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PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

SECOND SESSION OF THE THIRD LEGISLATIVE COUNCIL

Volume XLI (Nos. 1 to 10).

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II.—Central Subjects.

- | | |
|--------------------------|--|
| 1. Geological survey. | 8. All-India services. |
| 2. Mineral development. | 9. Territorial changes. |
| 3. Botanical survey. | 10. Immovable property in possession of the Governor-General in Council. |
| 4. Survey of India. | 11. Public Services Commission. |
| 5. Zoological survey. | 12. Reforms. |
| 6. Meteorology. | |
| 7. Census and Statistics | |

2. The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur. Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|--|
| 1. Police, including Railway Police and C.I.D. | 12. Government Houses; Staff and equipment of His Excellency the Governor. |
| 2. Regulation of betting and gambling. | |
| 3. Prevention of cruelty to animals. | 13. Stationery and Government Presses. |
| 4. Control of poisons. | |
| 5. Control of vehicles. | 14. Industrial matters included under the following heads :— |
| 6. Control of dramatic performances and cinematographs. | (a) Factories. |
| 7. Control of newspapers, books and printing presses. | (b) Settlement of labour disputes. |
| 8. Laccadives. | (c) Boilers. |
| 9. European vagrancy. | (d) Gas. |
| 10. European and Anglo-Indian education. | (e) Smoke nuisances. |
| 11. Regulation of medical and other professional qualifications and standards. | (f) Welfare of labour including depressed classes. |
| | 15. Criminal tribes. |

II.—Central Subjects.

- | | |
|---|--------------------------------|
| 1. Control of petroleum and explosives. | 3. Arms and ammunition. |
| 2. Central police organization. | 4. Emigration and immigration. |
| | 5. Pilgrimage to the Hedjaz. |

3. The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.O.S., Finance Member. Took his seat on 27th April 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|------------------------|---|
| 1. Provincial finance. | 4. Preservation and translation of ancient manuscripts. |
| 2. Pensions. | 5. Central Record office. |
| 3. Local Fund audit. | |

II.—Central Subjects.

- | | |
|--|--|
| 1. (a) Defence of India.
(b) Naval and Military works and cantonments. | 10. Sources of all-India revenues. |
| 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz. | 11. Currency and coinage. |
| 3. Relations with States in India. | 12. Public debt of India. |
| 4. Political charges. | 13. Savings banks. |
| 5. Communications. | 14. Indian Audit Department. |
| 6. Shipping and navigation. | 15. Commerce, including banks and insurance. |
| 7. Lighthouses. | 16. Trading companies and other associations. |
| 8. Port quarantine and marine hospitals. | 17. Opium (central questions regarding—). |
| 9. Posts and telegraphs and telephones, including wireless installations. | 18. Central research. |
| | 19. Ecclesiastical. |
| | 20. Archæology. |
| | 21. Regulation of ceremonies, titles, order of precedence and civil uniform. |
| | 22. Subjects not allocated elsewhere. |

4. The hon. Mr. A. Y. G. CAMPBELL, C.S.I., C.I.E., C.B.E., V.D., I.C.S., Law Member. Took his seat on 13th March 1928 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|---|
| 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province. | 6. Treasure trove. |
| 2. Provincial law reports. | 7. Non-judicial and judicial stamps. |
| 3. Administrator-General and Official Trustees. | 8. Prisons and prisoners. |
| 4. Escheats. | 9. Industrial matters included under the following head: Electricity, including hydro-electric schemes. |
| 5. Coroners. | 10. Forests (including cinchona) except panchayat forests. |
| | 11. Minor ports. |

II.—Central Subjects.

- | | |
|----------------------------|------------------|
| 1. Civil law. | 4. Criminal law. |
| 2. Inventions and designs. | 5. Major ports. |
| 3. Copyright. | |

Ministers.

1. The hon. Dr. P. SUBBARAYAN. Took his seat on 4th December 1926 and is in charge of the following portfolios :—

- | | |
|---|--|
| (1) Education (other than European and Anglo-Indian education). | (3) Light and feeder Railways and Tramways within municipal areas. |
| (2) Libraries, Museums and Zoological Gardens. | (4) Local Self-Government including village panchayats. |
| | (5) Religious and Charitable Endowments. |

2. The hon. Mr. S. MUTHIAH MUDALIYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

- | | |
|--|--|
| (1) Adulteration of foodstuffs and other articles. | (5) Pilgrimages within British India. |
| (2) Excise. | (6) Public health and sanitation and vital statistics. |
| (3) Registration. | (7) Weights and measures. |
| (4) Medical administration. | |

3. The hon. Mr. M. R. SETURATNAM AYYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

- | | |
|----------------------------------|---|
| (1) Agriculture. | (4) Development of industries. |
| (2) Civil Veterinary Department. | (5) Public Works (buildings, roads, ferries, ropeways, etc.). |
| (3) Co-operative societies. | (6) Fisheries |

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Rao Bahadur C. V. S. NARASIMHA RAJU GARU, B.A., B.L.

Deputy President.

Dr. (Mrs.) S. MUTHULAKSHMI REDDI.

Panel of Chairmen.

Mr. MAHMUD SCHAMNAD.

Rao Bahadur B. MUNISWAMI NAYUDU.

Mr. C. V. VENKATARAMANA AYYANGAR.

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 and class of constituency.
1. Abbas Ali Khan Bahadur, Bar.-at-Law.	Madura and Trichinopoly <i>cum</i> Srirangam, Muhammadan Urban.
2. Abdul Hamid Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
3. Abdul Hye Sahib Bahadur, K.	Ceded Districts, Muhammadan Rural.
4. Abdul Razaek Sahib Bahadur, Khan Bahadur S. K.	North Arcot <i>cum</i> Chingleput, Muhammadan Rural.
5. Abdul Wahab Sahib Bahadur, Munshi.	Northern Circars, Muhammadan Rural.
6. Adinarayana Chettiyar, Bar.-at-Law, T.	North Arcot, N.-M. Rural.
7. Anantakrishna Ayyar, Rao Bahadur, C. V.	NOMINATED.
8. Anjaneyulu, P.	Guntur, N.-M. Rural.
9. Appavu Chettiyar, C. D. ...	Salem, N.-M. Rural.
10. Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
11. Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Central Districts (Indian Christian).
12. Arpudaswami Udayar, S. ...	Tanjore and Trichinopoly <i>cum</i> Madura (Christian).
13. Basheer Ahmad Sayed Sahib Bahadur.	Central Districts, Muhammadan Rural.
14. Bhaktavatsulu Nayudu, P. ...	Madras City, N.-M. Urban.
15. Bhanoji Rao, A. V.	Vizagapatam City, N.-M. Urban.
16. Bheemayya, J.	NOMINATED.
17. Biswanath Das Mahasaya, Sriman.	Ganjam, N.-M. Rural.
18. Boag, C.I.E., I.C.S., G. T. ...	NOMINATED.
19. Campbell, C.S.I., C.I.E., I.C.S., The hon. Mr. A. Y. G.	EX-OFFICIO.
20. Chidambaranatha Mudaliyar, T. K.	Tinnevelly, N.-M. Rural.
21. Congreve, C. R. T.	Madras Planters—Planting.
22. Cotterell, C.I.E., I.C.S., C. B. ...	NOMINATED.
23. Davis, J. A.	Anglo-Indian.
24. Dorai Raja, Rajkumar S. N. ...	NOMINATED.
25. Ellappa Chettiyar, Rao Bahadur S.	Salem, N.-M. Rural.
26. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, N.-M. Rural.
27. Evans, C.S.I., I.C.S., F. B. ...	NOMINATED.
28. Foulkes, R.	NOMINATED.
29. Gangadhara Siva, M. V.	NOMINATED.
30. Gnanavaram Pillai, P. J.	NOMINATED.
31. Gopala Menon, C.	Southern India Chamber of Commerce.
32. Govindaraja Mudaliyar, C. S. ...	Madras City, N.-M. Urban.
33. Guruswami, Rao Sahib L. C. ...	NOMINATED.
34. Hampayya, Rai Sahib M.	NOMINATED.

Name of member.	Name and class of constituency.
35. Harisarovvattama Rao, G. ...	Kurnool, N.-M. Rural.
36. John, V. Ch.	Northern Districts (Indian Christian).
37. Kaleswara Rao, A.	Kistna, N.-M. Rural.
38. Kameswara Rao Nayudu, V. ...	Ganjam, N.-M. Rural.
39. Karant, K. R.	South Kanara, N.-M. Rural.
40. Kay, Kenneth	Madras Chamber of Commerce
41. Kesava Pillai, C.I.E., Diwan Bahadur P.	Anantapur, N.-M. Rural.
42. Khadir Mohidin Sahib Bahadur, Muhammad.	East Coast, Muhammadan Rural.
43. Koti Reddi, Bar.-at-Law, K. ...	Cuddapah, N.-M. Rural.
44. Krishnan, K.	NOMINATED.
45. Krishnan Nayar, Diwan Bahadur M.	Malabar, N.-M. Rural.
46. Krishnaswami Nayakar, K. V.	Chingleput, N.-M. Rural.
47. Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Kri-hnayachendra Bahadur Varu).	Nellore, N.-M. Rural.
48. Kumaraswami Reddiyar, Diwan Bahadur S.	Tinnevelly, N.-M. Rural.
49. Kuppuswami, J.	Guntur, N.-M. Rural.
50. Luker, A. T.	Madras Trades Association.
51. Madhavan Nayar, K.	Malabar, N.-M. Rural
52. Mahmud Schamnad Sahib Bahadur (Chairman).	South Kanara, Muhammadan Rural.
53. Mallayya, B. S.	Madras City, N.-M. Urban.
54. Manikkavelu Nayakar, M. A. ...	North Arcot, N.-M. Rural.
55. Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	EX-OFFICIO.
56. Marudavanam Pillai, C.	Tanjore, N.-M. Rural.
57. Meera Ravuttar Bahadur, K. P. V. S. Muhammad	Madura <i>cum</i> Trichinopoly, Muhammadan Rural.
58. Moidoo Sahib Bahadur, T. M.	Malabar, Muhammadan Rural.
59. Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.	EX-OFFICIO.
60. Muniswami Nayudu, Rao Bahadur B. (Chairman).	Chittoor, N.-M. Rural.
61. Muniswami Pillai, V. I.	NOMINATED.
62. Muppil Nayar of Kavalappara alias Kumaran Raman	West Coast Landholders.
63. Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
64. Muthiah Mudaliyar, The hon. Mr. S. (Minister).	Tanjore, N.-M. Rural.
65. Muthulakshmi Reddi, Dr. (Mrs.) (Deputy President).	NOMINATED.
66. Muthuranga Mudaliyar, C. N.	Chingleput, N.-M. Rural.
67. Nagan Gowda, R.	NOMINATED.
68. Nanjappah Bahadur, Subadar-Major S. A.	NOMINATED.

Name of member.	Name and class of constituency.
69. Narasimha Raju, The hon. Rao Bahadur C. V. S. (<i>President</i>).	Vizagapatam, N.-M. Rural.
70. Narayana Raju, D. ...	Godavari West, N.-M. Rural.
71. Narayana Rao, Mothay ...	Godavari West, N.-M. Rural.
72. Narayanan Chettiyar, Al. Ar.	Nattukkottai Nagarathars' Association.
73. Narayanan Nambudiripad, Rao Bahadur O. M.	NOMINATED.
74. Narayanaswami Pillai, T. M. ...	Trichinopoly, N.-M. Rural.
75. Obi Reddi, C. ...	Anantapur, N.-M. Rural.
76. Parasurama Rao Pantulu, A. ...	Cuddapah, N.-M. Rural.
77. Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
78. Patro, Kt., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
79. Premayya, G. R. ...	NOMINATED.
80. Raja of Jeypore (Maharaja Sri Ramachandra Deo).	NOMINATED.
81. Raja of Panagal, K.C.I.E. (Sir P. Ramarayaningar).	North Central Landholders.
82. Raja of Ramnad (Bhaskara Rajarajeswara Setupathi <i>alias</i> Muthuramalinga Setupathi).	Southern Landholders
83. Rajan, P. T. ...	Madura, N.-M. Rural.
84. Ramachandra Padayachi, K. ...	South Arcot, N.-M. Rural.
85. Ramachandra Reddi, B. ...	Nellore, N.-M. Rural.
86. Ramanath Goenka ...	NOMINATED.
87. Ramasomayajulu, C. ...	Cocanada City, N.-M. Urban.
88. Ramaswami Ayyar, U. ...	Trichinopoly <i>cum</i> Srirangam, N.-M. Urban.
89. Ramjee Rao, V. ...	NOMINATED.
90. Ranganatha Mudaliyar, A. ...	Bellary, N.-M. Rural.
91. Ratnasabhapati Mudaliyar, Rao Bahadur C. S.	Coimbatore, N.-M. Rural.
92. Sahajanandam, Swami A. S. ...	NOMINATED.
93. Saldanha, J. A. ...	West Coast, Indian Christian.
94. Sami Venkatachalam Chetti ...	Madras City, N.-M. Urban.
95. Sarabha Reddi, K. ...	Kurnool, N.-M. Rural.
96. Satyamurti, S. ...	Madras University.
97. Seturatnam Ayyar, The hon. Mr. M. R. (<i>Minister</i>).	Trichinopoly, N.-M. Rural.
98. Shetty, A. B. ...	South Kanara, N.-M. Rural.
99. Simpson, Sir James, Kt. ...	Madras Chamber of Commerce
100. Sitarama Reddi, Rao Bahadur K.	South Arcot, N.-M. Rural.
101. Siva Raj, B.A., B.L., N. ...	NOMINATED.
102. Siva Rao, P. ...	Bellary, N.-M. Rural.
103. Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
104. Slater, C.M.G., C.I.E., I.C.S., S. H.	NOMINATED.
105. Soundarapandia Nadar, W. P. A.	NOMINATED.

Name of member.	Name and class of constituency.
106. Srinivasa Ayyangar, R. ...	South Arcot, N.-M. Rural.
107. Srinivasa Ayyangar, T. C. ...	Ramnad, N.-M. Rural.
108. Srinivasan, Rao Sahib R. ...	NOMINATED.
109. Subbarayan, The hon. Dr. P. (Zamindar of Kumaramangalam) (<i>Minister</i>).	South Central Landholders.
110. Subrahmanya Moopanar, S. ...	NOMINATED.
111. Subrahmanya Pillai, Chavadi K.	Tinnevely <i>cum</i> Palamecottah, N.-M. Urban.
112. Swami, Bar.-at-Law, K. V. R.	East Godavari, N.-M. Rural.
113. Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.	Ramnad <i>cum</i> Tinnevely, Muhammadan Rural.
114. Tajudin Sahib Bahadur, Syed ...	Tanjore, Muhammadan Rural.
115. Tampoe, I.C.S., A. Mc.G. C. ...	NOMINATED.
116. Thomas, Daniel ...	Ramnad <i>cum</i> Tinnevely, Indian Christian.
117. Tulasiram, L. K. ...	Madura City, N.-M. Urban.
118. Uppi Sahib Bahadur, K. ...	Malabar, Muhammadan.
119. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	EX OFFICIO.
120. Vanavudaiya Goundar, S. V. ...	Coimbatore, N.-M. Rural.
121. Venkatapati Raju, P. C. ...	Vizagapatam, N.-M. Rural.
122. Venkatarama Ayyar, K. R. ...	Madura, N.-M. Rural.
123. Venkataramana Ayyangar, C. V. (<i>Chairman</i>).	Coimbatore, N.-M. Rural.
124. Venkatarangam Nayudu, U. ...	North Arcot, N.-M. Rural.
125. Venkataratnam, B. ...	East Godavari, N.-M. Rural.
126. Venkiah, S. ...	NOMINATED.
127. Watson, I.C.S., H. A. ...	NOMINATED.
128. Wright, W. O. ...	European.
129. Zamindar of Gollapalli (Srimannarayana Appa Rao Bahadur Garu, Meka).	Northern Landholders, II.
130. Zamindar of Kallikota (Sri Ramachandra Mardaraja Deo).	Northern Landholders, I.
131. Zamindar of Mirzaparam (Mirzapuram Raja Garu <i>alias</i> Venkataramayya Appa Rao Bahadur Garu).	Kistna, N.-M. Rural.
132. Zamindar of Seithur (Vadamalai Tiruvanatha Sevuga Pandiya Tevar Avargal).	Madura, N.-M. Rural.

SPECIAL MEMBERS.

133. Meston, Rev. Dr. W. NOMINATED for Bills to amend the Madras University Act.
134. Ramalinga Reddi, C. NOMINATED for Bills to amend the Andhra University Act.
135. Smith, W. E. NOMINATED for Bill to amend the Madras University Act.

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

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

VOLUME XLI

Tuesday, the 13th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, C.S.I., K.C.I.E., I.C.S., The hon. Sir Norman.
 Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.
 Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. F. Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.
 Subbarayan, The hon. Dr. P.
 Abdul Rasak Sahib Bahadur, Khan Bahadur S. K.
 Adinarayana Chettiyar, Mr. T.
 Anantakrishna Ayyar, Rao Bahadur C. V.
 Anjaneyulu, Mr. P.
 Appavu Chettiyar, Mr. C. D.
 Ari Gowder, Mr. H. B.
 Arogyaswami Mudaliyar, Diwan Bahadur R. N.
 Arpudaswami Udayar, Mr. S.
 Basheer Ahmad Sayeed Sahib Bahadur.
 Bhaktavatsulu Nayudu, Mr. P.
 Bheemayya, Mr. J.
 Biswanath Das Mahasaya, Sriman.
 Boag, C.I.E., I.C.S., Mr. G. T.
 Chidambaranatha Mudaliyar, Mr. T. K.
 Cotterell, C.I.E., I.C.S., Mr. C. B.
 Davis, Mr. J. A.
 Dorai Raja, Mr. S. N.
 Ethirajulu Nayudu, Diwan Bahadur P. C.
 Evans, C.S.I., I.C.S., Mr. F. B.
 Foulkes, Mr. R.
 Ganadharasiva, Mr. M. V.
 Gnanavaram Pillai, Mr. P. J.
 Gopala Menon, Mr. C.
 Govindaraja Mudaliyar, Mr. C. S.
 Guruswami, Rao Sahib L. C.
 Hamid Khan Sahib Bahadur, Abdul.
 Hampayya, Rai Sahib M.
 Harisarvottama Rao, Mr. G.
 John, Mr. V. Ch.
 Kaleswara Rao, Mr. A.
 Karant, Mr. K. R.
 Kay, Kenneth.
 Kesava Pillai, C.I.E., Diwan Bahadur P.
 Khadir Mohidin Sahib Bahadur, Muhammad.
 Krishnan, Mr. K.
 Krishnan Nayar, Diwan Bahadur M.
 Kurnara Raja of Venkatagiri.
 Kumaraswami Reddiyar, Diwan Bahadur S.
 Luker, Mr. A. T.
 Madhavan Nayar, Mr. K.
 Mallayya, Dr. B. S.
 Manikkavelu Nayar, Mr. M. A.
 Marathavanam Pillai, Mr. C.
 Meera Ravuttar Bahadur, K. P. V. S.
 Muhammad.
 Moidoo Sahib Bahadur, T. M.
 Muniswami Nayudu, Rao Bahadur B.
 Muniswami Pillai, Mr. V. I.
 Muppil Nayar of Kavalappara, Mr.
 Murugappa Chettiyar, Diwan Bahadur A. M. M.
 Muthiah Mudaliyar, Mr. S.
 Muthalakshmi Reddi, Dr. (Mrs.).
 Muthuranga Mudaliyar, Mr. C. N.
 Nagan Gowda, Mr. R.
 Nanjappa Bahadur, Subadar-Major S. A.
 Narayana Raju, Mr. D.
 Narayana Rao, Mothay.
 Narayanan Chettiyar, Mr. A. Ar.
 Narayanaswami Pillai, Mr. T. M.
 Parasurama Rao Pantulu, Mr. A.
 Parthasarathi Ayyangar, Mr. C. R.
 Patro, K., Rao Bahadur Sir A. P.
 Raja of Panagal, K.C.I.E.
 Raja of Ramnad.
 Rajan, Mr. P. T.
 Ramachandra Patayachi, Mr. K.
 Ramachandra Reddi, Mr. B.
 Ramanath Ganika, Mr.
 Ramasomayajulu, Mr. C.

