford. Well, that is rather a very vague expression, I admit. But I take it that if the Lee Commission's Report is adopted and given effect to, this substantial Indianization would certainly never be reached. For, what is it that we are told? We are to go up to the limit of 50 per cent by way of recruitment, which would make us reach the stage of 50 per cent in the public services, in some cases in 15 years, and in some other cases in 20 years, but that percentage must necessarily continue for another 30 years to take the place of those who were recruited in the last 25 years. That would mean that for 55 years, this 50 per cent will continue if the Lee Commission's Report is to be accepted. In other words, it means that full responsible Government will be denied to this land until 55 or 60 years. Is that the contemplation of the framers of the Government of India Act? If not, how are these to be reconciled? The hon. the Finance Member told us that any question of provincial autonomy is foreign to this enquiry. I submit, Sir, it is not so. It is perfectly relevant to it."

The hon. Mr. R. A. GRAHAM:—"I said it was no part of the reference to the Lee Commission."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I stand corrected; and if there is no objection, it is then for us to draw arguments for our demand for provincial autonomy. I submit that with regard to that demand, the Lee Commission's Report goes directly counter to it. We want immediate provincial autonomy. What does that mean? It means that we must have sufficient or substantial Indianization in the words of the Joint Report. And, when is this Indianization to be attained if the Lee Commission's Report is to be given effect to? Again, how can there be any responsible Government? How can the Ministers, assuming that all those who sit on the Treasury Benches are Ministers when provincial autonomy is granted, be made responsible to this House, and how is that responsibility to be adjudged and scrutinized? The Ministers will be responsible to this House

[23rd August 1924] [Sir K. Venkatareddi Nayudu]

when provincial autonomy is granted. But under them will be at least 50 per cent of officers who are subordinate only to the Secretary of State for India, who are directly under his control and whom, of the seven Ministers, none could in any way control in the sense in which they can control the provincial civil servants. Our objection to the Lee Commission's Report is not so much for any concessions of pay or emoluments, whatever it may be, but it lies entirely in the matter of recruitment.

"One circumstance you will notice, Sir, will have to be mentioned here and that is about the proportionate pensions. When the proportionate pension scheme was propounded and given effect to after the Reforms, India had no answer to give to it. We have known several officers who have applied for proportionate pension certifying in the ordinary course that they were not satisfied with the reforms. But some of these men happened to be expert officers who came to this country as mere recruits and fresh men and learned work here. Of course, they rendered their service very ably, I must admit, but at the same time they gained experience of tropical agriculture and other sciences, and when a larger salary was offered to them elsewhere, they could very conveniently go. Of course, I would not in the least object to that, because, when they were introduced into our service, they thought that they would have a career in this country; but when they found that that career was wanting, they have a right to say that they want to go away. Are we to place ourselves in the same position with regard to the future recruits also? If the Lee Commission's Report is to be given effect to, and if the future recruits also are recruited in the same conditions mentioned in the report, certainly the same thing is likely to be repeated, for, in the next advance in responsible Government, they will be entitled to say: 'You recruited us under these different conditions; therefore give us the same conditions and the same pay as you gave to the officers in 1919.' What will be our answer? That is our fatal objection to the Lee Commission's Report, not that we grudge to pay something more to those who have carried out their work ably, loyally and honourably. But any system which will stand in the way of our reaching responsible Government, any system that will put a clog in the machinery which is intended to drag that chariot, I say that system and that clog must be removed and must not be allowed to be there. Let them come on the conditions that we impose. Let them be prepared to serve in the country in all the reforms that may be granted to us from time to time. If that is agreed upon, and if these conditions are not to be binding on us in future, certainly we have no objection to recruit them. But, with all the conditions placed in the Lee Commission's Report, I submit that it would be impossible, with all the facilities we have, to get on to the stage of full responsible Government, the services being directly controlled by the Secretary of State, and the Ministers, who are supposed to be their heads, being controlled by the people's representatives. I think that will satisfy persons with whom we have no quarrel."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, I wish to point out that my objection to the Lee Commission Report is based on three grounds. The first is that it is intended to impede the working of the reforms in this country. The second is that it will have the effect of prolonging Indianization of the services to a long period. Thirdly, it throws an additional burden on the tax-payer without much justification. I shall deal with these three points separately."

3-45 p.m.

[Mr. A. S. Krishna Rao Pantulu] [28th August 1924]

"Dealing with the first point, the test that we ought to apply in considering the recommendations of the Lee Commission is whether they are such as are calculated to help the early development of responsible Government, or whether they are calculated to put off for an unreasonably long period the grant of responsible Government. Judging by that test, I have not the slightest doubt that there cannot be two different opinions in the matter. It will be observed that while dealing with this question, the Commission itself was aware of the bearing of their recommendations upon the growth of responsible Government. They themselves observe, after recording the evidence of the previous Public Service Commission, as follows:

'Subsequent to the signature of that report and before orders were issued on its recommendations, the announcement of August 1917 had entirely changed the constitutional outlook. In the words of the authors of the Report on Indian Constitutional Reforms, the success of the new policy must very largely depend on the extent to which it is found possible to introduce Indians in every branch of the administration. Recognizing that Indianisation must be a long and steady process, they recommended that recruitment of a largely increased proportion of Indians should be initiated without delay, if the services are to be substantially Indian in personnel by the time that India is ripe for responsible Government.'