13th March 1928]

PRESENT—cont.

Ramjee Rao, Mr. V.
 Ranganatha Mudaliyar, Mr. A.
 Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
 Saldanha, Mr. J. A.
 Sami Venkatachalam Chetti, Mr.
 Satyanurti, Mr. S.
 Shetty, Mr. A. B.
 Simpson, Sir James, Kt.
 Sitarama Reddi, Rao Bahadur K.
 Siva Raj, Mr. N.
 Siva Rao, Mr. P.
 Sivasubrahmanya Ayyar, Mr. K. S.
 Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.
 Soundarapandian Nadar, Mr. W. P. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasa Ayyangar, Mr. T. C.
 Srinivasan, Rao Sahib R.
 Subrahmanya Moopunur, Mr. S.
 Subrahmanya Pillai, Chavadi K.
 Swami, Mr. K. V. R.
 Syed Ibrahim Sahib Bahadur, Nattam Dubath Kadir Sahib.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. Mo G. C.
 Thomas, Mr. Daniel.
 Tulasiram, Mr. L. K.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarangam Nayudu, Mr. C.
 Venkiah, Mr. S.
 Watson, I.C.S., Mr. H. A.
 Wright, Mr. W. O.
 Zamindar of Gollapalli.
 Zamindar of Mirzapuram.
 Zamindar of Seithur.

I

NEW MEMBER.

The following new Member was sworn in:—

Rao Bahadur C. V. ANANTAKRISHNA AYYAR.

II

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Irrigation

Report of the Ceded Districts Irrigation Committee.

* 1686 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in reference to answer given to question No. 680 answered on 19th October 1927 regarding the report of the Ceded Districts Irrigation Committee—

(a) whether a separate Tank Restoration Scheme Division for the Ceded Districts has been settled upon and sanctioned;

(b) whether the report of the Board of Revenue on the recommendations of the Ceded Districts Irrigation Committee regarding kudimaramat, derelict tanks and the development of well irrigation has been received and considered by the Government;

(c) whether he is prepared to place the said report on the table of this House;

(d) what action the Government have taken or propose to take on the said report;

(e) what orders have been passed on the recommendations of the Chief Engineer regarding the transfer of the Kurnool-Cuddapah canal to the sole charge of the Executive Engineer, Kurnool;

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(f) whether he is prepared to place on the table of this House the report of the Chief Engineer regarding the "Five Projects," if it has been received;

(g) what further progress has been made with the investigation of the Tungabhadra project; and

(h) what amount of money is likely to be demanded during the next budget in behalf of this Tungabhadra project?

A.—(a) The scheme for the creation of a separate Tank Restoration Scheme division for the Ceded districts has been passed by the Finance Committee and awaits the vote of the Legislative Council.

(b), (c) & (d) The report of the Board of Revenue and the orders thereon regarding kudimaramat and derelict tanks are laid on the table of the House. The Board's reports regarding irrigation from wells and streams by pumping with electrical and mechanical appliances is also placed on the table. This report is under the consideration of the Government.

(e) The attention of the hon. Member is drawn to G.O. No. 1900 I., dated 30th October 1927, which has been placed on the Editors' Table. The Chief Engineer's recommendation has been approved.

(f) The Chief Engineer's report on the five smaller schemes was placed on the Council table on 2nd November 1927—vide pages 334-335 of Volume XXXVIII of the Council Proceedings.

(g) The attention of the hon. Member is drawn to the answer given to clause (a) of question No. 1419 on 25th January 1928.

(h) The exact amount to be provided for the Tungabhadra investigation in the budget estimates for 1928-29 has not yet been decided. It awaits the Chief Engineer's reply to a reference made to him.

Progress of the Tungabhadra Project.

* 1687 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Member for Revenue be pleased to state—

(a) the amount of work so far done on the Tungabhadra Project since 31st March 1927;

(b) how much out of Rs. 25,000 sanctioned last year will be spent before 31st March 1928;

(c) the amount of work that is contemplated to be undertaken in 1928-29 and the amount allotted for the same in the new budget;

(d) whether the Government will consider forming a separate division under an Executive Engineer for the Tungabhadra Project for the year 1928-29;

(e) how much work has been done in the river-bed at the dam-site till now; and

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(f) whether the Government propose to undertake and complete all the investigation work that is needed to be done in the river-bed at the dam-site before 31st March 1928; and if not, why not?

A.—The position was explained to the hon. Member in the discussion on Resolution No. 12 on 27th February 1928.

(a) The Government have no exact information.

(b) The revised estimates contemplate expenditure of Rs. 15,000 this year.

(c) The budget allotment is Rs. 15,000, but that may be exceeded if a separate division is formed or has been proposed.

(d) Yes.

(e) A trench is being dug along the whole length to lay bare the foundation for the Geologist's next visit: the Government do not know exactly how far it has progressed.

(f) It is impossible to say how much will be done by 31st March. The Chief Engineer has been given the requisite subordinate staff for the purpose and has been asked to push on with the work.

Proposed upland drainage scheme for carrying water to Coleroon.

* 1688 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether there is an upland drainage scheme in contemplation by which rain water is proposed to be carried through Vennar and Cauvery to Coleroon;

(b) whether the Coleroon embankment is strong enough to stand this additional water;

(c) whether the water cannot be carried to Coleroon by syphons under the Cauvery and Vennar;

(d) whether the upland drainage water cannot be carried to the sea by the Vattar; and

(e) whether the whole or portion of the upland drainage water cannot be utilized for the Valanar project and the Mottur Canal system?

A.—The Government have referred the question to the Chief Engineer for report.

The Pandavayar Improvement scheme.

* 1689 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the report of the Revenue Board on the Pandavayar Improvement scheme has been revived; and

(b) whether the scheme has been included in the present year's budget?

A —(a) & (b) No.

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Mr. S. MUTHIAH MUDALIYAR :—" May I ask the hon. the Revenue Member when the report is expected ? "

The hon. Sir NORMAN MAJORIBANKS :—" Very soon, I hope, Sir."

Irrigation of lands under the Palla authukalvai of Kanganellore village.

* 1690 Q.—Mr. M. A. MANICKAVELU NAYAKAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the two channels Mettu authukalvai and Palla authukalvai of Kanganellore village, Gudiyattam taluk, are classed as separate irrigation sources in the resettlement accounts; if so, what is the extent of irrigation under each channel;

(b) whether it is a fact that the Palla authukalvai has been totally neglected without being repaired either by Government or by enforcing kudimaramat labour;

(c) whether it is a fact that the whole extent of the Mettu authukalvai and Palla authukalvai lands are now irrigated by only the Mettu authukalvai water;

(d) why the Government have allowed such a step being adopted when there are land-marks of a separate neglected channel;

(e) whether the Government are aware that the head sluice built at the head of Palla authukalvai involving an outlay of Rs. 2,500 is left unused;

(f) whether the Tahsildar of Gudiyattam inspected the structure and the channel running in the rear of it and why no steps were taken to restore the channel though frequently requested by ryots;

(g) whether the Government are aware that the real cause of vast shavi in years of ordinary rainfall is due to insufficient flow in the channel and the illegal taking away of Mettu authukalvai water to Palla authukalvai lands;

(h) whether it is a fact that the ryots petitioned to the Collector of North Arcot on 28th April 1926 to restore the channel, and whether the Tahsildar of Gudiyattam to whom it was forwarded has given an endorsement to say "மாறுபட்ட நிலத்தைக் கொள்ளவும்";

(i) whether the Government are aware that the Su-Collector, Vellore, old North Arcot district, in his order dated 5th November 1883, ordered the Tahsildar to restore the Palla authukalvai and not to give permission to take Mettu authukalvai water for Palla authukalvai lands and that it was confirmed by the Collector of North Arcot in his Supplemental Appeal Case No. 180 of 1883; and

(j) whether the Government will ask the Collector of North Arcot to allot the necessary funds for restoring the Palla authukalvai and thus open Palla authukalvai for Palla authukalvai lands and totally separate the irrigation by the respective channels?

A.—(a) The two channels have been classified as separate irrigation sources and their registered wet ayacuts are 290.78 acres and 499.93 acres respectively.

(b) to (j) The Government have not the information and have called for a report.

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Damages by the erosion of the Padne bar.

* 1691 Q.—MAHMUD SHAMNAD SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) how many memorials and petitions the Government have received from the ryots of Nileswar, Padne, Oharavattur and other villages about the devastations of the new Padne bar since its opening;

(b) the estimated damage caused by the erosion of the new bar since its opening;

(c) the extent of paddy fields and gardens and the number of houses, mosques, temples and trees respectively washed away by the shifting of the bar;

(d) whether, if the Government have not got the information asked above, they propose to call for the same and place the report received on the table;

(e) whether it is a fact that most of the destructions were caused during the monsoons;

(f) whether preventive or other action has been taken by the Government since the representation made by the ryots to His Excellency the Governor when the latter visited South Kanara in October last;

(g) whether they propose to call for the plan got prepared by the Collector of South Kanara showing the positions of the old bar, the new bar, the destruction so far caused and the destruction that is imminent, etc.; and

(h) whether the Harbour Engineer visited the place and had done anything till now and what report, if any, he has submitted to the Government?

A.—(a) The Government have received one such memorial.

(b) & (c) The Government have not the information.

(d), (e), (f), (g) & (h) Since the visit of His Excellency the Governor to South Kanara in October last the Harbour Engineer-in-Chief has been deputed to report on the possibility of closing the new Padne bar. A report on the technical aspect of the question has been received from him and has been forwarded to the Board of Revenue for report on the revenue aspect of the damage likely to be caused if the present Padne bar is not closed.

Expenditure in connexion with the Mettur Scheme.

* 1692 Q.—SYED TAJUDIN SAHIB Bahadur: With reference to questions Nos. 119 and 120 answered on 24th August 1927, will the hon. the Member for Revenue be pleased to state—

(a) the amount that has been already spent under each head in connexion with the Mettur Scheme;

(b) the amount that is expected to be spent in the remaining portion of this financial year;

(c) the names and salaries of all gazetted officers that are working in connexion with the scheme;

(d) the lengths of the major channels and of the minor channels already dug in connexion with the Canal System of the Mettur Scheme and the cost that has already been incurred under each heading; and

(e) the cost of maintaining these channels till the reservoir scheme is completed?

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- A.—(a) & (b) The latest figures reported to Government will be found in Appendix II on pages 94 to 97 of the Budget Memorandum.
- (c) The hon. Member is referred to the Quarterly List of Gazetted Officers.
- (d) The latest information available will be found on pages 96–97 of the Budget Memorandum.
- (e) Information is not available.

Land Revenue

Collection of the suspended land revenue in Bellary taluk.

* 1693 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Member for Revenue be pleased to state—

(a) whether a circular was sent in January 1928 to all the village officers in Bellary taluk, Bellary district, to collect the suspended land revenue of fasli 1336;

(b) the number and names of villages in which the land revenue for fasli 1336 was collected by 1st February 1928 in full or in part as a result of this circular and if in part the part that has been collected; and

(c) whether any of these villages have been later recommended by the district revenue authorities for postponement of land revenue for fasli 1336 in full or in part and in part the part that has been recommended?

A.—(a), (b) & (c) The Government have not the information but have called for it.

Postponement of the collection of land revenue in Bellary taluk.

* 1694 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Member for Revenue be pleased to state—

(a) the months in which land revenue is collected in Bellary taluk, Bellary district, and the portions to be collected in each month;

(b) whether the Government have received any petitions from the ryots of that taluk complaining that their crops have failed this year also and requesting that the land revenue collections be postponed;

(c) whether the Government have come to any decision as to the collection or suspension of land revenue in these villages;

(d) what are those decisions and when they were arrived at; and

(e) whether the Government have issued orders suspending collections till the Government had come to a decision about postponement or suspension?

A.—(a) February 4 annas.
 March 8 "
 April 4 "

(b) Yes.

(c), (d) & (e) No order has been issued suspending the collection of the land revenue of the current fasli in any village in the Bellary taluk; nor is the issue of any such order contemplated. The collection of the suspended revenue of fasli 1336 in 55 villages of the taluk has been postponed from the current fasli to the next fasli. The collection of half of the suspended revenue of fasli 1336 in 63 villages of the taluk has similarly been postponed to the next fasli.

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Mr. R. NAGAN GOWDA:—"May I know, Sir, if the Government have received any petition from the ryots for postponing the collection of revenue of fasli 1337?"

The hon. Sir NORMAN MARJORIBANKS:—"I am not perfectly sure. I think such petitions were received and sent to the Collector for report."

Mr. R. NAGAN GOWDA:—"May I know if the Government are aware that there are areas in Bellary where the crop has been less than 4 annas and whether the Government contemplate suspension of land revenue this year?"

The hon. Sir NORMAN MARJORIBANKS:—"Government are not aware, Sir."

Loans

Reduction of the rate of interest on agricultural loans.

* 1695 Q.—Mr. J. KUPPUSWAMI: Will the hon. the Member for Revenue be pleased to state the progress made in the investigation promised by him of the question relating to the reduction of the rate of interest to 5 per cent on loans under the Land Improvement Loans Act and the Agricultural Loans Act recommended by the Legislative Council in the resolution passed at its meeting on 24th January 1928?

A.—The Government have called for a report from the Board of Revenue.

Season

Cyclone havoc in Cuddapah district.

* 1696 Q.—K. ABDUL HYE SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) what was the amount of the property lost as a result of the recent cyclone havoc in the district of Cuddapah;

(b) what is the estimated damage caused to the property of Muhammadans in Cuddapah;

(c) whether Government have given them any relief; and

(d) if so, what is the nature of relief given?

A.—(a) The amount of property lost is as given below:—

	RS.
Livestock	78,049
Damages to houses	50,000

(b), (c) & (d) The Government have not got separate information for different castes or religions. The measures of relief taken by Government were to make free grants of building materials to poor persons and to make small grants of money to relieve immediate want till people could get to work again.

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Village Establishments*Revision of the pay of village officers.*

* 1697 Q.—Mr. V. RAMJEE RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Village Officers' Association for the Presidency waited upon the Government for redressing their grievances and, if so, what was the reply given by the Government; and

(b) whether the Government propose to revise the scale of salaries of the village officers, including the menial servants, from the next official year in view of the remission of Provincial contribution?

A.—(a) Certain members of the Village Officers' Association made representations to the hon. the Revenue Member who told them that their representations would be considered.

(b) There is no such proposal before the Government other than the representations above referred to.

Depressed Classes*Fire accident in Avadi village.*

* 1698 Q.—Mr. V. RAMJEE RAO: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the fire accident in Avadi village, Godavari East district, which completely destroyed the huts and houses of the Adi-Andhras, on 13th February 1928;

(b) what sort of relief has been rendered to them by the Government or the head of the district for the reconstruction of their houses; and

(c) if no relief has yet been given, whether the Government will be pleased to issue necessary orders for the relief?

A.—The Government have no information, and do not propose to interfere with the discretion of the local authorities.

Mr. V. RAMJEE RAO:—"As regards the answer to clauses (b) and (c), will the Government be pleased to call for the information?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Sir, the suggestion will be considered."

Appointment of teachers in labour schools.

* 1699 Q.—Mr. V. RAMJEE RAO: Will the hon. the Home Member be pleased to state—

(a) the number of labour schools in each district of the Andhradesa and the number of teachers entertained in the labour schools of each district;

(b) whether it is a fact that Christian Adi-Andhra teachers are employed in the labour schools;

(c) the percentage of Hindu Adi-Andhra and Christian Adi-Andhra teachers appointed in each district in the labour schools;

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(d) the number of higher elementary schools run by the Labour department in each district; and

(e) whether the Government will raise some labour elementary schools into higher grade schools for the facilities of higher education in each district in which the operations of the Labour department are opened in the next official year?

A.—(a) For the number of schools see the answer to question No. 1673. Figures for teachers are given in the administration report.

(b) & (c) The Government have not the information.

(d) One in Kistna.

(e) No promise can be given. The Commissioner will no doubt propose raising when necessary.

Scholarships to depressed classes of Hindu faith reading in colleges.

* 1700 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state whether there is any bar which prevents the Labour Commissioner from granting scholarships and such other assistance to the depressed classes of Hindu faith reading in the colleges and standing in need of such assistance?

A.—No.

Allotment for the Kallar community.

* 1701 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state—

(a) whether any amount was provided by the Labour Commissioner for the Kallar community in 1927-28; and if so, how much;

(b) what portion of the amount was spent on Christians; and

(c) whether any safeguards have been taken to prevent misappropriation or misuse of the money?

A.—(a) The hon. Member is referred to the budget estimates.

(b) Information is not available.

(c) The usual safeguards provided in the general financial and account rules.

Acquisition of house-sites for depressed classes.

* 1702 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state—

(a) the total amount drawn by the Commissioner for Labour from Government during 1927-28 for the acquisition of house-sites to depressed classes;

(b) if so, how much was spent and how much was refunded by him;

(c) the total amount spent by Government for the acquisition of house-sites to depressed classes, ever since the Labour department was created;

(d) the amount received from the depressed classes by Government on that behalf; and

(e) what is the amount still expected from them?

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- A.—(a) The provision in the budget for 1927-28 was Rs. 2,92,900.
 (b) Rupees 1,14,800 was spent and Rs. 1,78,100 surrendered.
 (c), (d) & (e) The hon. Member's attention is invited to the budget estimates of the relevant years.

Mr. V. I. MUNISWAMI PILLAI:—"With reference to clause (b), may I know when this large amount was surrendered, and why?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"As I pointed out in my speech in the general debate the department of the Labour Commissioner has to be reorganized. We began work in one or two districts and we have got now about seventeen or eighteen districts and it is impossible to carry on more work with the present staff. So the question of reorganization of the department will soon be under the consideration of the Government."

Mr. M. V. GANGADHARA SIVA:—"How long since is the question of reorganization under the consideration of the Government?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"It will soon be taken up."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"May I know whether applications for grants for a similar purpose were received from municipalities?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Notice of the question, Sir."

Government Press

Memorial from the Madras Government Press piece-workers.

* 1703 Q.—Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received memorials from the Madras Government Press piece-workers in respect of their pay, leave, pension, etc.;

(b) whether orders have been passed on them; if so, what they are; and

(c) if not, whether they will be pleased to give effect to the increase now as prayed for in their memorials?

A.—(a) Yes.

(b) & (c) The Government have sanctioned the grant of the following concessions to piece-work compositors in the Government Press:—

- (i) Hill allowances to men taken to Ootacamund on the scale allowed to other employees of the Government Press, the concession of rent-free quarters previously admissible to those whose average earnings amounted to Rs. 25 or more being withdrawn.
- (ii) Permission to count as service qualifying for pension Sundays and other holidays admissible to employees in the Press and, subject to maximum of 15 days in a year, the period of authorized casual leave without allowances actually taken.

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Mr. M. A. MANIKKAVELU NAYAKAR:—"With reference to clause (i) of the answer to (b) and (c), may I know whether it applies to those who are in Madras?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Notice, Sir."

Mr. M. A. MANIKKAVELU NAYAKAR:—"May I know whether the Government propose to revise the pay of those who work in Madras?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"No, Sir."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Why, Sir?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"There is no special reason, Sir."

Police

Expenditure for maintaining peace in the Madras City on 26th February 1928.

* 1704 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Home Member be pleased to state the expenditure specially incurred by the Government of Madras on 26th February 1928 for maintaining peace in the Madras City, and for other arrangements to counteract the intended hartal on the arrival of the Simon Commission?

A.—The Government have no information; they have called for it.

Civil Justice

Increased pay for process-servers and amins.

* 1705 Q.—MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Law Member be pleased to state—

(a) what the Government have decided in the matter of increasing the pay of process-servers and amins;

(b) whether they have received a memorial from the process-servers of the Sub-Judge's Court, Ootacamund;

(c) what order has been passed upon that memorial; and

(d) whether Government will take any steps and, if so, what steps to see that the order passed by the High Court in D. Dis. No. 183 of 1927, dated 26th February 1927, barring the promotion of a process-server to the grade of an amin is cancelled?

A.—(a) & (c) The Government have not yet arrived at a final decision in the matter.

(b) Yes.

(d) Under the Madras Civil Courts Act, sections 22 and 23, the Government have no power to interfere in the matter.

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Criminal Justice

Prosecution of persons in Madras City for disturbing public peace on 3rd February 1928.

* 1706 Q.—K. ABDUL HYE SAHIB Bahadur: Will the hon. the Law Member be pleased to state—

(a) the number of persons who have been prosecuted in the City of Madras for disturbing public peace on the 3rd February 1928, the date of the arrival of the Simon Commission in India;

(b) whether it is not a fact that Muhammadans as a rule abstained from taking part in the hartal on the 3rd of February; and

(c) the names of the persons who were shot dead in the Esplanade as a result of opening fire by the police?

A.—(a) Twenty-eight.

(b) The Government believe that many Muhammadan shops in Triplicane and elsewhere were open.

(c) Parthasarathi.

Forests

Havoc to crops by wild boars in South Kanara.

* 1707 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) whether the Government are aware of the havoc done to crops by wild boars in the vicinity of reserved forests in South Kanara; and

(b) whether they are giving rewards for killing wild boars, and if so, what is the amount paid in each case?

A.—(a) The Government are aware that in certain localities in South Kanara wild pigs damage crops.

(b) Rewards are not granted for the destruction of wild animals other than tigers and panthers.

Mr. A. B. SHETTY:—"With reference to the answer to clause (b), may I know whether the Government will consider the question of giving rewards for the destruction of wild boars?"

The hon. Sir NORMAN MARJORIBANKS:—"The question will be considered, Sir."

Panchayat Courts

Amendment of the Village Courts Act.

* 1708 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state whether the Government have considered the question of amending the Village Courts Act as promised by him in the answers given to my questions Nos. 942 and 944 on the 31st October 1927?

A.—The amendment of the Act is under consideration.

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State Prisoners

Release of Mr. M. P. Narayana Menon.

* 1709 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Law Member be pleased to state—

(a) whether Messrs. K. Madhavan Nayar, M.L.C., and P. Appunni Menon, a member of the District Board of Malabar, undertook to stand as sureties for the good conduct of Mr. M. P. Narayana Menon, prisoner in the Madras Penitentiary, in case of his release; and

(b) what orders, if any, the Government have passed in the matter?

A.—(a) No. They offered to stand surety that Narayana Menon would not enter the rebel area in Malabar for a maximum period of three years without prejudice to his right to travel through that area in the train.

(b) Having regard to the terms of section 401 of the Criminal Procedure Code, the Government were not prepared to release M. P. Narayana Menon on the sureties offered.

Mr. K. MADHAVAN NAYAR:—"The answer to clause (b) says, 'having regard to the terms of section 401, etc.' May I know what terms stand in the way?"

The hon. Mr. A. Y. G. CAMPBELL:—"Under section 401, it is necessary to get the consent of the prisoner before release."

Mr. K. MADHAVAN NAYAR:—"May I know if the Government through its representative, the Law Member, made an offer in this House on the 4th November 1927, that irrespective of the consent or undertaking by Mr. M. P. Narayana Menon, if two friends of his came forward and gave an undertaking that he would not enter the rebellion area he would be released?"

The hon. Mr. A. Y. G. CAMPBELL:—"The hon. Member will find the statement of the hon. the Law Member in the proceedings of the Legislative Council."

Mr. K. MADHAVAN NAYAR:—"In view of the statement made by Sir C. P. Ramaswami Ayyar, the then Law Member, on the 4th November—this is what he said: 'if Mr. Narayana Menon gives that undertaking to-day or if other friends on his behalf, in the manner which was suggested, give that undertaking, Government will sympathetically consider the question for release,—in view of that statement, may I know whether the Government is prepared to release Mr. Narayana Menon on the acceptance of the surety offered and if not, why not?'"

The hon. Mr. A. Y. G. CAMPBELL:—"I must ask for notice of that question, Sir."

Education

Opening of a high school for girls in Bellary.

* 1710 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have decided to open a high school for girls in Bellary;

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- (b) whether they have succeeded in obtaining a building for the same ;
and
(c) how soon they expect to start the school ?

A.—(a) The question of converting the Government higher elementary school for girls, Bellary, into a middle school is under consideration.
(b) Yes. The school is proposed to be located in a rented building.
(c) The middle school may be opened in June next, if the necessary funds are voted by the Legislative Council.

Location of the Government girls' school at Avanigadda.

* 1711 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government are aware that the Government girls' school at Avanigadda entrusted to the Bandar Taluk Board is located in a small house which is not even sufficient for fifty pupils as per the Education Rules, though the strength of the school is 125, and whether the fact was brought to the notice of the departmental head by the headmaster of the school and also by the Sub-Assistant Inspectress of Girls' Schools; if so, on what date;

(b) for how long the school has been in the same building; and

(c) whether the Government propose to make necessary arrangements for its proper accommodation ?

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

Admission of depressed class pupils in local board schools.

* 1712 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the names of taluk boards in each district of the Presidency which have refused admission to the depressed classes into their elementary schools; and

(b) whether the Government will issue necessary orders directing the presidents of the local boards to throw open the schools for the admission of depressed classes ?

A —(a) The Government have no information.

(b) The hon. Member is referred to the reviews by the Government of the reports received annually in regard to the steps taken for the admission of the depressed class pupils into public schools, which are placed on the Editors' table.

Mr. V. RAMJEE RAO:—"With reference to the answer to (a), will the Government call for the information ?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir."

Mr. V. I. MUNISWAMI PILLAI:—"Is the Government at least aware of the fact that some local board schools are not admitting depressed classes ?"

The hon. Dr. P. SUBBARAYAN:—"A general Government Order was issued sometime ago that all schools, unless there is no difficulty about the location of the school, should admit pupils belonging to all classes."

[18th March 1928]

Encouragement to the Scout movement.

* 1713 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what the Government are doing to encourage scouting in schools and colleges;

(b) whether the District Educational Officers and their subordinates have been instructed to do anything in the matter;

(c) whether the Government propose to make permanent the appointment of the two Organizing Secretaries of the Scout Association; and

(d) whether there is any proposal to appoint District Scout Masters, to give more liberal grants or do anything else for the promotion of scouting ?

A.—(a) The Government have sanctioned a non-recurring grant of Rs. 10,000 to the Boy Scouts Association, Madras, during each of the years 1925-26, 1926-27 and 1927-28. The Association has appointed two organizing secretaries, who tour throughout the Presidency and hold scout training camps and demonstrations and thus encourage the spread of the Boy Scout movement in educational institutions. The Government also sanction grants towards the purchase of books on scouting. Further, in the case of Government institutions, members of the staff are deputed or permitted to get trained as scout masters with a view to organizing scout troops in their institutions.

(b) There is a special heading for remarks on 'Boy Scouts' in the Tabular Inspection Report form for secondary schools and District Educational Officers are asked to report whether a Boy Scouts troop is attached to the school and if so, whether the troop has a club room and whether it has distinguished itself in any way. The reports of District Educational Officers are reviewed by the Director of Public Instruction who is thus enabled to make suggestions or to point out defects to the management of the institution.

(c) The question of making the appointment of the Organizing Secretaries permanent is one for consideration by the Boy Scouts Association which is an unofficial organization.

(d) The appointment of District Scout Masters is a question for the Boy Scouts Association and District Scout Councils to settle. There is no proposal to make a larger grant to the Boy Scouts Association.

Mr. A. B. SHETTY:—"Is it a fact, Sir, that the District Educational Officers have reported that scouting is either on the decline in schools or has not progressed ?"

The hon. Dr. P. SUBBARAYAN:—"No such report has been made."

Mr. A. B. SHETTY:—"May I draw the attention of the hon. Minister to the report of the Director of Public Instruction for 1926-27 and the quinquennial report which says that scouting is either on the decline or has not progressed ?"

The hon. Dr. P. SUBBARAYAN:—"They have not reported to the Government."

[18th March 1928]

Local Boards*Construction of the Coleroon bridge.*

* 1714 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the information said to have been called for in the answer to question No. 1486 answered on 25th January 1928, about the Coleroon bridge, has been received; and

(b) what action the Government propose to take with reference to that matter?

A.—(a) Yes; the information required in Question No. 1486 is given below:—

“Question No. 1486.

(a) When the Coleroon bridge at Anaikaranchatram was washed away by the floods.

Answer. In November 1903.

(b) Why it has not been rebuilt; and

(d) Whether the Government and the district boards of South Arcot and Tanjore have considered the question of rebuilding it.

Answer. The question of reconstructing the bridge was dropped as the cost was heavy and the district boards of South Arcot and Tanjore were of opinion that the bridge was not essential.

(c) What was the extent of the traffic across the bridge for 5 years before its collapse.

Answer. There is no information.

(e) What will be the estimated cost of such reconstruction.

Answer. The President, District Board, South Arcot, estimates the cost at about Rs. 6 lakhs.”

(b) The Government do not propose to take any action until the district boards concerned move in the matter.

Mr. S. MUTHIAH MUDALIYAR:—“With regard to the answer to clause (c) by the district board, may I ask the hon. Minister when the information was obtained?”

The hon. Dr. P. SUBBARAYAN:—“I want notice.”

Enquiry into the administration of the Chingleput District Board.

* 1715 Q.—Mr. RAMANATH GOENKA: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government are considering the advisability of instituting an enquiry into the administration of the Chingleput District Board?

A.—The answer is in the negative.

The RAJA OF RAMNAD:—“May I ask, as the question is so vague, what the charges are? The answer is that it is not proposed to institute an enquiry.”

The hon. Dr. P. SUBBARAYAN:—“There has been no charge made to the Government.”

[18th March 1928]

Publication of the Government reviews of the district board and municipal administration reports.

* 1716 Q.—The RAJA OF RAMNAD: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that in recent times the Government reviews of the district board and municipal administration reports do not embody such reports as part thereof;

(b) whether the Government ever considered the desirability of printing a consolidated report, one relating to all the district boards and the other relating to all the municipalities, so that a comparative study of the progress made in the various district boards and municipalities may be available to the public; and if not, why not;

(c) why the Government, before accepting or adopting the remarks made by the Collectors of the districts in forwarding the administration reports of district boards and municipalities, do not communicate those remarks to the heads of local bodies concerned and obtain their say in the matter before accepting or adopting those remarks?

A.—(a) Yes. From 1921-22 the reviews alone are published by Government as the reports are published by the local bodies themselves in the district gazettes.

(b) The Government already issue annual reports, one on the working of the district municipalities and the other on the working of local boards in the Presidency.

(c) The attention of the hon. Member is invited to sub-section (1) of section 33 of the Madras District Municipalities Act, 1920, and to G.O. No. 3584, L. & M., dated 15th December 1924, published on page 2 of Part I-A of the *Fort St. George Gazette*, dated 6th January 1925. From the latter it will be observed that Collectors send to the municipal councils concerned copies of the remarks made by them on the administration reports at the same time as they forward the reports to Government and that 15 days time is allowed to councils to make their observations, if any. The Madras Local Boards Act, 1920, contains no provision corresponding to sub-section (1) of section 33 of the Madras District Municipalities Act, 1920. Collectors have, however, been recently asked to send to the district boards concerned copies of their remarks on the reports of those boards at the same time as they send them to Government.

Agriculture*Appointment of agricultural demonstrators.*

* 1717 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Development be pleased to state in what districts he proposes to appoint the ten demonstrators sanctioned by this Council under Supplementary Grant XXII on 1st November 1927?

A.—The matter is engaging the attention of the Director of Agriculture.

[13th March 1928]

Co-operative Societies

Prosecutions for misappropriation of funds by the Deputy Registrar of Co-operative Societies in Kistna district.

* 1718 Q.—MR. V. RAMJEE RAO: Will the hon. the Minister for Development be pleased to state—

(a) the number of prosecutions lodged in the district of Kistna during the years 1926 and 1927 by the Deputy Registrar of Co-operative Societies for misappropriation of the societies' funds against the members;

(b) by whom the various cases were tried;

(c) how many cases ended in conviction and how many in acquittal and the names of prosecuted persons with the details of amount misappropriated against each; and

(d) whether the Government and the Registrar of Co-operative Societies have satisfied themselves that the grounds of acquittal were satisfactory and that no appeal need be preferred against acquittal?

A.—(a) to (d) The Government have no information but have called for a report.

Industries

Opening of industrial schools by local boards.

* 1719 Q.—THE ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Development be pleased to state—

(a) whether any local board has sent any proposal to open an industrial school and requested the Government to sanction the grant for the said school; and

(b) if so, what steps the Government propose to take?

A.—The Gobichettipalayam Taluk Board proposed the establishment of a school for Adi-Dravidas in the village of Perandalaiyur for imparting instruction in spinning and weaving and asked the Government to bear the entire charges thereof. It was informed in reply that it would not be possible to open a school for the benefit of a comparatively small number of persons but that if the Taluk Board could open an industrial institution, the Industries Department would consider favourably the question of giving such an institution suitable grants-in-aid.

Public Works

Construction of a bridge over the Buckingham Canal between Tirukkalikkunram and Seven Pagodas.

* 1720 Q.—MR. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Minister for Development be pleased to state—

(a) whether he is aware that on account of the Buckingham Canal running between Tirukkalikkunram and Seven Pagodas (Mahabalipuram) merchants and tourists find it very difficult to pass from one place to another especially during the rainy season;

(b) whether hundreds of tourists including Europeans and Americans visit the Seven Pagodas for their great architectural skill;

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(c) whether almost all Provincial Governors and sometimes Viceroys also visit the place;

(d) whether the present merchandise of the coastal villages is diverted at great cost and inconvenience through waterways via Sadras and other places;

(e) whether any mahazars from the people concerned requesting the construction of a bridge over the canal were received by the Government; and

(f) whether the Government propose to put up a bridge over the canal?

A.—(a) There is a ferry, but there is no doubt some inconvenience when there has been much rain.

(b) & (c) Yes.

(d) The Government have no particular information.

(e) No.

(f) There is no such proposal at present.

MR. M. A. MANIKKAVELU NAYAKAR:—"Sir, may I ask the Government to call for an estimate for constructing a bridge?"

The hon. Dr. P. SUBBARAYAN:—"I will call for an estimate."

Excise

Location of the arrack shops in Bandar.

* 1721 Q.—MR. V. RAMJEE RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Excise Advisory Board of Bandar division in the Kistna district have suggested the abolition of the arrack shop at Bandar Fort and the transfer of the Aravagudem arrack shop to a place near Inguduru slaughter-house;

(b) whether it is a fact that Government have ordered the retention of the former one on the same locality and the shifting of the latter to Robertson Square bazaar, a public place in the very heart of the town;

(c) whether it is a fact that the Aravagudem shop is accordingly going to be located in Robertson Square in a conspicuous place on the public road near the market;

(d) whether the Government will be pleased to place on the table of the House the opinion expressed by the Excise Advisory Board for Bandar division as regards the location of the two shops, the remarks of the Collector of the district and the copy of the Government Order thereon; and

(e) whether the Government propose to issue necessary orders in the circumstances for not locating the shop in the Robertson Square, and if not why?

A.—(a) & (c) The Government are not aware that the facts are as suggested.

(b) & (d) No orders have been passed by the Government on the subject. The opinion of the Excise Advisory Committee and the remarks of the Collector thereon have not been communicated to the Government.