"They evidently contemplate that such steps will have to be taken as will enable the substitution of Indians for Englishmen to attain the goal we all have in view. In referring to the reforms regarding the Transferred fields, they examined various persons, though unfortunately several of them were examined in camera. More than half were examined in private to ascertain what difficulty the Ministers had in the working of these reforms. They stated, while referring to the difficulties of Ministers:

'It has been represented to us that although Ministers have been given full power to prescribe policy, they might be hampered in carrying it out by the limitations to their control over the all-India services, inasmuch as members of these services, unlike those of provincial services, are appointed by the Secretary of State and cannot be dismissed except by him, whilst their salaries are not subject to the control of the local legislatures.'

"Consequently, the examination of proposals will show that the recommendations made by them are not such as are calculated to enhance the position, or augment the powers of the Ministers in the administration of the various branches under their control. It is true that a suggestion is made that regarding recruitment of services, it will not be taken to the Secretary of State. But when further limitations and checks have been provided for, they do not really confer on them any further powers that can be exercised. Closely connected with this question is that relating to Educational Services, and where do we stand there? It is necessary at this stage to note the position taken by the previous Public Services Commission regarding this question and ascertain whether we have made any progress and advance in that respect from that time to the stage of the Lee Commission. Dealing with this aspect of it, they divide the services into three different kinds:

'In the first we place the Indian Civil Service and the Police department, in both of which the nature of British responsibility for the good governance of India requires the employment in the higher ranks of a preponderating proportion of British officers. To the second group belong those services, in which, on grounds of policy and efficiency, it is desirable that there should be an admixture in the personnel of both western and eastern elements. Such are the Education, Military, Finance, Medical, Telegraph (Engineering), Public Works, Railways (Engineering and traffic), and Survey of India departments. In the third group come certain scientific and technical services, such as the Agricultural, Civil Veterinary, Factory and Boiler Inspection, Forest, Geological Survey, Mines, Mint and Assay, Pilots (Bengal), and Railway (locomotive and carriage and wagon) departments. In these there are no grounds of policy for any considerable admixture of officers imported from Europe and all that limits recruitment in India, is the lack of facilities in that country for technical instruction and the consequent deficiency of properly qualified officers.'

[28th August 1924] [Mr. A. S. Krishna Rao Pantulu]

"May I remind this House that unsatisfactory as those recommendations were, much has not been done to augment a position which then existed and we find in the present report that suggestions have been made which will even throw an obstacle to carrying out the recommendations made by the previous commission. It is stated:

'If our proposals are accepted regarding agricultural, veterinary, education and medical, it will rest with the local Government to determine the number of Europeans who may, in future, be recruited. In this matter the discretion of local Governments must be unfettered, but we express the hope that Ministers, on the one hand, will still seek to obtain the co-operation of Europeans in these technical departments and that qualified Europeans, on the other hand, may be no less willing to take service under local Governments than they were in the past to take service under the Secretary of State.'

"It is on this main ground that I contend that the recommendations of the Lee Commission are not satisfactory. They do not provide for the Indianization of the services to the extent to which we would all desire. They do not help in the growth of responsible government for which we have all been trying hard. Even more important than this, is the increase of the expenditure. What has happened since the days of the previous Public Services Commission for some of the increases which have been provided for? It will be found that the total cost of the whole of India has been estimated about a crore and in course of time about a crore and one-fourth. In dealing with this, what is the new standard that has been set up and what are the special difficulties that we are called upon to countenance? It has been pointed out that such a standard ought to be adopted which, in view of the existing difficulties of the services, was considered sufficient. Having arrived at that stage, I would think that we should pause before we would give our assent to any claim which has the effect of increasing the public expenditure of this province to a substantial extent. If any new causes have come into operation, then it is quite necessary that we should consider this measure. Mr. Paddison has been very fair in his statement and if persons are satisfied that in particular cases, difficulties have arisen and in the case of those difficulties, they have to be overcome, they should be specially dealt with. But in a general scheme whereby they will increase pay, passage money and remittance not only in cases of persons in the service at present but to all future recruits, I think we ought to raise all possible objections, because that would increase the expenditure to a large extent. It will be found that this aspect of it was considered by the Lee Commission and they had given some reasons to justify the increase. This is what they say:

'In the course of our enquiry the services have placed before us carefully compiled statements of current income and expenditure. We have obtained independent consideration of this view, from banks or financial houses in close and constant relation with members of the services. We were informed that a great many officers, particularly in the early years of married life, are at present in debt to an extent which was unknown 20 years ago; and that this is in no sense due to extravagance.'

"It would have been more satisfactory if the Committee had thought fit to publish extracts from the evidence as to individual cases which had led them to come to this conclusion. Whether from the materials placed before them they were forced to come to that conclusion is a matter which deserves the careful scrutiny. In the absence of the evidence placed before them, in the absence of materials to enable us to come to a conclusion, I feel it difficult to support the recommendations made by the Lee Commission. While dealing with the services independently, they draw a distinction in the case of the Indian Medical Service. I am only making a few remarks on that. Mr. Paddison asked, 'should there be any objection to European officers being provided for the benefit of those who come and settle in this country?' This

[Mr. A. S. Krishna Rao Pantulu] [23rd August 1924]

is not the problem for consideration. There should be reasonable facilities for persons of whatever class or nationality to have such assistance as is necessary. This has been in operation for several years. What is the special reason for the presidency being divided into different divisions? In that case it would be necessary to provide for fat travelling allowance. That is a new principle which is too dangerous to be encouraged. If we were to accept this principle in one case, I fear it will be extended to other cases as well. While nobody raises any objection to all classes of persons and all communities being benefited, there must be a check against the increase of expenditure. I think it is not necessary to go into further details regarding the various branches. On the ground that it is calculated to obstruct the reforms, on the ground that it will retard the Indianization of the services and lead to further waste of expenditure, I feel it necessary to support this resolution."

Mr. P. L. Moore:—"Mr. President, I have only a very few remarks to make. I wish to say that I share the satisfaction of

4 p.m. Mr. Paddison that racial considerations have been left out as far as possible from this discussion. I think really the point of view from which Members of this House or any other body have to look at this question is whether they want to employ Englishmen or not. That is the point. Look at it from your knowledge and experience of this country as to what Englishmen have done in the past, and then decide whether it is worth your while to get Englishmen. What the Lee Commission has done is that it has given you an opinion, among other points, as to what they think it will cost you and what safeguards should be set up for the services. It has been said that there would be no objection to certain improvements and concessions being made to us, members of the various services, who happen to be here now under the old regulations, but that no new Englishman coming here should have those benefits and privileges. Well, it depends on whether you want Englishmen or not. If you decide there is no use for them here, then you need show no concession to them. The Lee Commission made a very serious effort to tell the Government of India and the Secretary of State what they think will be the cost of the class of Englishmen you want here. Years ago, when my generation of Civilians came out here, at the examination for the Indian Civil Service, there used to be over 200 English candidates for 40 or 50 vacancies. But the recent figures are, as was pointed out, 21 Englishmen and 46 Indians. I am not sure of the number of vacancies, but it would certainly be more than the number of English candidates. It is clear therefore that you cannot get the men at present. The Lee Commission has told you on what terms you can get them.

"Much has been said about the British standard of administration. This is not a meaningless phrase. We all know what the British connexion has done for India, what benefits it has conferred on the country. History shows that the Englishman has a wonderful genius for administration. I am almost entirely Irish, and so I can look at the Englishman from outside as it were. My own reading of the situation is that if you are wise you will certainly continue to make use of such an excellent business proposition.

"Mr. Sami Venkatachalam Chetti remarked that the Imperial services talk about improvement of their own pay and prospects and have done nothing to the non-gazetted officers. I do not know what he means. Here are a few figures: some years ago the constables were getting Rs. 8 to 11 and now they

23rd August 1924]

[Mr. P. L. Moore]

get Rs. 22, the pay of the forest guards was Rs. 7, and now it has been raised to Rs. 24. Therefore, to say that the pay of the non-gazetted services has not gone up is a mistake; it has of course gone up out of all proportion to that of gazetted officers.

"Then, of course, a very relevant point has been made that a sum of Rs. 10 lakhs is a considerable amount for this Presidency in the present state of its finances. But, Sir, as Sir K. Venkatarreddi Nayudu pointed out, if it is considered as in the nature of an insurance, you will then take a different view. Suppose you pay Rs. 10 lakhs one year; then there will be a slight increase in the matter of pensions but the total sum will be annually reduced as you reduce the number of Englishmen. Eventually there will be a saving of about Rs. 25 lakhs a year. That is the sort of way it will work out. Therefore, that money has to be considered as an insurance for the present. If you agree with me that the maintenance of the British standard of administration is absolutely necessary, then I think you will certainly decide that this is a small sum to pay.

"The hon. Member Mr. Satyamurti quoted an extract from a book by the present Premier of England saying that Pax Britannica is not the end in India. Now, we are all agreed that it is not the end. But it is a very essential beginning of the happiness and prosperity of India, which is the end we all hope for."

Dr. P. SUBBARAYAN:—"Mr. President, I have great pleasure in associating myself with the speech made by Mr. T. A. Ramalinga Chettiyar, and I must congratulate my hon. Friend, Mr. Paddison, for the very able and conciliatory speech he made in this House. In turn I have great pleasure in congratulating the European services in this country for having secured a man of Mr. Paddison's calibre as their President, which shows that they are in sympathy with the aspirations of my countrymen in this country; because Mr. Paddison made no secret of it in his speech, I only want to say that as far as the present incumbents are concerned,—I myself feel the difficulty they are in,—it is very hard for them to keep their children at school, and I know from personal experience what it costs to keep a boy at a school in England. Now, one hon. Member has asked the question how much a European servant gets as pension if he were to retire from this country. At the present moment it is a thousand pounds per annum as everybody knows. Out of this £1,000, the income-tax as it stands in England will take away about £200, so that there will be left only £800; and if the unfortunate man has at that age three or four sons still at school (laughter), I may tell you, Mr. President, that he would have to starve or give up the standard of education that he himself had and make his sons go to country schools or some other place where they will get a different standard of education from that which he himself had. Therefore my objection is not to the recommendations of the Commission as far as the present incumbents are concerned. But my objection, Sir, is that there should be no further recruitment from England. I hold, Sir, that if you are going to have responsible government in this country, it will not be possible to have such a costly service, because, as I have said elsewhere, democracy means increased expenditure, and if we are to have six or seven Ministers sitting on the opposite bench here, the expenditure of the province will be a great deal more. If we have these responsible Ministers, we should also have permanent advisers to them, and the Secretariat as it is run in countries with democratic governments as in England really costs much more, in spite of what my hon. Friend Mr. Satyamurti said, than the cost of the present

[Dr. P. Subbarayan]

[23rd August 1924]

Secretariat. Because, if the Ministers sitting on the other side of the House were to answer the questions that would be asked of them from this side of the House properly, they would have to have not the present number of clerks but an innumerable number; for the preparation of answers to questions is not as easy as my hon. Friend Mr. Satyamurti thinks it is."