(e) The Government have called for a report on the subject.

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Mr. V. RAMJEE RAO:—"May I know whether the Government are aware that the facts are as such? With regard to (b) and (d), will the Government be pleased to place the report on the table?"

The hon. Dr. P. SUBBARAYAN:—"I cannot give any undertaking."

Illicit sale of liquor in Masulipatam.

* 1722 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact

(i) that some of the soda shops in Masulipatam were reported some time ago to be selling liquor secretly,

(ii) that on such a report Mr. H. H. F. M. Tyler, Commissioner of Excise, paid a surprise visit to Masulipatam and held an investigation with a detective staff brought from Ongole or thereabout, and

(iii) that he found the report to be correct; and

(b) what steps the Government have taken to check this evil?

A.—(a) & (b) The Government are not aware that the facts are as suggested.

Mr. V. RAMJEE RAO:—"As regards (a) and (b) will the Government be pleased to place the report of investigation on the table?"

The hon. Dr. P. SUBBARAYAN:—"I cannot give that undertaking."

Dr. B. S. MALLAYYA:—"No undertaking for anything."

UNSTARRED QUESTIONS

Depressed Classes

Alleged elimination of the "Setti Balija" community from the list of depressed classes.

1723 Q.—Mr. J. BHEEMAYYA: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the "Setti Balija" community has been eliminated from the list of the depressed classes, and if so, when and for what reasons and for what purposes; and

(b) if the answer to clause (a) be in the affirmative, whether the Government be pleased to reconsider their decision and include the "Setti Balija" community in the list of the depressed classes?

A.—A circular to this effect was issued in August last but is being withdrawn, as the Commissioner thinks it undesirable to define rigorously the classes who should be treated as depressed.

Utilization of the grants for the benefit of the untouchable classes.

1724 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state—

(a) whether from 1st April 1927 to this date the Labour department has drawn any amount for the benefit of the untouchable classes and if so, how much; and

(b) what amount has been spent for the education and housing of the untouchable classes alone during the said period?

A.—The figures will be published in the next administration report.

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Inspection work done by the Labour Commissioner during his tour.

1725 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state whether the Labour Commissioner examines the records of District Labour offices in the mufassal, and whether during his tour he personally inspects the places where measures for the amelioration of the depressed classes are reported to have been taken up by his subordinate officers?

A.—The Government have no reason to believe that the Commissioner fails to make such inspections as he thinks necessary.

Labour

Qualifications for occupying the post of the Labour Commissioner.

1726 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state whether district experience is one of the essential qualifications required for the Labour Commissioner?

A.—No special qualifications have been prescribed.

III

COMMUNICATIONS TO THE COUNCIL.

The Secretary laid on the table copies of:

(i) G.O. No. 109, Development, dated 20th January 1928, passing orders on the audit report of the Russellkonda Saw Mill for 1926-27.

(ii) G.O. No. 322 W., dated 2nd February 1928, passing orders on the accounts of Willingdon House, Ootacamund, for 1926 and 1927.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

IV

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

* The hon. the PRESIDENT:—"I have to announce that the Tuticorin Port Trust (Amendment) Act, 1927, received the assent of His Excellency the Governor-General on 27th January 1928."

V

STATEMENTS OF THE EX-MINISTERS ON THEIR RESIGNATION.

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, let me thank you, Sir, for your kindness in giving me permission to make a statement before this House explaining the reasons that led to my resignation of the office of the Minister for Public Health and Excise. In making this statement, Sir, I shall try as far as I can, to avoid personalities. But I think, Sir, it will be recognized that it will be impossible for me altogether to desist from making some personal references. Among the causes that led to my

* Printed separately.

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resignation there are those which I might describe as proximate and others which I may describe as immediate. Among the proximate causes that ultimately led to my resignation I may mention the fact that owing to various causes there was a good deal of unpleasantness amongst us Ministers. (Hear, hear.)

11-15 a.m. "I shall be treading on delicate ground by venturing into details and I do not want that all our dirty linen should be washed before the public. But among the many reasons which had led to this disunion in the Ministry I would give the first place to the fact that although there was an attempt in this province to establish the convention of joint responsibility, we among ourselves were never united on that point. Joint responsibility meant joint consultation, and it is a matter of common knowledge that in many cases action was taken on important matters without anything approaching joint consultation. It is unreasonable to expect any one of the Ministers to take the responsibility for the actions of his colleagues in which there was no joint consultation. Joint responsibility, Sir, means joint consultation. In this Province, the late Governor Lord Willingdon tried to start the convention of joint responsibility. The House is aware that nowhere in the Government of India Act or in the present constitution is there any reference made to the Chief Minister. In other Presidencies, there is no Chief Minister at all. In this province, when the convention of having a Chief Minister was started, the implications of joint responsibility followed and joint responsibility should have been preceded by joint consultation. On account of the failure of joint consultation, we have had often a good deal of trouble and unpleasantness among us Ministers; and when later our personal conversations failed on the subject, I raised the question officially and even then I failed and my Colleague hon. Dr. Subbarayan resisted and resented my raising the question at all. (Cries of 'hear, hear' and 'the cat is out of the bag.') It is no surprise therefore that in our counsels we were never united, and all attempts to secure joint responsibility have failed so far.

"Coming next to the question of the Simon Commission, one of the causes that led to the trouble was the premature statement on the subject issued to the press by Dr. Subbarayan. As soon as the personnel of the Commission was announced, we decided that we should call a meeting of our party. A party meeting was fixed; but in the meantime, Dr. Subbarayan, for reasons of his own, issued a statement which showed to his Colleagues that he repudiated the necessity for joint consultation and consultation of the party. In spite of our endeavours the statement was issued, and we had the unpleasantness of differing on this question.

"Then, Sir, as the joint Ministry was supposed to work on joint responsibility, this premature statement provoked a retort from certain members of our party, including our Chief Whip. Naturally there was unpleasantness in the party. Later on we decided in our party that this question of the Simon Commission was to be a non-party issue and that individual members should be given the liberty of voting and acting in this matter as they liked. This House decided by an overwhelming majority that it would not co-operate with the Simon Commission as at present constituted. Thereupon, Dr. Subbarayan threatened to resign. (Voices of 'Oh', 'Did he'?) A day later, he informed us that he had already resigned, (Oh) and the resignation was in His Excellency's hands, (Dr. Mallayya: 'Bluff!') (Mr. Satyamurti: 'Oh') but we find that the resignation did not

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take effect. (Laughter.) (Mr. Satyamurti: Whose fault?) He informed us that he had asked His Excellency to accept his resignation but no action was taken on it. Then, on a subsequent date, I and my late Colleague Mr. Ranganatha Mudaliyar were definitely informed by Dr. Subbarayan that he had resigned his appointment and had asked the Government to give effect to it from the date of the departure of the Simon Commission from Madras. On account of this, either actual or threatened resignation, a good deal of trouble was caused in our party, and our party thought that it would lead to the immediate breaking up of the party to which we all belonged. It resulted in a good deal of confusion and turmoil. I had an interview with His Excellency on the question of Simon Commission resolution and His Excellency told me that those who acted against the Commission acted against the Government. (Mr. C. V. Venkataramana Ayyangar: When was that?) I of course did not accept that view; for had I accepted that view I should have resigned at once. If a Minister acted against the Commission and boycotted it, I could not for the life of me see how he was acting against the Government. I do not want to say anything further, but I must say, Sir, finding that His Excellency took that view that anyone acting against the Commission was acting against the Government, I should have, as I said, resigned at once; but I did not for two reasons. Firstly because, I thought His Excellency was wrong and might change his view later and secondly, I had to meet my Colleague Mr. Ranganatham who was not in Madras and I wished to consult him on the matter as to what action I should take.

"The next thing that I would mention was the no-confidence motion brought in by the Leader of the Opposition against Dr. Subbarayan. This motion only wished to express its want of confidence in Dr. Subbarayan without stating any reasons. It was obviously a motion which no member of our party could support. Had the reasons been given, that it was because of his support to the Simon Commission, at least those members of our party who had committed themselves to the boycott would have been compelled to vote for it. (Mr. Satyamurti, Hear, hear.) The motion could not properly command the support of the members of the Independent Nationalist party. The motion failed. I shall not go into the reasons why we did not vote for it. But let me say this. So far as I and my friend here Mr. Ranganatha Mudaliyar are concerned, we did our level best to dissuade our members, for the reason that I had already explained, that the members of our party should loyally support our chief, the no-confidence did not refer to the Simon Commission. In fact, even on the date preceding the actual motion, we did our level best to dissuade all members of our party from having anything to do with it. I left the previous evening with the impression that the Simon Commission motion would not come off and that the members of our party would not support it. The motion failed. Subsequent to this, I and my colleagues had an interview with His Excellency the Governor. In that interview, His Excellency again and again reiterated the fact not only that the failure of the motion was a reversal of the previous vote of the Council concerning the Simon Boycott, but that it meant an affirmation of confidence in Dr. Subbarayan. (A voice: Wonderful logic?)

"Taking what transpired in the interviews that I had with His Excellency 11-30 a.m. and considering the fact that His Excellency took the view that those who voted against the Commission were acting against the Government, I thought that I could not remain as a Minister any longer. The issue is so important

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that it is necessary that I should ask the indulgence of this House to refer to them very briefly. The proposition was that no Member of this House who was not definitely for the Commission should hold the office of Minister. I demur to that view. It meant that in any future selection of Ministers, hon. Members sitting in all sections of the House who had taken a prominent part in the public life of the country for many years and men with a distinguished record of service could have no part in any Ministry that may be formed. That is the logical sequence. Out of the 61 Members that voted for the Simon boycott, not one should be considered to be eligible in finding out our future Ministers. I think it is a constitutional issue of very great importance. It means an insult to this House. (Hear, hear.)

"Besides I take the view that the failure of the no-confidence motion against Dr. Subbarayan does not, as His Excellency wished to emphasize, mean a reversal of the policy of this House in regard to the Simon Commission. The motion itself, as I explained already, is a bald motion of no confidence. It did not intend to be a motion against Dr. Subbarayan on account of his views on the Simon Commission, but the motion was purely a bald motion of no confidence. The fact that it failed, or, had it succeeded, the fact of its success, would have made no difference in regard to the expressed opinion of this House. This House still sticks to its former resolution that it should have nothing to do with the Simon Commission as at present constituted. I believe the no-confidence motion has made absolutely no difference."

* The hon. the PRESIDENT:—"Order, Order. According to rule 10 (a) the hon. Member will be quite in order if he refers to the grounds for resigning the Ministership. I don't think he will be in order if he exhorts the Members of the Council as to their future conduct."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Thank you, Sir, there is only one other point that I should like to refer to. Reforms, Sir, at least future Reforms, belong to the portfolio of the hon. the Revenue Member. In matters pertaining to the administration of the reserved subjects Ministers may be consulted, but there is no obligation to consult, and if the Ministers did offer any advice the Reserved half were under no obligations whatsoever to accept that advice. Such being the case, Sir, I do not see how any Minister can be forced against his will to offer advice. In the administration of the reserved subjects, matters are decided as a rule by the Executive Council to which the Ministers have no admission and here we are or we were Ministers unwilling to take any part in this matter which concerned the reserved subjects. I see no reason why we should be forced against our will to take part in matters that do not pertain to our portfolios—in matters that have been definitely allotted to the Reserved half and that are being administered by the hon. the Revenue Member with the assistance of two special Secretaries whose pay is non-votable. I think it is very unreasonable that we should be asked to take part in this matter that does not pertain to us at all."

"I have nothing more to add except to appeal to the House in conclusion in regard to its prerogative, its dignity and its privileges."

"It should not be possible for any Government to turn out of office Ministers who are acting on the mandate of this House. (Hear, Hear.) I, Sir, acting on the mandate of this House and in obedience to it, did not do anything that this House could object to; and I certainly think that it is not for the Government to say that I was wrong. It is a matter of grave importance and I think

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the Government as well as the Ministers and Members are bound by the mandate of this House. If they chose to repudiate this mandate they would be taking on themselves a great responsibility and they would be acting against the very spirit of our democratic constitution: they will be undermining even the beginnings of responsible government. I therefore, Sir, appeal to all sections of this House to take up this constitutional point and I hope that they will with one accord say not merely that they are not going to co-operate with the Simon Commission, but that they will resist with all their might any attempt at the selection of Ministers only from those who are willing to co-operate with the Simon Commission. I hope that they will resent any attempt for the exclusion of all the many prominent Members of all sections of this House, men (as I said) who have a distinguished record of service, and that this House will resist any attempt to exclude the distinguished men of this House who have taken part in regard to the Simon Commission Boycott resolution.

"Finally, Sir, let me not be understood that I am not grateful to His Excellency for his uniform kindness to me as a Minister. As a gentleman with the best traditions of the English race he was always courteous and kind. I hope I shall remember always and keep in my mind the memory of the many acts of kindness and courtesy shown to me by His Excellency." (Cheers.)

* The hon. the PRESIDENT:—"Under rule 10 (a), clause (3), a Member of the Government is entitled to make a statement pertinent to the statement of the Member who has resigned the Ministership. I have already given my consent to Mr. A. Ranganatha Mudaliyar to make a statement regarding the grounds of his resignation. I wish to know from the Treasury Bench whether they want to make a combined statement after hearing the statement of Mr. Ranganatha Mudaliyar or to make a statement on each one of the statements."

* The hon. Sir NORMAN MARJORIBANKS:—"Sir, if you permit me I should like to say a few words with regard to the references that have been made to His Excellency the Governor in this matter. If you consider that one statement should be made, I would leave it to the hon. the Minister."

* The hon. the PRESIDENT:—"I think it will be for the convenience of the House to hear the statement of Mr. A. Ranganatha Mudaliyar and to have a statement from Sir Norman Marjoribanks and also from Dr. Subbarayan. After all, as two Ministers have made two statements, the Government have got a right to make two different statements. It is a question of convenience. I wish to know the wishes of the various parties whether they want to adopt that procedure."

Mr. SAMI VENKATACHALAM CHETTI:—"Sir, if the Government waits till the other ex-Minister makes his statement and then makes a combined reply, I do not see why another Member of Government should also be permitted to make a statement. If, on the other hand, a reply is now given with reference to the statement made by Mr. Arogyaswami Mudaliyar and also if Mr. Ranganatha Mudaliyar is allowed to make another statement and another reply is made by Government, then there will be two statements."

* The hon. the PRESIDENT:—"Since there is an objection, I think the rule is positive that only one statement is to be made unless Members of Government want to avail themselves of the two different statements and to make

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two different statements as contemplated by sub-rule (3). I do not think I can allow two Members of the Government to make a statement after Mr. Ranganatha Mudaliyar has made a statement."

* The hon. Sir NORMAN MARJORIBANKS:—"In the circumstances, the one statement to be made on behalf of the Government will be made by Dr. Subbarayan."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, it is one of the rights and duties of the Minister who resigns office to make a short statement to the Council, and with your permission I should like to take advantage of this privilege to explain to this House the reasons that have compelled me to resign my office as Minister . . ."

Diwan Bahadur M. KRISHNAN NAYAR:—"My point of order, Sir, is whether the hon. Member is authorized to read his speech."

* The hon. the PRESIDENT:—"I have already said that important statements of Ministers can be read from a written speech."

* Mr. A. RANGANATHA MUDALIYAR:—"I use the words 'rights' and 'duties' advisedly, right because it is to this House alone that it is possible to say many things that it would not be possible to say outside, and duty because it is as a Member of this House, and upon a mandate from it that any Member is entitled to occupy the position of a Minister. This is the very basis of Parliamentary representative government; and the authors of the Reforms recognized this principle as vital, and laid it down that a Minister was to be selected from that party which commanded the confidence of the House, and he was to continue to occupy his position only as long as he enjoyed this confidence and as long as he was an elected Member of the House. It is with this object that the salary of the Ministers has been made votable; it is this principle that constitutes the fundamental difference between the position of the Executive Councillors and the Ministers; it is in this fact alone that lay the justification of the Reforms of 1920. Under the Act the choice is legally vested with the Governor; in fact, the Ministers are and ought to be selected by the Council, and should continue in office only so long as they continue to hold the confidence of the Council."

11-45
a.m.

"This at least has been my point of view during all the 15 months I have had the honour to be a Minister. I have no desire to go over the whole controversy that centred round the formation of the Independent Ministry in December 1926; but this I may assert without controversy that, when the Congress party refused it, there was a general desire in the Presidency in favour of our party accepting office. The Congress party, though it refused office itself, was willing, perhaps as the lesser of two evils from its point of view, that we should shoulder the responsibility. It might be that the party thought so at the time and did not mind who held the fort, being sure, according to their calculations, of occupying the fort in a few months when they cared to do so. But, as you know, Sir, subsequent events have not justified those hopes of theirs, if they indeed entertained them, and at the close of the year we were still left to carry on the Government even though not the strongest party in the Council."

"It might be asked why I did carry on for so long if the position of the party in the Council was so weak? My answer is that though weak in

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numbers, I knew that I had the support of the House for my general policy. (Justicite laughter.) I did not say, Sir, 'of every section of the House' but of the House as a whole. Even afterwards, whenever I felt the need for money for one or other of my schemes initiated subsequent to the Budget session, I always came to the House for its renewal of confidence and I am grateful that it was never withheld. During the latter part of last year, the House might have observed that a number of supplementary demands were included in the agenda, but could not then be moved for one reason or another. At the next meeting of this Council, many of them were omitted from the agenda. I too might have done the same with regard to my demands, for there was the probability that at the next budget they might all pass through without notice or discussion. But I would not do so; I believed in the schemes on which I had spent so much time and labour to get to the stage when they could be submitted to the House. I clearly felt that it was my duty to take the earliest opportunity of getting the vote of the House for them so that they might be executed with the least possible delay. And I was justified in my anticipation and trust and the House passed all which I wanted them to pass."

* The hon. the PRESIDENT:—"Order, order. I am carefully listening to the hon. Member. A resumé of his work as Minister is not quite pertinent under the rule. I might draw the attention of the hon. Member to rule 10 (a):

'A Member who has resigned the office of Minister may with the consent of the President make a personal statement in explanation of his resignation.'

"I think, the hon. Member will be in order if he confines his remarks to the grounds of the resignation instead of giving a resumé of his office as Minister."

* Mr. A. RANGANATHA MUDALIYAR:—"I beg to state, Sir, that I entirely agree with the ruling given by the Chair, but I was just explaining why I resigned and why I resigned at a particular time and not earlier."