Mr. S. SATYAMURTI:—"I never thought or said the answering of questions was easy."

Dr. P. SUBBARAYAN:—"From the number of questions that my hon. Friend himself puts in this House I should say he himself ought to realise what difficulty he gives to the Secretariat (laughter). Now we have one Satyamurti in this House, and I think we may have in course of time not one but ten Satyamurtis ('hear, hear'), and if they choose to ask questions at the same rate as my hon. Friend is putting on the floor of this House, and if they are to be answered, I can understand the predicament my hon. Friends sitting opposite would be in. Not only have they got to be prepared to answer the questions that are put on paper, they ought also to be ready to answer the supplementary questions—which are legion as far as my hon. Friend is concerned—that are to be asked. So, Sir, I say recruitment from England will be impossible, as Mr. Moore himself has pointed out that the market value of an English Civilian is going to be greater. I have been at Oxford, and if I may claim a personal pride, it has been contributing not 60 but even 70 per cent of the members of the Indian Civil Service that have come out to this country, and I know the feeling of the Oxford undergraduate to-day. He feels that if he has to go here we must be prepared to give him a proper wage which would make him live according to the standard in which his predecessors in this country have lived. So, Sir, it is impossible for us to pay as much, and it is impossible for us to have British recruits because we are unable to pay them. We cannot afford to pay on the standard the Lee Commission has recommended. My complaint with regard to the Lee Commission Report is not that they ought not to have recommended that, but that further recruitment ought to be stopped now. On that point I am in full agreement with the remarks made by Mr. Ramalinga Chettiyar."

Sir JAMES SIMPSON:—"I did not intend to intervene in this debate, but my hon. Friend and Colleague on my left from his superior position as Chairman of the Madras Chamber of Commerce, which constituency we have the honour to represent in this House, has ordered me to get up. In the first place, I would like to associate myself with the compliment that my hon. Friend Mr. Paddison paid to the hon. the Mover of this resolution ('hear, hear' from Mr. W. Davies). His remarks were so reasonable and moderate that I find it difficult to square them with the terms of his resolution. The remarks that have been given expression to by the hon. Member who has just sat down almost make me doubt whether he is supporting or opposing the resolution (laughter and cheers). I think, Sir, that we all in this House are in favour of Home Rule for Madras and Home Rule for India ('hear, hear' from Mr. S. Satyamurti). All that we differ on is a matter of time and degree. That seems to me the whole difference in the debate that has taken place in this House to-day. Sir, strange as it may appear, I would like to associate myself with something that has fallen from my hon. Friend, Mr. Satyamurti ('hear, hear' and laughter). He has expressed regret that the hon. the Leader of the House is absent. I am sure the House deplores the reason of his absence and we send our sympathy to

[23rd August 1924]

[Sir James Simpson]

But, in the domestic trials and the trials he himself is passing through. But, there I part company with Mr. Satyamurti. He referred to this Lee Commission Report and expressed his amazement that the four Indian members of the Commission have signed the report. Sir, does he arrogate to himself the right to say that we are the people and wisdom will die with us? Have not the signatories to this report, even the distinguished Indian members who have signed it, as much right to their own opinions as Mr. Satyamurti has? The report, Sir, let me remind the House, is a unanimous one. I ought to have said that the constituency my hon. Friend on my left and myself represent has already petitioned the Government of India in support of this Lee Commission Report, and consequently my hon. Friend and myself must oppose this resolution. The hon. the Mover spoke very well when he pointed out the difference between the Indian and the European opinions on the matter. There is a wide gulf dividing the two. I would not cross the argument, but I will only point out that the constituency I have the honour to represent with my hon. Friend on my left here in this House and the great constituencies of the Chambers of Commerce of Bombay and Bengal, as might have been seen from the newspapers, have also supported the Lee Commission report as being the minimum requirements of the case. I would once again point out that this report which has been signed by the four Indian members including the hon. the Leader of this House whom we all so much admire, is a unanimous report. I therefore oppose this resolution."

Mr. J. A. SALDANHA:—"Sir, I must confess my sense of disappointment at the resolution as framed. All the recommendations are so sweeping and all the parts are so adjusted that they form one whole and no part can be separated without dislocating the entire framework. It is very difficult for any one to frame another scheme, say an Indian scheme, from an Indian point of view which would be suitable to the House. But I am not going to dilate upon any of the items or reiterate the arguments which have been repeated in this House. I only wish to make some observations with reference to what fell from my hon. Friend, Mr. Paddison. Now, the apprehension of the Adi-Dravidas which he gave expression to is to a great extent shared by the Indian Christian community. Their interests will be somewhat jeopardised, it is feared, by a rapid dwindling down of the European services. My own view is that it is not by keeping up the proportion of services that the interests of the Indian Christian community might be secured but by making careful statutory provisions at every stage to prevent members or ministers or others from neglecting the interests of the minority communities. I may mention that it was only the other day, to a question put as to why in the case of the local boards nominations were not made by the Government to represent the interests of the people who could not be represented by means of election, a very evasive answer was given. I may also mention that in district boards the Indian Christians are very poorly represented; even in South Kanara it is so. With all the number of intelligent men in our community and with all the education that we give to them, we find that we are very poorly represented in the local boards and services. I think the only safeguard is, not by increasing the number of Europeans but, by having a provision in the Acts and in the rules by which the interests of such of the minorities and backward classes as cannot help themselves will be secured."