"Sir, I have referred to these details only to show that my belief that the House was generally with me in regard to the administration of the Transferred Departments in my charge was not altogether without foundation. Needless to say that, further, I also sincerely believed that the Reforms though unsatisfactory, were still a weapon placed in our hands to win more power and it was with that spirit that I accepted office. (Mr. S. Satyamurti: 'You have now seen what it is.') As long as the Council trusted me I was desirous of doing all the good I could do with the limited powers of a Minister. In this belief, of course, lay my sole difference with my Congress friends. (Congress Members: 'Hear, hear.') Thus, Sir, I may say that I was inspired by two principles to accept office and carry on as long as I have done, namely, my belief in using the Reforms to get more power, and my desire to shoulder a responsibility that I believed that I was called upon by a fairly general consensus of opinion to do so."

"Now, Sir, to come to the reasons that have compelled me to resign my office. Believing myself as I did and as I still do, a servant of this House, a mirror to reflect its view, its mouthpiece, I have no doubt in my mind that whenever I found myself at variance on any fundamental principle with the views of the House, it would be my right and my duty to resign. (Hear, hear.) As an individual, I might hold any views; as a Minister I must reflect the

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views of the House on all fundamental matters, or I must resign. (Several voices : Hear, hear.) It was my position all along. That is my opinion still. It is not for me, Sir, to say how far I have kept up to this ideal during the last fifteen months; but, so far as I am aware, there is no occasion on which I have not acted up to this principle. This brings me to the vote of the House on the Simon Commission in January 25th. I need not remind you, Sir, that the advent of this Commission has caused a general feeling of resentment in the country which has succeeded in uniting all of us, irrespective of party labels and professions, in defence of the honour of our Motherland. (Mr. Sami Venkatachalam : Come here.) There are times in the history of a people when it is tested; there is no doubt in my mind that we are passing through such a time. The general feeling of resentment in the country at the advent of this Commission has been reflected in the Legislative Assembly and in most of the local Councils. And every prominent patriot in our country's cause has joined in the agitation against it. As was but to be expected, this House which but reflects the opinion of the country, passed a resolution on 25th January : 'That this Council recommends to the Government that they be pleased to convey to the Viceroy and His Majesty's Government that this Council has no confidence in and will have nothing to do with the Statutory Commission as it is at present constituted.' The resolution was carried by 61 votes against 29, 12 remaining neutral. As a Minister of the Council, elected by its reason of confidence in me, I naturally found it my duty to be bound by this emphatic decision of the Council; if I had found myself at variance with the Council on this point, I should have regarded it not only constitutional but also honourable to have resigned my office. (Hear, hear.) Whatever the opinion of an individual member of the Council may be, and whatever liberty he may have in the matter of cherishing and upholding these opinions, as Ministers we are the executive of the Council and bound by its solemn mandate. But, as it was, the decision of the Council reflected my own views, and therefore, I saw no reason why I need resign. My hon. Colleague, the First Minister, differing from my view had publicly declared his opinion with regard to the futility of the boycott of the Commission, and even in this House voted against the amendment of the Leader of the Opposition as further amended by Mr. T. C. Srinivasa Ayyangar. Thus it was clear that the Ministry was divided with regard to the resolution of the Council and had I been in the place of the First Minister, I should have felt that the only constitutional course for me was to tender my resignation. But as the House is well aware, he has not done so up to date and he has been allowed to go against the very principles of responsible Government. Having in view the anomalous position of the Ministry, as well as the unconstitutional position taken up by the First Minister, I and my colleague would have determined upon and pursued a definite line of policy but for the fact that the hon. the First Minister gave us to understand on more than one occasion that he had either resigned or was on the point of resigning and so on.

"With regard to my own decision to respect the resolution of the Council, I never maintained any secrecy. I took an early opportunity to acquaint both His Excellency and the public that I was going to respect the resolution. From that time till the end of February, nothing happened to change my original views nor did I see any reason as has been advanced in one local newspaper that my holding the office as Minister was incompatible with my decision to respect the resolution of the Council. What was the

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good of my being a popular Minister as distinct from the Members of the Executive Council, if I did not represent the popular view in the Government? Nor did co-operation or non-co-operation with the Commission in any way interfere, up to the date I resigned, with the discharge of my duties as Minister. Indeed, in the Central Provinces, both the Ministers have long ago announced their determination not to have anything to do with the Commission and yet they continue in office. On March 2nd was brought forward the no-confidence motion against the First Minister and as the House is well aware, leave was not granted for it to be moved as the requisite number of 42 members did not stand up in their places. It is not for me to go into the reasons for this failure; my concern is with the interpretation of this incident. The peculiar view was taken that the implications of this failure were firstly the reversal of the Council's resolution of 25th January, secondly its expression of confidence in the First Minister and his policy and consequently its censure of the attitude of myself and the Third Minister. I need not say that in my view this is a grotesque misrepresentation of the incident of 2nd March. But, for that very reason, I considered it my duty to myself, to the Council and to the country and even to the authority responsible for my choice as Minister to tender my resignation to His Excellency the Governor. The issue, in my opinion, was this: either the interpretation referred to above was wrong or was right. If it was right, it was my duty to resign, because I could not conscientiously carry out the decision of the Council to co-operate with the Commission. If it was wrong, it was equally my duty to resign so that the Council might have an opportunity of affirming and of re-affirming if need be its determination to boycott the Commission and uphold our right, the most sacred right of a people to determine its own form of Government. (Cheers.)

"It has been suggested in some quarters that the step I took was hasty and that I might have delayed it and waited to be dismissed. On the surface there may be something to be said for this line of argument. It might have been possible for me to get the Council at the Budget time to declare definitely one way or the other and set at rest any doubts held in some quarters. But I wish to take the House into my confidence on this matter and I declare that I fully believed that I did not resign a day too early. The position was this; I could have gone through the Budget taking upon myself the responsibility of passing the demands through. But once the Council was adjourned I fully believed that another issue would be brought forward to force me to tender my resignation so that a new Minister would have been installed in the office who for about six months would have been free from the vote and control of this House. To my mind the Simon Commission was the only issue which at the present time should determine the relation between the Council and the Ministers. But, with the First Minister against me, not only on this but in many matters of administrative importance I could not be sure that that issue would not be easily clouded. Hence, if I had to resign, I must do it immediately, so that any new Ministers who are appointed may have to take the sanction of the Council for their attitude with regard to the fundamental issue on which the First Minister and myself differed.

"Again it was possible that I may have been given the same latitude that was allowed to the First Minister after 25th January to continue in office even though I was at variance with the views of the Council as interpreted by some authorities. But, in that case, I should have considered myself to have

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betrayed the trust of the Council and of the country and even of the Governor. I believe that agreement or disagreement between the Council and the Ministry on this question is of fundamental importance; and I venture to believe that whatever our differences of opinion in regard to other matters, on the point of the Commission we are one. It is because of this that I considered it my duty to resign and come back to you to ask you to uphold the honour of the House and of the country.

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noon.

"One further word and I have done. Attempts are naturally being made to find substitutes for us. I have no desire to hamper them. But let us clearly understand what the implications of success in this direction would mean. It would mean firstly that this Council does not know its own mind, and is not bound by any principles. None of the 61 members who voted for the boycott of the Commission on 25th January can with any honour for their plighted word accept to co-operate with the Simon Commission. Secondly, it would mean that the Government has been proved to be right in its taunt that agitation against the Commission is mere froth on the surface, to be ignored with impunity. Thirdly, it would mean that there is no good any one of us placing trust upon the word of our people. There is only one answer possible, and that is, by this Council refusing consent to the formation of any Ministry (Mr. S. Satyamurti: Hear, hear) that does not explicitly stand for the boycott of the Commission. Sir, this is not a question of personalities, or tactical advantage. It matters not the least who is the Minister; it matters everything whether one should place reliance upon our word. As long as the Ministers are not allowed to act in this matter with the Council it should not be possible for any authority to form a Ministry. Much better that Diarchy should go rather than those who are entrusted with the duty and the privilege of representing the views of the Council should in reality misinterpret them. (Hear, hear.)

"Thus, to my mind, the position is this: this House should not allow the vacant places to be filled up unless it be with those who interpret the will and the opinion of the Council. The remedy is at hand. Probably it may be intended to keep our places vacant till after the budget, and then to give the new Ministers a start of five or six months before the next meeting of the Council. If that be the idea, the only way to prevent it is by the entire omission of the salary of the Ministers. That would ensure that the Ministers who are to be appointed will be those who reflect its views."

* The hon. the PRESIDENT:—"Order, order. I request the hon. Member to reserve those remarks for another opportunity that may arise."

* Mr. A. RANGANATHA MUDALIYAR:—"One word more, Sir, and I am done. I believe, Sir, that if ever there was a Governor who was willing to make the Reforms a success and under whom they could have been made a success, it was His Excellency Lord Goschen. But I fear the opportunity has been lost. All the same, I would like publicly to thank His Excellency the Governor for his uniform courteous and sympathetic treatment of myself and of the departments placed under me." (Loud applause.)

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, when His Excellency the Governor did me the honour of inviting me to form a Ministry, I accepted that kind invitation and put forward the names of the hon. Members who have just spoken as my Colleagues. (A voice: late Colleagues.) His Excellency accepted these gentlemen as Ministers on my recommendation. Some short while back I represented to His Excellency that there were

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differences between me and my Colleagues, into which I do not propose to enter at present, and that we could no longer work harmoniously, and suggested that either my Colleagues or I should part company. (A voice: Why?) His Excellency discussed the situation with them and the second and third Ministers, on that, seem to have proffered their resignations and as His Excellency was aware that a vote of no-confidence against me had failed to obtain the necessary support of the House—(Cries of No, No.)—That is the implication, you can cry no, no, if you like. (Mr. S. Satyamurti: "He laughs best who laughs last.") (Another voice: Wait and see.) I am quite willing to wait and see."

* The hon. the PRESIDENT:—"Order, order. I think the Members of the House will do well to hear calmly the statement of the sole Minister."

* The hon. Dr. P. SUBBARAYAN:—"I was trying to speak calmly, Sir, but if hon. Members interrupt, I have every right to hit them back, and I mean doing that. (A voice: Do not get excited.) The two Ministers proffered their resignations as I was saying, and as His Excellency was aware that a vote of no-confidence against me had failed to obtain the necessary support of the House, he felt he had no option but to accept the resignations thus proffered. (Dr. B. S. Mallayya: On your recommendation!) (Laughter.) The hon. Members who have spoken have referred to differences of opinion regarding the Simon Commission. The question of the Simon Commission is a reserved subject under our diarchic constitution. (Dr. B. S. Mallayya Who reserved it?) His Excellency was influenced by the difference of opinion between the Ministers rather than by the particular opinions held by such of them, which made him accept their resignations. (A voice: Did you resign?) I do not, Sir, now propose to enter into any detail, as I said with regard to the resignation of my hon. Colleagues, the Member for Bellary and the Member for the Central Districts Christian Constituency. It was really a surprise to me to learn from the newspapers of the 7th evening that they contemplated resignation. This was confirmed by a message on the telephone next morning by the hon. Member for Bellary who even then did not divulge any reasons for the step he and his friend had taken. The reason that impelled my hon. Friend from Bellary to take this step is contained in his letter of resignation to His Excellency which was published in the Press, for which I do not know if he chose to obtain the permission of His Excellency which is the usual procedure. I have only one statement to make in this connexion, and that is that my hon. Friends might have informed me of the step they proposed to take. Instead it is an open secret now that they summoned the Deputy Leader of the Opposition for counsel. In his lengthy statement to the Press, the hon. Member for Bellary, as pointed out by the Leader of the Opposition, makes no answer at all to the question by the Press on this point. The statement of the Leader of the Opposition issued yesterday shows why they took this step. One can also now understand why the two Ministers issued a statement to the Press about their attitude on the Simon Commission a month after the decision of the Council but just before the no-confidence motion against me in this House was tabled. It is therefore now quite clear that at least the hon. Member for Bellary had a part, however remote it may have been, in the no-confidence motion that was moved against me. This cuts right across any idea of joint responsibility, or it seems to me, of any reasonable conception of the relations which should exist among men so placed as we were; because if the hon. Member for Bellary

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had any differences with me, it was for him to have informed His Excellency that he could not continue to serve with me as the Chief of the Ministry. Instead, he was, as the letter of the Leader of the Opposition shows, a party to the no-confidence motion against me. How any joint responsibility is compatible with this I cannot say. Besides, my hon. Friend the Diwan Bahadur, the Member for the Central Districts Christians, has always argued against any such joint responsibility. What is more, the very fact that the members of the Congress Party who always stood for joint responsibility, chose to put forward a motion of no-confidence in one Minister shows that even they were going against their professed opinions. The hon. Members will surely understand now it is not I who has thrown to the winds the idea of joint responsibility of the Ministers. That charge, Mr. President, must be laid at other doors." (Applause.) (Mr. S. Satyamurti: It seems an after-thought.)

VI

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1927-28.

Grant III.

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, I beg to move

'that the Government be granted an additional sum of Rs. 54,000 under "Grant III—Stamps—Reserved."

"This sum is required because, as hon. Members will no doubt remember, last year the Government of India introduced certain amendments to the Indian Stamp Act"

Mr. G. HARISARVOTTAMA RAO :—" On a point of order, Sir. We have not known yet who the Law Member is, and this is now being moved by the hon. Mr. Campbell. I do not know whether he is in order in doing so."

* The hon. the PRESIDENT :—" The hon. Member may take it that Mr. Campbell is the hon. the Law Member."

* The hon. Mr. A. Y. G. CAMPBELL :—" As I said, under the amendments introduced by the Finance Act of 1927 into the Indian Stamp Act no stamp duty is leviable on cheques drawn on or after 1st July 1927. On that date the Banks and other bodies in this Presidency had in their possession a large number of unused cheque forms which had been stamped. In accordance with the provisions of the law, the stamp duty levied on those cheques had to be refunded. It is to meet the cost of these refunds that this additional amount of Rs. 54,000 is required. I beg to move that this sum be granted."

The hon. Mr. T. E. Moir seconded the motion.

* The hon. the PRESIDENT :—" The question is that the Government be granted an additional sum of Rs. 54,000 under 'Grant III—Stamps—Reserved'."

* Sriman BISWANATH DAS Mahasaya :—" Sir, I stand to oppose the motion for the grant of Rs. 54,000. The reason is this: The Government have time after time given us promises to reduce the enhanced stamp duties levied since 1922. In 1927, on the budget discussions, the hon. Khan Bahadur Muhammad Usman Sahib Bahadur made the following statement"

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The hon. Mr. T. E. MOIR :—" Cannot the hon. Member come and speak in one of these loud speakers, Sir? We cannot hear anything that he says."

* The hon. the PRESIDENT :—" This is a supplemental grant for a special purpose. The hon. Member will not be in order to raise a general issue of the reduction of stamp duties on this. I think the House has already been acting on this principle. As regards the supplementary grants, the remarks must be pertinent to the purpose for which the demand is made."

* Sriman BISWANATH DAS Mahasaya :—" Sir, I bow to your ruling, but my point is that we must oppose the whole grant because nothing has been so far done. I propose that the whole grant be rejected."

* The hon. the PRESIDENT :—" I take it that the House is ready for a vote on the grant."

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

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, I beg to move

'that the Government be granted an additional sum of Rs. 5.51 lakhs under "Grant III—Stamps—Reserved."

"This sum is intended to meet the Provincial share of the cost of stamps under an arrangement made with the Government of India. Prior to the introduction of the Reforms, 'Stamps' was a divided head of revenue. The expenditure on the supply of stamps from England to the provinces was borne in the first instance by the Central Government, and as stamps were issued from the Provincial depots for the use of the provinces, their cost was debited to Provincial revenues by a corresponding credit to Central revenues. Under the Reforms, Stamps became an entirely Provincial head of revenue with effect from 1st April 1921; but the revised procedure for the adjustment of the cost of the stamps supplied to the Provincial Governments was not introduced till 1923. In that year the Government of India decided that all stamps supplied from England to the provinces should be paid for directly from Provincial funds. Then the question arose as to what should be done with regard to the value of the stamps which were in stock in the Provincial depots on 1st April 1921 and of the stamps supplied to the Provincial depots during the two years 1921-22 and 1922-23. These questions were discussed at a conference of financial representatives of the various provinces at Delhi in November 1925 and it was agreed that the stock of stamps on 1st April 1921 in all the Provincial depots and in the Central depot at Calcutta should be pooled and that one-half of the stock thus pooled should be credited to the Central Government and that the other half should be distributed between the Provincial Governments. In accordance with this arrangement this Government has to make a payment of 5.51 lakhs to the Government of India during the current financial year and it is to meet this charge that I move this resolution."

Mr. R. SRINIVASA AYYANGAR :—" Lest it should be understood that the House is in favour of this motion I formally oppose it."

The hon. the PRESIDENT :—" I take it that the House is ready for a vote."

The motion was put and adopted and the grant made.

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* The hon. Mr. A. Y. G. CAMPBELL :—" I beg to move

'that the Government be granted an additional sum of Rs. 1,300 under "Grant III—Stamps—Reserved—7 (b) (a) Stamps—Judicial—Charges for the sale of Stamps"—Discount on sale of copy stamp-papers.'

"This sum is required to enable the Government to pay discount due to stamp vendors on the value of stamps sold by them. It is extremely difficult to say exactly how many copy stamp-papers will be required during the year for sale in the whole presidency. After considering the figures for the first nine months of the year it is anticipated that the amount sanctioned by this Council in the budget estimates will be exceeded by Rs. 1,300. I therefore beg to move that this additional sum be granted."

* The hon. the PRESIDENT :—"The question is that the Government be granted an additional sum of Rs. 1,300 under Grant III—Stamps—Reserved—7 (b) (a) Stamps—Judicial—Charges for the sale of Stamps."

"I take it that the House is ready for a vote."

The motion was put and adopted and the grant made.

Grant XI.

* The hon. Mr. T. E. MOIR :—"Mr. President, on the recommendation of His Excellency the Governor I move

'that the Government be granted an additional appropriation of Rupees 64,400 for refund of lapsed deposits under Grant XI—General Administration—Miscellaneous—Reserved—XXXV. Miscellaneous—Deduct Refunds.'

"This motion relates to deposits which have under the existing rules been credited to Government. The existing rule is that all deposits left unclaimed for the last three years will be credited to Government. It is difficult to anticipate at the beginning of the financial year what the amount may come to. But on the basis of the accounts of the previous years claims for refund in the current year are likely to exceed by the amount of the additional supplementary grant for which I now ask."