[23rd August 1924]

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, I have very little to say seeing the way in which the resolution was received by this House. I am only sorry that the two hon. Members of the depressed classes who spoke on the subject have not found it possible to give their support also to this resolution. It is no doubt unfortunate and it is due to the fact that there is a longstanding and just fear in their minds that they may not get fair treatment. I only hope, Sir, that the other communities will so arrange things, as they have already begun to do, that this fear will vanish and when a general question like this comes up again we do not have the depressed classes ranged against us.

" One thing has been said by the hon. the Finance Member to which I need reply. I said that it is on account of the difference made between the transferred and the reserved departments in the treatment of services under the recommendations, that one of the objections to the adoption of the report arises. Whether this was within the ambit of the commission we are not going to discuss; we are discussing here the question of applying the recommendations of the Lee Commission to our province. Before we apply these recommendations we have to take into consideration this fact, viz., if we accept them we will be handicapped in our further progress and further progress will suffer. It is in that view that I raise this question. The House, I am very glad, has practically received the resolution in the spirit in which it has been moved. Sir, we are told that the Chamber of Commerce is against me. I do not think that it is really against me. Sir James Simpson, its representative here, is for progress and all that he says is that at the present moment the services deserve more. There is really no difference at all. Because they have already forwarded their views on the matter, Sir Simpson is obliged to vote against us."

" I have no more to add and with these few remarks, I commend this motion for the acceptance of the House."

The hon. Mr. R. A. GRAHAM :—" I have practically nothing more to say. As a Government, we cannot express any opinion but in view of the sweeping nature of the resolution as framed—I do not feel myself precluded from voting against it. But if in spite of such arguments as have been advanced against the motion, this resolution is carried, I undertake on behalf of the Government to forward copies of the proceedings to the Government of India."

The resolution was then put to the House and declared carried.

A poll was then taken at the instance of the hon. Mr. R. A. Graham with the following result :—

For—39.

- | | |
|---|--|
| 1. Mr. P. K. S. A. Arumuga Nadar. | 13. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 2. Diwan Bahadur P. O. Bhikrajulu Nayudu. | 14. " C. V. S. Narasimha Raju. |
| 3. Mr. T. Mallesappa. | 15. Mr. A. Chidambara Nadar. |
| 4. " P. N. Marthandam Pillai. | 16. " K. Koti Reddi. |
| 5. " B. Muniswami Nayudu. | 17. " H. Muthayya Mudaliyar. |
| 6. " T. M. Narayanaswami Pillai. | 18. Dr. P. Subbarayan. |
| 7. " G. Premayya. | 19. Mr. V. C. Vellingiri Gounder. |
| 8. " P. T. Rajan. | 20. " O. Gopala Menon. |
| 9. Diwan Bahadur P. Kesava Pillai. | 21. " J. A. Saldanha. |
| 10. Rao Bahadur C. Natesa Mudaliyar. | 22. " R. Srinivasa Ayyangar. |
| 11. " T. A. Ramalinga Chettiyar. | 23. " O. V. Venkataramana Ayyangar. |
| 12. Mr. C. Ramalinga Reddi. | 24. The Raja of Ramnad. |

23rd August 1924]

For—39—cont.

- | | |
|--|---|
| 25. Rai Bahadur Sir K. Venkataraddi Nayudu. | 32. Mr. C. Maruthavanam Pillai. |
| 26. Mr. Chavadi K. Subrahmanya Pillai. | 33. Rao Sahib U. Rama Rao. |
| 27. Diwan Bahadur K. Suryanarayana-murti Nayudu. | 34. Mr. Abbas Ali Khan. |
| 28. Mr. K. Venkatachala Padayachi. | 35. Muhammad Ghous Mian Sahib. |
| 29. Diwan Bahadur W. Vijayaraghava Madaliyar. | 36. Khan Bahadur P. Khalil-Allah Sahib. |
| 30. Mr. S. Satyamurti. | 37. Mr. T. N. Sava Ravuttar Muhammad Sahib. |
| 31. „ T. Adinarayana Chettiyar. | 38. Mr. K. Uppl Sahib. |
| | 39. „ Yahya Ali Sahib. |

Against—11.

- | | |
|---------------------------------|----------------------------|
| 1. The hon. Sir Arthur Knapp. | 6. Mr. F. Noyes. |
| 2. „ Mr. O. P. Ramaswami Ayyar. | 7. „ C. R. T. Congreve. |
| 3. „ Mr. B. A. Graham. | 8. „ Thomas McKensie Ross. |
| 4. Mr. B. W. Davies. | 9. Sir James Simpson. |
| 5. „ F. L. Moore. | 10. Mr. R. Srinivasan. |
| | 11. „ R. Veerian. |

Neutral—7.

- | | |
|--|---------------------------------------|
| 1. The hon. the Raja of Panagal. | 4. Mr. Abdullah Ghatala Sahib. |
| 2. „ Rao Bahadur Sir A. P. Patro. | 5. „ S. Arpudasa-murti Udayar. |
| 3. „ Diwan Bahadur T. N. Sivagna-nam Pillai. | 6. Rao Sahib T. C. Thiruvallu Pillai. |
| | 7. Mr. L. C. Guruswami. |

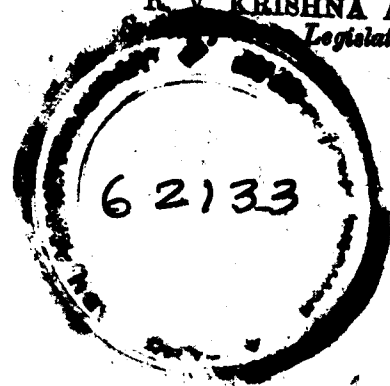
For 39; against 11; neutral 7.

The Motion was carried.

The hon. the PRESIDENT:—“The House will now adjourn to meet again at 11 a.m. on Monday the 29th September. Hon. Members will kindly remember that they have to send their notices of resolutions 15 days in advance and the date of the ballot will be notified in due course. There will be a fresh ballot for resolutions, but no fresh notice is necessary in respect of motions not included in the last ballot. After the sitting commencing on the 29th September is over, there will be prorogation and then it will be necessary to renew notice.”

The House then adjourned at 4-30 p.m. to meet again at 11 a.m. on Monday, the 29th September 1924.

R. V. KRISHNA AYYAR,
Legislative Council.



R—cont.

PAGES

River Guard System—	
Quest on <i>re</i> — in the place of 'Ghat Talayari system'	777
Ross, Mr. Thomas McKenzie—	
Oath of office	9
Rollings—	
Bills—	
Discussion at the stage of leave being asked for to introduce a Bill is allowable at the president's discretion	500
Debate—	
Mover cannot speak again after his reply	714-715
Motions not recommendations to Government—	
Admissibility of —, possible disallowance by His Excellency the Governor is an intrinsic objection to	868
— could be moved by members of Government (<i>re</i> salary of Council Secretaries)	115
Bringing forward of — independent of the ballot is allowed by convention	873
President has no residuary power to admit motions which are not recommended under rule 23	867
Rules <i>re</i> ballot do not admit any discretion in favour of	868
Papers, laying of, on the table—	
Disallowance of a question in view of the laying of a paper on the table relating to the subject is not improper	818
Laying of papers on the table is done under the orders of the President	317
Points of order—	
— relating to proceedings of a day can be raised soon after question time the next day	93
Select Committees on Bills—	
Nominations to — may be made partly when the motion to refer the Bill is made and partly at any subsequent sitting	95
Rural areas—	
Question <i>re</i> medical relief in —	782
Russellkonda Saw Mills—	
Question <i>re</i> —	622
Question <i>re</i> working of the —	766-767
Ryots—	
<i>See</i> Loans.	

S

Saldanha, Mr. J. A.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	858
Adjournment motion <i>re</i> provincial autonomy, grant of —	136
Bills—	
Civil Courts Act (Amendment) Bill, the Madras —	487, 488, 489, 493
Malabar Tenancy Bill	690, 716-717, 803, 808, 810, 811
Registration of nurses, etc., Bill	497
Demand for supplementary grant <i>re</i> Mappilla rebellion, compensation for 1 <i>see</i>	100
Motion <i>re</i> Council Secretaries, salary of —	330-31, 334
Motion <i>re</i> Lee Commission report	913
<i>See</i> Questions and Answers.	
Salem College—	
Question <i>re</i> Government grant to — in pre-Reform period	44
Salem Municipal Council—	
Question <i>re</i> financial condition of —	88
Question <i>re</i> printing work on behalf of —	38
Salt—	
Question <i>re</i> price of — in Government fish-curing yards	54-55
Question <i>re</i> sale of — in Kasaragod	56
Salt, refined—	
Question <i>re</i> production of —	291
Salt Bags—	
Question <i>re</i> re-weighing of — in Madras ports	83-84

S—cont.

PAGES

Salt Department—	
Question <i>re</i> Thiyya representation in the —	787-788
Sandalwood Trees—	
Question <i>re</i> theft of —	763
Sangameswaram Project—	
Question <i>re</i> progress of the —	415-416
Sanjaya Ayyar, Mr. K. V.—	
Question <i>re</i> —, Executive Engineer, Nellore	613
Sarvarayudu, Mr. K.—	
<i>See</i> Questions and Answers.	
Sasibhushan Rath Mahasaya, Sriman—	
<i>See</i> Questions and Answers.	
Saturdays, penultimate—	
Question <i>re</i> holidays on —	637
Satyamurti, Mr. S.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	797, 798, 799, 843, 847, 848, 854-855
Adjournment motion <i>re</i> provincial autonomy, grant of —	125-128, 131
Bills—	
Civil Courts Act (Amendment) Bill, the Madras —	481-482
Local Authorities Entertainments Tax Bill, the Madras —	358-361
Local Boards Act (Amendment) Bill, the Madras —	818
Town-Planning Act (Amendment) Bill, the Madras —	343-344
Malabar Tenancy Bill	673, 680, 715, 721
Registration of nurses, etc., Bill	495
Demand for supplementary grant <i>re</i> kala azar investigation	101
Demand for supplementary grant <i>re</i> Mappilla rebellion, compensation for loss sustained in the —	98-99
Motion <i>re</i> Council Secretaries, salary of —	116-117, 118, 119, 329, 330, 334
Motion <i>re</i> Lee Commission report	884, 891, 897-901, 912
Motion <i>re</i> Mettur project	104, 109, 110, 111-112
Motion <i>re</i> public roads, wells, etc., use of — by members of the depressed classes	823-24, 829
Parties in Council, observation <i>re</i> —	350-351
Point of order <i>re</i> Irrigation Bill Select Committee, addition of a new member to the —	94-95
Point of Order <i>re</i> Local Boards Act (Amendment) Bill, time taken up by —	820
Point of Order <i>re</i> admissibility of motions not recommendations to Government	868-69, 872-73
Point of Order <i>re</i> papers laid on the table	93-94, 316-317, 318
Point of Order <i>re</i> supplementary questions	723-724
Prohibition order on, question <i>re</i> —	277-278
<i>See</i> Questions and Answers.	
Scavengers—	
Question <i>re</i> pay of —	437-438
Scholarships—	
Question <i>re</i> — to Muhammadan students in South Kanara	443
<i>See</i> Agricultural College.	
School—	
Question <i>re</i> opening of a — in Kandiyapadu, Gudiyattam taluk	784
School of Arts, Madras—	
Question <i>re</i> —	738-739
Question <i>re</i> admission into the carpet section of —	792
Schools—	
Question <i>re</i> equipment grants to —	49
Question <i>re</i> introduction of spinning in —	657
Question <i>re</i> opening of new —	295-296
Question <i>re</i> scheme for medical inspection of —	658
Question <i>re</i> vocational training in —	295
<i>See</i> Education Cess.	
Schools of Commerce—	
Opening of — in districts	46-47