* Rajkumar S. N. DORAI RAJA :—"Mr. President, Sir, may I be allowed in this connexion to request the hon. the Finance Member to be pleased to tell me why the amounts of private parties' deposits entrusted to the Civil, Revenue and Criminal Courts lapsed to Government and why no arrangements had been made to send registered notices to the parties concerned at their cost for receiving the amount if they exceeded in each case Rs. 100 and to send the amount to those concerned by postal money order if the amount did not exceed Rs. 100 in each item? Further the procedure adopted by Government in the Civil Account Code, Chapters XII and XIX is circumlocutious and costly throwing needless work and avoidable financial responsibility. Post and prepayment audit in all district and mufassal sub-treasury offices costing on the whole Rs. 3 lakhs to our Government in the shape of maintenance of deposit transaction—forms, monthly returns, stationery and staff, etc.—can be put a stop to, as in the case of medical deposits in the Courts. These deposits may be invested in the Post Office Savings Bank or in the Post Office Cash Certificate system. I commend these suggestions to the favourable considerations of the Government."

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* The hon. Mr. T. E. MOIR :—"Mr. President, as far as I am aware, refund is given in the Courts also and I shall be surprised to find it is not so. I shall however certainly go into the question; I am sorry I cannot say anything further on that point."

* The hon. the PRESIDENT :—"I take it the House is ready for a vote."
The motion was put and adopted and the grant made.

Grant XV.

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"Mr. President, Sir, on the recommendation of His Excellency the Governor I move

'that the Government be granted an additional appropriation of Rs. 3,05,880 under "Grant XV. Police—Reserved" to meet the expenditure anticipated during 1927-28 in excess of the Budget provision.'

"Hon. Members of this House will remember that during March last when the Police budget was before this House five lakhs were cut down. The Government tried to manage their expenditure with the amount sanctioned by this House. After eleven months' experience we find we have to meet an expenditure of Rs. 2,60,000. Further, Sir, due to the disturbances on 3rd February in connexion with the hartal and the threats of further hartals we had to provide for extra police and this caused an additional expenditure of about Rs. 42,000. I therefore move that the supplementary grant be made."

* Mr. A. KALESWARA RAO :—"I rise to move

'that a cut of Rs. 100 be made in the allotted sum of Rs. 3,05,880 for Police.'

"I move this out in order to censure the conduct of the Government in introducing the extra police into the City of Madras after the famous hartal. I submit the action was unwarranted. There was no necessity for bringing the police except to frighten the people and suppress all demonstrations of the police except to frighten the people and suppress all demonstrations of the boycott of the Simon Commission, afterwards. Otherwise where was the necessity? Even the unfortunate disturbances that took place on the hartal day were due to the neglect on the part of the police to discharge their ordinary duties. With ordinary precautions these things could have been avoided very easily. What the police seem to have done in this case as has been seen on various similar occasions in other parts of the country, was to abstain from doing their duty and allow the rowdy elements to have their own way to provoke the masses and when the masses become restive or show signs of anger then they come with their force, terrorize every class and demoralize the situation. Thus the Government, in this case also, after those unfortunate incidents, have taken advantage of the foolish action of a few misguided people, abused the power vested in them by passing an order under section 144 of the Code of Criminal Procedure which was intended. . . ."

* The hon. the PRESIDENT :—"Reference to this topic is not relevant."

* Mr. A. KALESWARA RAO :—"After this there has been a talk of disobedience of the order and further demonstrations of the boycott. But with the police at their command and with appropriate precautions all sorts of disturbances would have been very easily handled if any such thing takes place. The leaders of the Boycott Commission were for peace, the people were for peace. Even if a few disturbances took place the people felt they

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could manage things in a much more peaceful way. I submit there was no necessity for the extra police. What does the action of the Government—parading the streets with the police force, armed with guns and swords in motor buses both night and day—show except the fact that behind them there is the brute force? Really the Government ought to be neutral when an important Royal Commission comes to visit the country. It comes to find out the real feelings of the people, but the bureaucracy does everything to give a false colouring to the situation. Collectors have abused their influence in inducing the presidents of local boards, and chairmen of municipalities to get up a reception."

The hon. the PRESIDENT:—"The attitude of the Collectors will not be in order."

* Mr. A. KALESWARA RAO:—"This bringing in of extra police into the City of Madras is part of the arrangement made by the Government through its servants and its officials to give a false colouring to show that the Government has a large following and that in spite of the resolutions of the great political associations like the Congress, Muslim League, Sikh League, Liberal League and Liberal Federation and the resolutions of the Council and the Assembly, the people are with the Government and they are ready to welcome the Commission and are willing to prolong the British autocracy for an indefinite time. I therefore move that the cut be accepted."

12-30
p.m.

* The hon. the PRESIDENT:—"The question is that the allotment of Rs. 3,05,880 under Grant XV Police—Reserved be reduced by Rs. 100."

* Mr. BASHEER AHMAD SAYEED:—"Mr. President, Sir, I rise to support the motion of my hon. Friend Mr. Kaleswara Rao, with a view to express the want of necessity for having drafted special police from Malabar for arrangements in connexion with the Simon Commission. If the Government of Madras and the City Police had taken ample precautionary measures to see that the rowdies were not abetted by their own underlings there would have been no necessity for drafting special police at a huge cost of Rs. 8,500. The recklessness with which the police handled the situation on the 22nd and 29th January on the beach in the Tilak Ghat, and the way in which they mismanaged the situation on the 3rd February near the Iron Bridge, in parts of Triplicane and Trivetteesvaranpet go to show perfectly clearly that the police officials concerned abdicated wholesale their function for two weeks. Mr. President, the police instead of having acknowledged their failure to take the situation in their hands did worse things. There was absolutely no justification for bringing extra police. The police that they had at their command were made, I say this deliberately, to stand quiet when people were being assaulted by rowdies. The rowdies, I have evidence to show, were egged on by responsible Government officials to do their misdeeds. These rowdies were molesting honest and peaceful citizens and the Government whose duty it was to protect their life and property were quietly looking on unconcerned. The British Government that is carried on in this country has got enough brute force behind it; why not that be brought into play to assure the safety and security of the peaceful citizens, nay, of the loyal and law-abiding citizens who are co-operators and, above all, of Government servants? When the Government servants were assaulted what did the police do especially in the southern division? I ask for an explanation from the hon. Member who has taken charge of this subject—perhaps he may not be

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able to give one having taken charge of it only so recently—as to why the Government in the Police department failed so miserably to take any effective action on that day.

"There is also another ground on which we on this side of the House are opposed to this grant. The original demand in the last budget for police was reduced by five lakhs by a vote of this Council. Government say in their explanatory note that this cut was accepted by them and given effect to by reducing the provision under such and such heads. But is this the way to give effect to the vote of this Council?"

* The hon. the PRESIDENT:—"The hon. Member is aware that the motion now before the House is that of Mr. Kaleswara Rao and his object in making the motion is to discuss the necessity of the special police that was brought to Madras and the conduct of the police on the 3rd February. Any remarks beyond these two matters will not be pertinent to this motion."

* Mr. BASHEER AHMAD SAYEED:—"Mr. President, I hope I will be given an opportunity later on to refer to this aspect of the question."

* The hon. the PRESIDENT:—"If the hon. Member catches the eye of the President he will certainly have an opportunity."

* Mr. BASHEER AHMAD SAYEED:—"The other point that I want to mention is that the special police is a huge waste of money and is a drain on the country's purse. The police, especially the Malabar Special Police, went round the city, even into narrow streets and was a source of great nuisance to the citizens who were carrying on their usual business."

Mr. A. KALESWARA RAO:—"With regard to the misconduct of the police I do not think I referred to that subject."

* The hon. the PRESIDENT:—"If I remember aright, the hon. Member did refer to that question."

* Mr. BASHEER AHMAD SAYEED:—"The special police was the cause of a great nuisance to traffic; cars and carriages had to be stopped, and what about the accidents that occurred? It is for this that we are asked for a vote on the supplementary grant for Rs. 8,000. The special police was absolutely unnecessary and the ordinary police would have been sufficient if only they had done their duty. They did not do so; they lacked courage which they needed greatly. They lost their equilibrium and threw the city into confusion and disorder. They had no self-control and committed many atrocities which are being investigated and will be published by the committee appointed for the purpose by the Congress. We need not anticipate all that they have to say in the matter. It is only surprising that even after the lesson of the two previous instances was brought home to them as to what their duty was in a situation like that, the police did not take care to prevent such incidents, but simply abetted the various acts and misdeeds committed by the rowdies. The rowdies were allowed a free hand and even encouraged by the police by their acquiescence and indifference. Even a band of the military which was drafted for the purpose of restoring order, which was supposed to have been disturbed, while it was marching from the Fort to the Iron Bridge, would not take any notice when heaps of stones and shells and glass pieces were thrown on innocent and law-abiding citizens whom the Government is supposed to protect. The police atrociously failed to discharge their functions as custodians of law and order and the Government have

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equally failed to do their bit in securing safety of person and property even to their own supporters. In these circumstances it is quite unfair and unjust that we should make this grant."

* Dr. B. S. MALLAYYA :—" Mr. President, Sir, I support the motion of my hon. Friend Mr. Kaleswara Rao. Since he has not referred in detail to the mismanagement or rather the misconduct of the City Police during the disturbance of the 3rd, I shall make a few remarks and criticisms on that matter.

"The nucleus of the large crowd that gathered on the Esplanade had its origin in front of the toddy shop opposite the Kothwal Bazaar gate and it consisted of coolies, cartmen and rickshawalas. They marched down Anderson street inviting their friends there to join them, they now turned into Stringers' street and made Pearl & Sons, Furniture Makers, to close down. They next held a mild demonstration in front of Messrs Hoe & Co., which was soon closed. Here also the workmen joined them and they went next to another large printing office—the Ananda Press—which was also promptly closed. The workers of this Press too joined the crowd. The crowd thus swollen next turned into Broadway, and, finding the Harrisons open, called on the workmen there to come out and join them. The proprietor, it is said, was willing to close the shop, but before he could make up his mind, a tussle ensued between the crowd and the servants of the shop resulting in a miniature battle of bottles causing some damage to the glass panes. Policemen soon appeared on the scene and arrested a few from the crowd. This aggravated the feeling of the crowd who demanded the release of the arrested men, and to this the Policemen said that they would take down the names of the arrested men at the tanna and then let them go. The crowd agreed to this and followed them to the tanna, but they met with disappointment there. The news of the arrest soon spread throughout Sowcarpet and Mannady and large crowds gathered in front of the Law College Police station."

The hon. Mr. T. E. MOIR :—" May I ask the hon. Member whether he is giving first-hand information or second-hand information? "

* Dr. B. S. MALLAYYA :—" Personal information, Sir. I may tell the hon. Member that I was there personally watching the whole situation and there was another hon. Member of this House also, the hon. Member from Salem, with me. I am giving my own version of it and also the public version. It is for the House to come to an independent judgment on this question of the police. The crowd had then become very large, and occupied the whole space between Miller's statue and the Esplanade Theatre. Though it was large, the crowd was quite peaceful except for a few stray cases of stone-throwing by urchins and would have dispersed if the arrested men had been released on bail. Trouble now started as the Police officers charged and re-charged the crowd on foot as well as on chargers. The tragic incident of the whole affair took place at about 11 a.m. when a car in its attempt to go into the High Court compound ran over a police constable and also knocked down a few bystanders. The driver of the car at this incident got panic-stricken, deserted the car, and went inside the High Court. The bystanders, seeing the driver thus abandoning the injured and fleeing, shouted to him to come out and take injured persons to the hospital. In the meantime, it is said that some one of the little fellows dropped a lighted beedi into the petrol tank which naturally caught fire. To see the tamasha of a burning car some of

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the crowd got into the High Court compound and in the High Court itself there was a regular commotion. But the situation was promptly brought under control by two of the hon. Judges coming out and asking the sight-seers to clear out of the compound. The crowd implicitly obeyed the Judges. They had no regulation lathies or firearms and yet their orders were promptly obeyed, while, on the other hand, the police were constantly charging the crowd and using their authority in an aggressive manner, causing resentment in the crowd. That huge crowd of about 10,000 was perfectly unarmed. They had no sticks, they had no crude swords of the Puliyanthope fame or brickbats in their possession. Little urchins nearly naked were only having a fling at the Police sergeants and officers whenever the latter charged on them. One of the stones unfortunately seems to have hit the Assistant Commissioner on the chin. If this officer had not put on a big white court plaster cross on his cheek and made himself prominent with this pin-point wound, and roused the feelings of his own men, much trouble could have been avoided. But one never thought that this plastering of the cheek would provide work for photographers and the dailies, and cause a sensation all over the Presidency.

• "My own impression is that if this officer had left the scene or, better still, put on a white cap on the top of this plastering, he would have commanded implicit obedience from the crowd and it would have even applauded him. The Commissioner of Police, the Presidency Magistrate and other officials who arrived later on were moving among the crowd freely, particularly the Presidency Magistrate. He commanded more respect and obedience than any other official present there. It is regrettable that this officer should have given the order for firing on this unarmed and peaceful crowd. The Presidency Magistrate seems to have resisted the demand for the order to shoot for a long time, but he had to yield to the persuasion of the Commissioner of Police. Four rounds of buckshot and six rounds of ball cartridges are said to have been used and the casualties are one killed and eight or nine injured. Considering the quantity of ammunition used and the density of the crowd, the killed and injured may be said to be very few and the public are extremely grateful to the twelve reserve police constables who formed the firing squad. They must have detested this butcher's work and used all their skill in avoiding the crowd at this point-blank range. If anybody is to be promoted and commended for good work in this regrettable crisis, it is the constables of this firing squad. It is a pity that the Press photographers missed them. The object of this firing was dispersion of the crowd, but it failed miserably. The dead body of the poor victim who died that day—a member of the depressed class whose welfare is the one grave concern to Lord Birkenhead—was placed on the tram line by the crowd which then invited the police to fire more rounds of ball cartridges at them.

"Sir, by this time the police authorities realized their mistake and helplessness and promptly called in the military from the Fort and coolly withdrew from the scene of action. After this there was no stone-throwing or rioting. The mob was not armed. Neither had it any tendency to incendiarism. The fire in the Press room of the High Court is stated to be the smouldering of a bit of paper set on fire by the remnant of a burning cigarette. If the crowd had been so inclined, they could have easily set on fire the two or three petrol tanks and pumps situated near by in an exposed condition. This shows that

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they were not incendiaries. The only charge against the crowd was that they were throwing stones on the police. But they did not take to stone-throwing in a body. Had they done so all the police officers would have been buried under a heap higher than the Miller statue. Stoning according to the statement of the Commissioner himself was done by urchins. They wanted the crowd to disperse and according to them the quickest way of doing it was by resorting to firearms. Evidently the police thought that the crowd was made up of crows to fly off at the sound of firearm or ducks to disperse at the sight of blood. But they proved to be men prepared to meet death or any injury at the hands of the police. The shooting under the circumstances was a blunder. It did not disperse the crowd. It only elevated the souls of two depressed-class persons Parthasarathi and Subban to heaven and they will wait there for the judgment day to give evidence against the police. There will be a Coroner there and the police will not have a chance of investigating their crime and finding a verdict of death caused by shooting in the legitimate discharge of their own duty.

"The formation of large crowds on the Esplanade and their defiance of the police orders, a car running over a constable, knocking down some bystanders and its subsequent burning, stoning of the police, mounted charges on the crowd and the regrettable shooting on the unarmed crowd by the police, the indiscriminate stoning of the cars and other ugly incidents could have been easily avoided by the police if they had any commonsense in them. The whole affair had its origin in the arrest of a few persons in front of Messrs. Harrison & Co., and those were arrested by reserve police from the Muttiyalpet division. If these men under arrest were taken to the Mannady police station there would have been no crowd at all on the Esplanade. The police knew that Esplanade was the storm-centre full of inflammable material. There were students from the Law College, the Christian College, Pachaiyappa's College and the Govindappa Naick School; also coolies, cartmen and basket-makers without any work that day. It looked throughout this regrettable episode that the police were out to vindicate their authority and not to prevent disturbances. When the officers arrived in a fire-engine and saw the motor-car burning in the High Court compound, it did not strike them to send for more fire-engines to put out the fire, but their minds seemed to be concentrated on opening fire on the unarmed crowd. If dispersion of the crowd without any injury to anybody was their object, they could have easily done it by opening half a dozen fire hoses on the crowd as is usually done in America and other countries during similar circumstances. Cool judgment and commonsense seems to have given place to panic. After 8 p.m. when everything was quiet the police in that locality who were till then posing themselves as custodians of law and order assumed the role of cowardly budmashes to injure and waylay peaceful and respectable citizens going to their homes for their avocations. Are you a Congressman; do you want Swaraj; have it now, and down came the lathi on the back. This was the secret motive of all their actions that day.

"After mismanaging everything, more police are drafted into the City and made to parade the streets, going into lanes and by-lanes; where other buses were not allowed, the buses carrying the police were allowed to go into these lanes with their guns exhibited prominently; one of the buses knocked down a poor man by name Madar Singh on the road; and he was sent quietly to the next world. Unfortunately he belongs to the depressed classes for whom

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the Government are very anxious to do something. I would put the question to the hon. the Law Member, what he has done for the family of the poor unfortunate victims of police zoolum? You have killed their earning members; what have you done for their dependents? Have you made any provision for their dependents or are you going to send them to Andamans for voluntary colonization? Is that the work of the police? Is such a thing to continue here and if so, for how long? They want money; they want our lives too. I hope the whole House will join us and vote for the out."

* Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I do not like to give a silent vote on this motion. I shall explain my position with regard to the vote that I and many of my friends on my side of the House are going to give. One of the primary duties of the Government is to protect law-abiding citizens. When hartal was declared on the 3rd February I have no doubt that the organizers of the hartal had no intention whatever of hurting anybody; they wanted to confine their energies to hartal and not to disturbances. As some of us know, declaration of hartal leads to certain natural and probable consequences and these natural and probable consequences actually took place. When a hartal is declared on occasions like the last one rowdies naturally come out and that is the proper time for them to exercise their energies. People in Madras and in the Presidency were not surprised when these rowdies were very much in evidence on the 3rd February. It is admitted—there is no dispute—that persons who were opposed to the hartal, the rowdies, and the people who were in favour of hartal were mischievous in their activities. I am told—I was not here at that time—that in Triplicane and in some other places innocent people and particularly Brahmans were hurt very much 1 p.m. by rowdies. They went about the streets on the night of the 3rd crying "Bomman Marko" which I am told means "beat the Brahmans" and they went about the streets hurting innocent people, particularly Brahmans. This is the natural and probable consequence of the declaration of the hartal on the 3rd February. I believe the Government are seriously to blame with reference to their non-action on the occasion. As a matter of fact, if the Government had taken proper precautions to prevent mischief and to prevent hurt, the damages that were caused to certain people and even the deaths that took place would have been prevented. So, the Government, in my opinion, is certainly to blame for the non-action and want of care and attention on their part. But how can the Government be blamed for profiting by their experience and by their mistakes? They learnt by their mistakes and by their experience on the 3rd February that they committed a blunder and to rectify this blunder they took adequate precautions to prevent a similar occurrence. It was for that purpose that this additional police from Malabar was brought to this City.