Science Course—	
Question <i>re</i> — in the first-grade colleges of the west coast	785
Secondary Education Boards—	
See District Secondary Education Boards.	
Secondary Schools—	
Question <i>re</i> admission of Adi-Andhra students into aided, private	659
Question <i>re</i> free studentships in — under public management	786
Question <i>re</i> grants-in-aid to —	48-49
Question <i>re</i> standardization of salaries in non-Government —	294
Second Crop Lands—	
Question <i>re</i> — in Ellora	606
Question <i>re</i> — in Kaikalur	606
Segregation Camp—	
Question <i>re</i> — at Tattaparai	21
Select Committee—	
Question <i>re</i> His Excellency Lord Goschen and the — on the Irrigation Bill	638
Services—	
Question <i>re</i> speech of the hon. the Education Minister <i>re</i> —	450
Settlement—	
See Land Revenue Settlement Bill; Re-settlement.	
Silk Farm—	
Question <i>re</i> — at Coonoor	791
Simpson, Sir James, Kt.—	
Adjournment motion <i>re</i> Collector of Malabar, speech of —	853-854
Motion <i>re</i> Lee Commission report	883, 912-13
Oath of office	9
Singaravelu Chetti, Mr. M.—	
Question <i>re</i> alleged trespass of Police into the house of —	642-643
Sitanagaram Settlement—	
Question <i>re</i> —	757
Seetayya, Mr. M.—	
See Questions and Answers.	
Sivaganga Zamindari—	
Question <i>re</i> —	758-759
Sivagnanam Pillai, the hon. Diwan Bahadur T. N.—	
See Minister for Development.	
Sivakasi Taluk Board—	
Question <i>re</i> —	43-44
Question <i>re</i> disposal of papers by the President of —	773
Siva Rao, Mr. P.—	
See Questions and Answers.	
Soils—	
Re-classification,	
Question <i>re</i> — in the Kistna district	392
South Arcot—	
See Villages.	
South Indian Railway—	
Question <i>re</i> constitution of the Advisory Board of the —	411
Special Trains—	
Question <i>re</i> — for His Excellency the Governor.. .. .	770
Spinning—	
Question <i>re</i> introduction of — in schools	657
Srinivasa Ayyangar, Mr. R.—	
Bills—	
Civil Courts Act (Amendment) Bill, the Madras	480-481
Motion <i>re</i> Council Secretaries, salary of —	320-322
See Questions and Answers.	

Srinivasan, Mr. R.—	
Motion <i>re</i> public roads, wells, etc., use of — by members of the depressed classes	822-823, 829
See Questions and Answers.	
Srirangam Temple Repairs Committee—	
Question <i>re</i> report of the —	392
Staff Selection Board—	
Question <i>re</i> appointments by the —	288, 644
Stamps—	
Question <i>re</i> additional income derived from — since the amendment of the Stamp Act	597-599
Standing Committees—	
See Reserved departments.	
Standing Order—	
See Amendments to Standing Order.	
State aid to industries—	
Question <i>re</i> persons or firms who have applied for —	742, 794-796
Question <i>re</i> report of special officer regarding —	56
State aid to Industries Act—	
Question <i>re</i> loans under the —	307
Question <i>re</i> operation of the —	742-743
Stationary Sub-Magistrate—	
Question <i>re</i> — of Arkonam	770-771
Stipends—	
See Ceded districts.	
Students—	
See Ceded districts	
Sub-Assistant Surgeons—	
Question <i>re</i> allowances and free quarters to — in the jail department	404
Subbarayan, Dr. P.—	
Bill—Town-Planning Act (Amendment) Bill, the Madras —	319
Motion <i>re</i> Lee Commission report	911-912
Sub-Judge's Court, Karikudi—	
Question <i>re</i> location of —	23
Sub-Overseer, Nellore—	
Question <i>re</i> conduct of the —	287-288
Sub-Registrars—	
See Registration Department	
Sugar Factories—	
Question <i>re</i> and liquor production	727-728
Soils—	
Question <i>re</i> duration of — in courts of district munsifs and subordinate judges	597-599
Survey—	
Question <i>re</i> — in South Kanara	394
Survey stones—	
Question <i>re</i> destruction of — in the Kistna district	754-756
'Swarajya'—	
Question <i>re</i> withdrawal of Editors' Table privileges from the —	263-264, 308-313
Swarnamukhi—	
Question <i>re</i> supply of water from the — to the tanks of Agali, etc.	605
Sylvan Hotel, Vepery—	
Question <i>re</i> time of licence to —	51
Stage Carriages and Hackney Carriage Act (Amendment) Bill, Madras, 1924—	
See Bills.	
Symons, Major-General, T. H.—	
Bill—Registration of nurses, etc., Bill	495-496, 497
Oath of office	261