"I submit that one of the fundamental and primary duties of the Government is to preserve law and order. I state that Government would have been seriously to blame if they had not taken this additional precaution of bringing down the police to this City to prevent a similar occurrence. As I was listening to the speeches that have already been made on this motion, and the many statements which the speakers were making with reference to the people who were hurt, I thought that the speakers were arguing against their own motion. Sir, I see no reason whatever to vote against this grant and I have the pleasure to give my vote against this motion."

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* **MR. R. SRINIVASA AYYANGAR** :—" Mr. President, Sir. The speech of my hon. Friend Diwan Bahadur Krishnan Nayar was rather perplexing to me. It seemed as if he was giving his entire and whole-hearted support to clause (2) of the amendment which runs as follows :

'To discuss the misconduct of the Madras City Police in abetting the rowdies in molesting, injuring and preventing peaceful citizens from attending the Simon boycott meeting at the beach on 3rd February 1928.'

"In the course of a fervid and impassioned speech, he made his position quite clear by saying that the police did not rise equal to the situation and that they exhibited their incompetency to manage or handle the situation that was created on that day. Sir, nobody could think of the happenings of 3rd February without a sense of resentment and indignation. The whole of the speech of my hon. Friend—which was by the way a left-handed compliment to the police—breathed a spirit of condemnation at the action of the police. He used the terms 'Inaction' and 'non-action.' The effect of his speech was a direct condemnation of the action or non-action of the police who had been unable to manage the situation that was created on that day. It looked as if disorder reigned supreme and was allowed to have its full sway. The reports of the happenings of the 3rd that appeared in the papers, the materials that have been collected since and the report of the Police Commissioner, all these make it perfectly clear that the police instead of handling the situation were winking at, and egging on or otherwise assisting, some of these rowdies. So far as disorder was concerned, it is common ground, and every right-thinking man will agree, that the disorder was brought about not by the peaceful boycotters but by the rowdy anti-boycotters assisted by the police. It is abundantly clear from the various reports, and it has been partly admitted by the Police Commissioner in his report, that the police were winking at or permitting unconcerned the way in which peaceful citizens were handled. Are they paid for that? Are not they there for maintaining peace and order? Instead of discharging their duty, to their eternal shame and discredit, we have had the spectacle of these men standing there without rendering any help to the unfortunate victims. It was here that the police deserved the strongest condemnation.

"Now, with regard to the bringing in of this additional police to Madras, I was here on the 26th and the following days and it brought to my mind the memory of a *zooium*; it appeared as if the whole City was in a state of siege, that the whole of the City of Madras was practically under the military zone; a state of things hardly satisfactory to the people and hardly creditable to the Government. Instead of spending this money on the drafting of this extra police, Government would have been well-advised in spending one or two hundred rupees with a view to find out these rowdies and take steps to paralyse their activities. On the 27th I saw policemen patrolling the streets in armoured cars, and a posse of policemen patrolling the streets with arms and rifles, as if Madras was waging war against the Government, and this kind of consternation was necessary to coerce people into submission. This was hardly a desirable state of things. I regard it as an insult to the House and to the fair name of the City. We cannot take the insult lying down. No word will be too strong to condemn the action of the Madras Government in this matter. I support the motion."

* **MR. C. S. GOVINDARAJA MUDALIYAR** :—" Sir, I rise to support the amendment moved by my Friend Mr. Kaleswara Rao. The facts of the case have

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been put forward to a great extent by the previous speakers. The conduct of the police on that day in abdicating their functions is a matter for serious condemnation. Anybody who had been about the place of occurrence of these incidents on that day would have seen how the police were not only guilty of abetting, but they were cool and unenergetic. My hon. Friend the Finance Member put the question whether my friend Dr. Mallayya was speaking from hearsay knowledge or whether he was speaking from first-hand knowledge. I saw a posse of these policemen stand near the Round Tanna, and what do you think was witnessed there? The police were coolly aiding the rowdies in wrecking the procession of Congressmen. A car was molested by the rowdies. All the time the policemen who were on the spot did nothing to prevent the rowdies from molesting the passers-by. It is for these policemen that support is sought now.

"Coming now to the importation of this force from Malabar, the country of my colleague Mr. Krishnan Nayar, these gangs were posted everywhere, especially about the precincts of the High Court. I ask now . . ."

The hon. Mr. T. E. MOIR :—" Before saying that the police abdicated their powers, will my hon. Friend tell us if he made a report of the incidents which occurred on that day to the police officers.?"

* **MR. C. S. GOVINDARAJA MUDALIYAR** :—" My answer, Sir, is this. There was not only abdication of the powers by the Government in the Police department but there was abdication of the Government in other departments including the Magisterial."

The hon. Mr. T. E. MOIR :—" Sir, with reference to my question, I do not know which he means, yes or no.

* **MR. C. S. GOVINDARAJA MUDALIYAR** :—" Mr. President, Sir, unless you take away that interdiction on any mention of section 144, I will not be in a position to effectively answer him.

"Now, Sir, with regard to the drafting of this extra police from the mufassal and charging the public revenues for their travelling expenses, it is one of those acts of indiscretion, one of those acts which deserve condemnation from every right-thinking man. The necessity for this has not been made out, except the bald statement that these were necessitated by the events that took place on the 3rd February and the hartals that were declared. Was any public enquiry instituted? It is no use saying that the action of the Congressmen brought about these disturbances and apportioning the blame to them. There have been demands made upon the Government to institute an enquiry. Is it because that they fear that the result of the enquiry would be that they would be found in the wrong, that they fear an open enquiry?"

"Sir, the activities of the specially imported police have been witnessed with scorn and disgust by the peaceful citizens of Madras. They were an eyesore to every one who saw them. The Malabar police were stationed with muskets and bayonets at the entrance to the High Court and they blocked the entry of people into the Court. Such was the terror during the Simon Commission's visit that the police looked up one of the gates of the High Court. Was such undue alarm and panic necessary? The less said about it the better. These demonstrations were organized to cow down people; to prevent them from giving vent to their feelings of resentment at the manner in which the visitation of the Commission was thrust on them.

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It is only a pretence to say that they were necessary to keep the peace. It is only a pretence to say that they were there to prevent future possible disturbances on a future possible hartal. They were to be found on the wake of the Simon Commission. They were here, there and every where, where the Commission went. It is purely for engineering the so-called demonstration in favour of the Simon Commission and to prevent any popular demonstration against them. It is for this purpose that the whole of the armed police had been brought in. It is a pretence to say that hartal was the objective for which the police had been brought in. There has not been shown a single instance as to how the police were able to do anything during the week or so of their stay in the City of Madras. I therefore appeal to all sections of the House to show their condemnation of the action of the Treasury Bench in having done this most unnecessary and offensive thing in bringing this extra police into the City of Madras."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, the police have only to shoot and all justifications have to be established by the Government. That is the law of the Indian bureaucracy and the demand made of this House is in proof of that law. We are asked to vote for the posse of police marching through the streets in the City of Madras. For what reason? For keeping the peace of the City of Madras? We see no necessity for spending money upon this band of policemen. What did they achieve for the people in the City of Madras? These are questions that should have been considered very carefully before a demand of this kind is brought before us. I was here on those days when these estimable gentlemen with long batons and muskets and drawn bayonets were enjoying the holiday in the streets of Madras which were absolutely deserted at the sight of these great friends. I know how little the British Government looked in the eyes of the people at the time and how they felt that the British Government was so bereft of commonsense that they wanted the protection of the special police for the Simon Commission which the whole country boycotted. I know also, Sir, that this special police which went round the streets had no duties to perform at all except going round in impressed buses. Madras is a big city and Madras has a great deal of reserve physical force at the command of the Government. There is the military within the Fort St. George and as a matter of fact the military has been utilized now and then to keep the peace in this place and there are further forces at the command of the Government. Yet here is a surcharge made upon the revenues of this country, merely to penalise the people, merely to cow them down and merely to tell them that they are a subject race. Take the report of the Police Commissioner. What does it say? It does not say that there was anything very very serious on the 3rd, that there was anything which required all these precautions on the side of the Government. He makes out a case for the action that the police took in the ordinary course of business and he says that but for the indiscretion of Mr. Moresby and the indiscretion of the employees of Harrison Company nothing serious would have happened. And fancy the place where the firing took place. It took place not before Harrison's where the disturbance took place, it took place not at the High Court where Mr. Moresby was indiscreet but it took place elsewhere. Under what circumstances? At the defiant attitude of the multitude. I have known what is a 'defiant attitude.' By the courtesy of the Government I was in jail. I know the convict's defiance. The prisoner has merely to look at the warder in protest of the teasing he is subject to and he is beaten blue

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almost to death. That is the defiance that the subject race is guilty of towards the British Government. The British Government cannot tolerate this defiance. They cannot tolerate the attitude of the people in trying to carry on hartal to a complete success. The British Government must perforce take advantage of some small trouble here and some small trouble there and teach the nation a lesson. But for that attitude of the British nation, I am sure this force is an absolute superfluity in the City of Madras. Government cannot plead that it could not command at any time sufficient physical force to keep peace in Madras. They cannot plead that they have not arms in Madras. They cannot plead that they have not enough of policemen. I remember the day of boycott when the Duke of Connaught arrived. There was no need for special police, then though there was some small violence. There was boycotting then. I was there at the time. The one argument that does not appeal to me is this. With the force that they had in the city why should the special police from Malabar have been drafted and should have been made to parade in the streets at a time when the whole machinery that had declared hartal had called it off? Why should they persist in going with this force round the city? Why should they come to us for this wonderful grant? I am unable to understand any reason except this, that the British Government in India, the bureaucratic part of it especially, is unwilling to stand the slightest protest from the people of this country and is willing to wound the popular feeling whenever an opportunity occurs. Except on that basis of political policy I do not think there is any reason for this grant. I do not know how my friends on the Treasury Bench will be able to substantiate the demand (A Voice: They have got votes). I know they have got votes and they can create votes by offering and promising the Law Member's place. Unless the Government have more responsibility in themselves, unless they are prepared to behave better towards the people of India as they would behave towards their own people in their own country, unless they are prepared to come down and say 'here we are your bretheren, working what we call the reform scheme, trying to help you to achieve self-government and therefore we shall be amenable to every sort of humane influence,' until they come to that attitude of mind it is our bounden duty, on this side of the House, to tell them very plainly that they shall not have grants of this nature and that they would not be permitted to shoot down our people for very insufficient grounds and then put upon us very heavy economic burdens. One of the hon. Members of this House referred very sympathetically to Brahmans and others who were molested on a particular day. Of course molestations of Brahmans and others have become the rule under the British Government because the British Government is willing to play to the police raj. They are prepared to support the police. It is in their favour that the demand is made. Therefore the police may look over the molestation of anybody but they cannot look on the molestation of their own men. The Deputy Commissioner of Police managed the matter all right under admittedly difficult circumstances. The advent of the Commissioner introduced the defiance. I do not know why the same set of men who were managing the things so well in circumstances of pressure, under circumstances admittedly troublesome should have failed to manage the situation when there was no such difficult circumstance. Why should they fire then is not clear to me. To suggest that special police was required in Madras where there was sufficient physical power at the command of the Government and to ask for grants for the same does not stand to reason at all. I can see only one reason and that

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is the prestige of the Government. I therefore appeal through you, Sir, to the Members of this House that this demand be thrown out."

* **Rajakumar S. N. DORAI RAJA** :—" Sir, I congratulate some of the hon. Members of this Council for creating an opportunity of letting their pent-up gas bottled up for such a long time. (Voices: Hear, hear. and 'What is yours?') I am a nominated member. (A voice: His case will be prepared by Government for him.) I am a member nominated by the Government no doubt and I am proud of it. I have got only my country and my conscience to think about. (A voice: Of the Government.) These gentlemen sat there like whipped dogs when the no-confidence motion was brought in the Council. They swallow their conscience whenever necessary and can even explain it away and change their political lines as often as a chameleon and they naturally indulge now in the common talk given to all condemned men at the sight of the scaffold. They are used to calling the tune and ask the other people to pay the piper. Their policy is, 'what do we care; we are here to incite the people.' (A voice: And you are there to act as a page boy.) That is their attitude. At the same time they come and say, 'the police have proved themselves agents provocateurs.' (A voice: Undoubtedly.) Knowing as they do they are the agents provocateurs themselves, they remained in their houses for fear of being harmed by the very people whom they incited to do harm and they are now the judges of what happened outside. Can dishonesty and cowardice go further? One thing is certain. Knowing as they do the Swarajist credentials and what they are apt to do, the Government should have stopped this hartal and prevented the innocent lives being lost. (A voice: Take the Law Member's place and do it.) I do not sell my convictions as they usually do. (A voice: You have none to sell.) Therefore, Sir, for these reasons I oppose the amendment." (Voices: 'Thank you very much.')

After Lunch (2-30 p.m.).

* **The hon. the PRESIDENT** :—" The Council will now resume the debate on the amendment of Mr. Kaleswara Rao."

* **Mr. C. RAMASOMAYAJULU** :—" Sir, in regard to this out motion, I wish to point out one or two inferences that naturally follow from the discussion which has taken place now. Mr. Krishnan Nayar who opposed this out motion inferentially has argued for voting in favour of the out motion. I am prepared to show to the House from Mr. Krishnan Nayar's own arguments that it is incumbent on us to vote in favour of the motion. Mr. Krishnan Nayar argues that it is no doubt true that the police are guilty of non-action or inaction, inefficiency or incapacity, whatever it is, on that day, and he further says that in order to prevent such untoward incidents they want additional police. My simple observation is this. Mr. Krishnan Nayar, while admitting that the police were guilty of laches on that day, how can he naturally argue that there is any necessity for additional police? If Mr. Krishnan Nayar stated that the police were active and in spite of that they were not able to prevent any of the things that had taken place and therefore the additional police was necessary, I can understand his argument. But while admitting that the police were non-active or inactive, how can he establish a case for calling in additional police? I understand that Mr. Krishnan Nayar wants the members of his party to vote with him. I do not think that any person with a sense

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for logic will vote with Mr. Krishnan Nayar because he has given away his point for the additional police when he admits that the police were guilty of non-action. I know the Government is likely to call to aid the nominated members and the officials but I hope none of the elected members will vote with the Government in this matter."

* **Mr. SAMI VENKATACHALAM CHETTI** :—" Mr. President, Sir, I rise to speak on the amendment of my hon. Friend, Mr. Kaleswara Rao, expressing dissatisfaction of the House on the manner in which the Government has conducted itself in connection with the Simon Commission. I am very much surprised, Sir, that the responsibility for moving this demand has fallen upon my hon. Friend, Mr. Usman Sahib. That is perhaps the reason why my hon. Friend over there representing Malabar has been very tender in his remarks towards the hon. the Home Member. (Hear, hear.) Otherwise I should have expected very reasonably his support also in this motion."

"I do not propose to discuss what has happened on the day of the hartal or the manner in which the police have acted during that day. Whatever might be the opinion of the conduct of the police during the forenoon, in the evening when they were unable to prevent people from throwing stones near the Napier Bridge, there could be no two opinions on the inefficiency and ineptitude of the police. But what I am concerned with now is the panic which has seized the Government and the steps which they have taken to prevent what they thought a very serious situation that might develop on the next hartal day. I do not think what they have done and the measures they have taken can be said to be complimentary to any Government which prides itself in having preserved law and order in the country. They have shown as a matter of fact the white feather in dealing with the situation. (Opposition: 'Hear, hear.') Taking the police reports to be quite accurate and true, what is it that has actually happened on the 3rd February to justify the practical proclamation of the martial law in the city on the 26th February? As has been very graphically described, a few urchins took part in pelting with stones those whom they thought acted contrary to the exhortation to preserve hartal. It is quite plain that so far as those who were responsible for advocating the observance of hartal were concerned they admittedly preached for a peaceful and non-violent hartal. When the co-operation of the Chairman of the Simon Commission Boycott Committee was sought for by the Commissioner of Police, he readily acceded and also complied with the request of the Police Commissioner not to send out his volunteers through the city lest there might be some clash and breaches of peace, though my hon. Friend, Mr. Satyamurti, was found fault with for having acceded to this request of the Police Commissioner. To the extent that he had co-operated with the Commissioner of Police and with the Government in trying to see that there should be no breaches of the peace, it is a matter for which the Government ought to feel thankful to us. Excepting my hon. Friend, Mr. Dorai Raja, who has distinguished himself by a very tragic speech just before lunch, I do not think even Government was so hard upon us as to throw the blame on us of having incited any violence on the day of the hartal. It was left to those ultra-loyalists to parade their loyalty by attacks against the Congress party. I know there are several people who think it a pleasant pastime, a pastime which should please their patrons, to attack the Congress party; but I do not think the Government is so completely bankrupt of shrewdness and foresight as not to really find out the intentions of these ultra-loyalists. (Hear, hear.)"

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Sir, from what has been graphically described by Dr. Mallayya, only a few urchins took part in the disturbance. Had it not been for the unfortunate burning of the motor-car at the High Court buildings, the reason for which may be variously alleged by various persons, I do not think even the Europeans at whose instance the Government seemed to have acted in this precipitate manner (hear, hear) could have cared to take this matter seriously. Sir, Europeans are particularly accustomed to this kind of interference by advocates of particular causes in their own country. As a matter of fact, if you are witnessing some such disturbances as pelting with stones or throwing of eggs or burning of effigies, they were only copying what were actually being done even to-day in England and other western countries. They are sportsmen enough to understand that these are only ebullitions of the moment and will cool down the moment the root cause of the ebullition is removed. But in a subject country like India, where they want to show their might and where they feel that their lives are threatened, they themselves assist to feed the panic and egg the Government to take strong measures. I should be sorry for the European gentlemen here if they should feel that their living is possible here on account of the Government protection and support. That is not a matter of fact. They are living here safe more as governed than as rulers. I would like the Europeans to put themselves in the position of Indians and treat this question from that point of view. On that day, Europeans were not particularly marked out for this kind of treatment. Be he a European, be he a Brahman, be he a non-Brahman, he was similarly treated. There is no reason for particularly mentioning that Europeans were attacked on that day. It was all the work of the rowdies and rowdies have no politics to distinguish between Europeans and Indians. Everybody who transgressed the exhortation made by the leaders of the Congress party to observe peaceful hartal were announced as transgressors. Whether those who really pelted stones were the friends of the Congress or not could be demonstrated clearly by the fact that persons proceeding towards the beach meeting were pelted with stones; and the Government are aware that the whole thing was due not to any political partisans but to the riff-raff of the city. To counteract this small incident that the Government should have imported a large contingent of Malabar police force into the city and have taken the trouble of parading them in armoured cars through the peaceful streets of the city is certainly demonstrative of the bankruptcy of Government in dealing with situations of this sort. Is it complimentary to the very gentlemen of the Commission to think that they are in the city being protected by armoured cars and Malabar police force? Certainly not. They must have been shrewd enough to find out that they are being taken round the city in an artificial atmosphere and not in a congenial atmosphere.