T

PAGES

Tanikachalam Chettiyar, Rao Bahadur O.— Bill—Civil Courts Act (Amendment) Bill, the Madras— Tanjore Mirasidars— <i>See</i> Kannambadi agreement.	490-492
Tanjore Settlement— Question <i>re</i> —	254-267
Tanjore and Trichinopoly Mirasidars— <i>See</i> Kannambadi agreement.	
Tanneries— Question <i>re</i> — owned by Government	741
Task tables — Question <i>re</i> revision of — relating to relief works	603
Technical education— Question <i>re</i> report of the Couchman Committee regarding the expansion of—	792
Temperance— Question <i>re</i> — in Anantapur	417-448
Textile Institute— <i>See</i> Government Textile Institute.	
Third-class passengers— Question <i>re</i> waiting accommodation for — at the Coimbatore railway station	410-411
Thiyyas— Question <i>re</i> representation of — in the Excise and Salt departments	787-788
Time-limit— — to the speakers in <i>re</i> Malabar Tenancy Bill ..	806
Time-scale of pay— Question <i>re</i> — for unpassed revenue subordinates	746
Tinnevely Municipality— Question <i>re</i> abolition of a dispensary by the— Question <i>re</i> location of toddy shops in—	293
Toddy and Arrack shops— Question <i>re</i> power of the City Corporation to settle sites for—	725-726
Toddy shop— Question <i>re</i> license for a — in Tirukazhikundram	301-302, 450
Toddy shop rental— Question <i>re</i> petition from Mr. Chelliah Gounder regarding —	728
Toddy shops— Question <i>re</i> — Question <i>re</i> closing of — in famine-declared areas Question <i>re</i> location of — in Polur union Question <i>re</i> location of — in Tinnevely municipality Question <i>re</i> mahazars for removal of — in Kumbakonam Question <i>re</i> picketing of — Question <i>re</i> licensing of — in the city	445 302 728-729 787 725-726 302-303 445-448 448
Toddy tapping— Question <i>re</i> alleged criminal prosecution of certain Lingayats for giving up — Question <i>re</i> — by Nadars in Nanguneri taluk Question <i>re</i> penalty for not tapping — in Salem district Question <i>re</i> trees for —	637 726 448 302
Tolls— Question <i>re</i> collection of — on the road between Kodikonda and Hindapur	438
Tour— Question <i>re</i> — of the hon. the Minister for Development to Trichengode Question <i>re</i> — of the hon. the Minister for Education in the southern districts Question <i>re</i> — of members of Government	744-745 450, 731-732 31
Town-Planning Act (Amendment) Bill, Madras— <i>See</i> Bills.	

T—cont.

PAGES

Transfer— Question <i>re</i> — of Collectors and certain heads of departments Question <i>re</i> — of Engineering officers Question <i>re</i> — of poramboke lands to village panchayats or local bodies	435-437, 471 642 652
Transfers— Question <i>re</i> Police — in Bellary	778
Travellers' Bungalows— Question <i>re</i> disposal of lands attached to —	255
Travelling Allowance— Question <i>re</i> — for jurors and assessors	862
Trichinopoly Congress Office— Question <i>re</i> alleged trespass of police into the —	642-643
Trichinopoly Mirasidars' Conference— Question <i>re</i> resolution of — against resettlement	608
Trichinopoly Resettlement — Question <i>re</i> —	608-609
Trichinopoly-Villupuram Chord line— Question <i>re</i> —	409-410
Triplicane liquor shops— <i>See</i> Liquor shops.	
Tuberculosis Sanatorium, Madanapalle— Question <i>re</i> grant to —	441
Tuticorin Harbour Works— Question <i>re</i> tenders for —	651
Tuticorin Harbour Works jetty— Question <i>re</i> prohibition of people from landing at the —	781
U	
Ungratula Forest Reserves— Question <i>re</i> inconvenience to villagers in the neighbourhood of —	401
University Academic Council— Question <i>re</i> lecturers in the —	50
University of Madras— Question <i>re</i> grant to —	45-46
Uppi Sahib, Mr. K.— Bill—Malabar Tenancy Bill — Malabar Tenancy Bill, discussion <i>re</i> the time limit to the speakers on — — Malabar Tenancy Bill, Select Committee on the, — Motion <i>re</i> Narayana Menon, release of Mr. P — <i>See</i> Questions and Answers.	696-698, 699 810 816 838
V	
Vaidyanatha Ayyar, Mr. — Question <i>re</i> — overseer of Lebur section, Nellore district	643
Valavanar— Question <i>re</i> opening of —	423
Vannarpet— Question <i>re</i> exclusion of — from Palamcottah municipality	440
Varadarajulu Nayudu, Doctor— Question <i>re</i> prohibition order on —	407
Veerian, Mr. R.— Access of — to Kamalapuram Post office, Question <i>re</i> Adjournment motion <i>re</i> provincial autonomy, grant of — Motion <i>re</i> Council Secretaries, salary of — Motion <i>re</i> Lee Commission report Motion <i>re</i> public roads, wells, use of — by members of the depressed classes <i>See</i> Questions and Answers.	628-629 128 835 832, 897 827-828
Vellingiri Gounder, Mr. V. C.— Motion <i>re</i> Mettur project	107