"I do not propose to discuss about the gagging order as you, Sir, have ruled that I may take another opportunity of referring to it. But I cannot help remarking that the parading of the armoured cars and the armed police being put into the buses and taken through street after street immediately following the gagging order had a very demoralizing effect upon the people of the city in regard to their regard for the Government.

2-45 p.m. "The man in the street is able to find out that the Government aim at ruling the people of this country is not by love, not by affection, not by their proper governance of the country, but by bayonets and armoured cars and

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that nothing else is necessary than to show physical force with which we are ruled. As a matter of fact their panicky measures have greatly helped the case of those who want to replace this Government by another form of Government. Apart from this, Sir, Mr. President, I should like to remind this House that the demand is a proposition to circumvent the resolution of the Council during the budget discussions. The House is well aware of the fact that during the budget last year it cut down a sum of 5 lakhs from the Police budget. If His Excellency the Governor found it convenient that this amount was necessary for carrying on the administration he should have used his powers of certification. Apparently he also agreed with the Council in thinking that 5 lakhs might be easily met from the demand and therefore he did not care. Now it has fallen on my hon. Friend, Mr. Usman, to come and ask in the shape of a supplementary grant. Really what these Government Members are actually doing is they wait for an opportunity when the Council is either tired or is engaged in some other consideration and then just wedge in these things and ask for the vote of the House. But for the fact that this incident is closely associated with the demand probably the House would not have been aware and would not have remembered what it had done during last year. If we should have any regard for the power of the Council in not sanctioning the very sum which we cut down some time ago and if we think that the Council's resolution should be respectfully given effect to also by the Members of the Executive Council, we can do nothing else than to reject this demand *in toto*. I therefore while opposing the demand support the amendment of my hon. Friend, Mr. Kaleswara Rao."

* Mr. P. BHAKTAVATSALU NAYUDU:—"Mr. President, Sir, I had no intention to speak on this motion as it has been very ably and clearly supported by the previous speakers my hon. Friends on this side, but the most diplomatic speech of Krishnan Nayar, punctuated by his usual 'buts' and the most unpatriotic and unworthy of an Indian speech of Mr. Dorai Raja, has prompted me to say only a few words on this occasion. Mr. President, this Government, this British Government, boasts itself of reigning over a dominion on which the sun never sets and yet it is this Government that makes so much of the biggest war in the world and yet it is this Government that makes so much of a small incident in the Madras on the 3rd February. That shows the weakness of the Government and its want of confidence in itself and the unfair administration they are conducting in this province. It is an administration that is being conducted by mere brute force, not by love or affection to its subjects. As my hon. Friend, the Leader, has rightly pointed out, it cannot be an administration of love because we are not Europeans. They can only have some regard for some small association at the Bosotto and not for the popular opinion of the whole province. The whole province has stated in unequivocal terms that they do not want the Simon Commission and that they wanted to conduct a peaceful hartal. The Government had no business to interfere if they were fair and just-minded in such things but to allow its subjects to have their own way. Instead of that they have perpetrated a gross negligence of their duty. I can boldly say they have even abetted and connived at these disturbances, for I have ample evidence to give to this House that the disturbances at the Iron Bridge was at the very nose and under the very eyes of the police that were standing at a stone's throw distance of the rowdies and those that were molested. Mr. President, it was not the khaddar-bled people or the Brahmans alone that were the victims of this kind of molestation, but it was also the innocent Government servants, the loyal

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servants of this benign Government that are sweating their brows in the work of this administration in the Secretariat and in other places that were the victims of these atrocious and disgraceful affair on the 3rd February, and it is perhaps to assist such affairs once again that they want to import additional police. That itself shows how weak the administration is, and how weak especially the police administration is, which was till recently in the hands of the ex-Law Member, Sir C. P. Ramaswami Ayyar, and which is now in the hands of the present Home Member. There was absolutely no necessity for alarm, there was no terror and there was no such danger to apprehend to close the gates of the High Court and conduct the business there, as if there was some German invasion or Afghan invasion impending. Mr. President, these things imply that the innumerable police establishment that the city boasts of, one Commissioner, two Deputy Commissioners, two Assistant Commissioners, any number of Inspectors and Assistant Inspectors and a big lot of police constables and head constables, are only here to coerce and to prosecute innocent people unnecessarily. After all this thing has happened in an innocent place like Madras. The people of Madras are never known to be disorderly or even mischievous in the past and in this place if the Government thought fit to bring in additional police, it only shows their impotence to manage the affairs. They could have managed it without bringing in additional police if they had only had a mind to do so, but they had no mind to do so. Their only attention was concentrated in showing that the Simon Commission goes on well, but not in the interests of the people they are in charge of. Under these circumstances I very strongly support the out motion proposed by my hon. Friend Mr. Kaleswara Rao.

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I have been very carefully listening to the speeches made by my hon. Friends in the Opposition benches. The hon. Member from South Arcot said that the city had a military look about it and that it seemed to be under military rule. Sir, I wish there had been more of this military look about it for the excesses which my hon. friends admitted to have been committed even by students would not have been committed if precautionary measures had been taken and if the police had understood where the storm centre was likely to be. Again, Sir, some of my Friends said that they found armed police patrolling empty streets. May I in all humility submit that probably the reason why these streets were empty was that there was police parading? (Hear, hear.) Wherever police force was brought and asked to patrol the streets there was peace and all this *posse* of police force is not intended to terrorize peaceful citizens. It is intended to be a warning to the rowdy elements whose presence was admitted by all in this city to have been responsible for much mischief on the hartal day. Where we have to deal with the human element, Government cannot be too careful. It has to take all possible precaution. Its business certainly is to see that such troubles as were witnessed on the hartal day are not renewed. We are told that the police on the hartal day did not render adequate protection for peaceful citizens, but, at the same time, when we find the Government with the best of intentions reinforcing the city police by bringing in mufassal police force to maintain peace and order, that police is criticized. Such action, we are told, is not proper. Some of my friends admitted that the crowd was handled properly and that it was only after 3-30 where the police force was not stationed that stone-throwing took place, if I heard aright my hon. Friend, the Leader of the Opposition. With all due deference to my hon. Friends whose opinions are

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very valuable, I must say that the criticisms and suggestions of many who were present on that occasion were that the Commissioner of Police, and the Deputy Commissioner of Police and the Presidency Magistrate tried their best by using persuasive methods to disperse the crowd. (A voice: "No, no.") Sir, whatever my friends may think about it, it is quite open to me to refer to it. I think they have really no ground for complaint against the Government taking precautionary measures in the light of their experience. It might have been that leaders of certain parties agreed through their volunteers to see that peace was restored. Still, the first duty of Government as Government is to be very careful to take all precautions to avoid trouble and to maintain peace and order. Therefore even granting that it is possible for us to make certain adverse comments in connexion with the hartal, we must make a distinction between the adequacy or inadequacy, the efficiency or inefficiency of police protection and the expenditure incurred by Government in the light of previous experience to maintain peace and order. For these reasons, I oppose the motion."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Mr. President, Sir, my hon. Friend Mr. Kaleswara Rao began by saying that the action of Government in importing the mufassal police into Madras was absolutely unwarrantable. Sir, I should like to recall the events that took place on the 3rd February. Government thought that such a state of affairs should not be repeated. After the 3rd February, representations were made to Government by everybody—Europeans and Indians—that something ought to be done by Government to see that such a state of affairs did not recur. My hon. Friend the Leader of the Opposition, who is always very dignified in making speeches in this House, attributed motives to my hon. Friend, Mr. Krishnan Nayar. I should like to tell hon. Members of this House that on the 4th February there was a meeting of a Select Committee at which my hon. Friends Messrs. Krishnan Nayar and Arpudaswami Udayar were present. The feeling that was uppermost in the minds of hon. Members who were present then was that the Government should take drastic measures to see that the events of the 3rd February were not repeated and that they would give their heartiest co-operation in any measures that Government might take.

"Then, Sir, it has been said that we have brought the police here to frighten the people. I can assure hon. Members of this House that it was not at all our object. It was only to infuse a sense of security and protection in the minds of the people. We wanted to assure the people that we had made absolute police bandobast absolute, so that they can carry on their normal work without any kind of hindrance whatever."

Mr. P. BHAKTAVATSALU NAYUDU :—" What about the machine guns which were paraded?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" They were not paraded.

"Sir, some of my hon. Friends said that rowdy elements were incited to do mischief. But, I ask, who was responsible for this state of affairs."

Mr. S. SATYAMURTI :—" Of course, the police."

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* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Who went to the beach and made speeches on hartal, the hon. Members on the Treasury Bench or the hon. Members on the Opposition? (Cries of 'The Police,' 'Shame' and 'Withdraw that statement' from the Opposition Benches.)"

"Sir, another Member said that when we have the Military in Madras there was no necessity even for the mufassal police to be brought in. In any police arrangement we never take the Military into account. They are called in only when emergencies arise. It has been remarked that the Madras Police absolutely failed; I should say that, on the other hand, the Madras Police did well with the materials at their command. They had to meet a difficult situation and they met it in a satisfactory manner. (Cries of 'Oh, oh'.) We have to remember that on the 3rd February there was a possibility of the breach of the peace everywhere."

Several voices: "Where?"

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Everywhere." (Cries of "Shame.") (Mr. Satyamurti: "No, it is a falsehood.")

"Then, Sir, it was said that two members of the depressed classes were killed. I ask hon. Members of the House who were responsible for this? Certainly the organizers of hartal."

Several Swarajists: "The inefficiency of the police and the Government were responsible for that."

A voice: "What was the Labour Commissioner doing?"

* The hon. the PRESIDENT:—"Order, order."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Then, Sir, it has been said that the police had been brought in in order to protect the Simon Commission. They required no protection whatever because they were welcomed by the people everywhere. (Cries of 'Oh, oh'.) (Mr. P. Bhaktavatsalu Nayudu: 'If you had been to the Chepauk Palace, you would have seen.') Then, Sir, another thing said was that there were some urchins who disturbed the peace of Madras. Government knew that these urchins were powerful urchins—urchins who were able to disperse a beach meeting of ten thousand persons, who had behind them instigators. Government therefore thought it was their duty to prevent the urchins from doing such mischief. Sir, whatever we did, we did only to give Madras a sense of security. It was for this purpose—and for this purpose alone—that we brought in the mufassal police."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, the hon. the Home Member flushed with the transfer of the Police into his hands this morning, sought to justify his Patron's confidence in him by out-heroding Herod. I will prove every word of that phrase. My hon. Friend forgot himself and paid a compliment to the Leader of the Opposition that he was always dignified in his speeches and never lost his temper. I thought my hon. Friend also never lost his temper. But to-day he is determined to appear to his masters that he can be more ferocious than all the ferocious men in Madras put together. (Laughter.) Therefore, Sir, he has made a speech in which he has uttered two or three terminological inexactitudes which, if he had uttered them elsewhere, would have made him liable for damages in law. I challenge him to repeat these statements elsewhere, if he dares; I will take upon myself to charge him in a proper place."

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"His first point was this. He says that we, the Members of the Opposition, incited rowdies at the beach meetings to do these acts of rowdism and to defy police authority. Now, I ask him and I ask this House to kindly read the report of the Police Commissioner and the Government Order itself in which the Government says categorically that there was nothing in our speeches or writings which incited the people directly or indirectly to violence but which on the other hand deprecated all violence; and, therefore, they could not have gone to any Magistrate in Madras with a request for a preventive order under section 144, Criminal Procedure Code. Who is right and who is wrong? Is the Government of Madras right or is the new Police Member, who forgets in his enthusiasm the respect he owes to facts, right? I will now read from the Government Order:

"It has been suggested" the Government say in their order, dated the 28rd February 1928, 'that the various speeches and activities reported in the press (that was the argument put forward by my hon. Friend) gave a sufficient indication of what the events of the day were likely to be and would have justified the use of the preventive section of the Code of Criminal Procedure. Although, no doubt, the disorders could not have occurred but for the decision of the Boycott Committee, that disapproval of the Statutory Commission should be shown by a hartal on the 3rd February,—I may pause here, Sir, to say that there would have been no hartal if the Statutory Commission had not been sent, and therefore to attribute these disturbances to the hartal is to say that nothing would have happened if man had not been created. But apart from that ultimate cause of all events, the Government proceed to say—but the Government are not disposed, in view of the tenor of the speeches and manifestos in which the use of force was deprecated, to consider there was evidence that would have enabled a successful application to be made to the courts for the issue of orders under the preventive sections.' I ask my hon. Friend to undergo a short apprenticeship under somebody who knows some law before he comes to deal with these large and difficult questions which get him beyond his depths."

"Then, Sir, the other point was that the Madras Police did very well in dealing with the disturbances in Madras on the 3rd. Before I give my own personal experiences, Sir, I would like . . ."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"On a point of explanation, Sir. I said 'with the materials at their command'."

* Mr. S. SATYAMURTI:—"So be it. 'With the materials at their command,' which, I take it, means that nothing was done with their connivance or at their instigation which prompted the rowdy elements in violating law and order. Again, Sir, I will read the Government Order for his benefit, for he has had evidently no time to read those orders:—

"A regrettable feature of the day was the delay in dealing with the recurrence of stoning in the evening after the rioting near the High Court. The Commissioner has said that policemen were on duty wherever possible but not at two points near the Fort where actual stoning did take place. These two points are not usually scenes of activity and hence no doubt the absence of any police constables. That they were scenes of trouble on this occasion is due to the fact that the stoning was begun by men proceeding to or returning from the beach meeting. The Government consider it unfortunate that although Military pickets were placed at points of vantage in Chepauk and its neighbourhood and the procession from the Mahajana Sabha was under police control, no steps were taken to ensure that other large bodies of persons proceeding to or from the meeting should be kept under the observation of a force of police sufficient to put down at once any tendency to lawlessness."

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"Does the Government regret it knowing that the police could not have done it, or does the Government regret it because knowing the police could have done it they omitted to do it? My hon. Friend below the gangway himself admitted that on the 3rd February innocent Brahmans,—I was glad to hear that phrase come from him—were attacked by rowdies in Madras (A voice: 'Also by the police') and the police did not put it down. Is that charge true?"

"Then, Sir, my hon. Friend wound up his somewhat hysterical speech by saying that he knew that the urchins were powerful enough to disturb a large meeting of 10,000 people and therefore he dealt with them. I will tell you a few facts which are well within my personal knowledge. Before that meeting on the 29th February was actually held, I was sent for by the Commissioner of Police and we had a cordial talk, in the course of which he suggested that there should be a hundred yards' distance between the two rival meetings, that there would be a special inspector with a *posse* of armed police to interfere if need arose or when they were appealed to to interfere. The police was there and one police inspector was actually at the scene. I will give his name to the Member directly if he wants, but I do not want to mention it now because he may be an innocent man and I do not want to compromise him in a public manner here. But I want to tell you that a policeman was actually on the scene and that a party of armed police with an inspector of police was there in the Presidency College, just opposite to the place of the meeting. With these people there, the meeting was disturbed by a few urchins who had brought special missiles of an offensive character for the purpose of disturbing this meeting and the police, when appealed to before and after the meeting, would not interfere. Is that conduct or misconduct on the part of the police?"

"I will give another instance again within my own personal knowledge. From the Mahajana Sabha Hall in Mount Road near the Round Tana, right up to the Chepauk Palace and the Revenue Board office, where the road opens into the beach, a procession of about 70 or 100 people was stoned by urchins and older men too on both sides, the police actually escorting them, and the police would not interfere to prevent this stone-throwing. Is it conduct or misconduct on the part of the police? (Cries of shame, shame.)"

"I have given you two instances within my own personal knowledge. I was told that I did not complain to the police as if everybody who was actually hit on that day complained to the police, as if the police did not know it otherwise, as if it is an excuse for the police that, because there is no regular complaint, they are not bound to preserve law and order. I am telling my hon. Friend what I know from my own personal knowledge, for at least on two occasions the police aided and abetted the rowdies or the rowdies had at least the consciousness that the police were behind them and that they would not be dealt with if they attacked anti-Simonites. Evidently because, we have heard in the course of this morning a most significant statement from a quarter, whose authority could not be disputed and I have heard it from exalted quarters also, that the Governor of Madras remarked that whoever opposed the Simon Commission is an enemy of the Government and therefore the police may deal with them in any manner they should like and that they were outside the protection of the law. That evidently was the way in which the police understood the situation, and therefore I say that this praise of the police is not at all deserved. On the other hand, Mr. President, in spite of the police general order under section 144, which was tom-tommed all over

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Madras and in which people were told that if they closed their shops, they would come into trouble, although they were merely to be told that if they had kept their shops open, they would receive adequate protection there was a peaceful hartal in Madras on the 26th February, the day of the arrival of the Commission, and though we had called off the hartal. Did any untoward incident happen on that day? Was it due to the parading of the police? Were the police called upon to interfere anywhere? I will tell you, Sir, the reason why there was no disturbance on the 26th February. It was because the rowdies who had been previously encouraged and in some cases engaged to create rowdyism, were told on the 26th not to do it again. They kept quiet and therefore there was no rowdyism at all. If therefore there had been no mismanagement or worse on the part of the police, there would have been no rowdyism at all on the 3rd February, and the happenings on the 26th February are proof positive of this.

"Sir, my hon. Friend raised two issues. The first, the conduct of the special police in preventing the rowdies from molesting or injuring peaceful citizens from attending to their usual avocations. We have proved that charge. My hon. Friend from Malabar has substantiated that charge. We have made that charge not only here but also in the columns of the Press and also before the Committee appointed by the Congress Committee to investigate into these disturbances. We ask the Government to institute their own enquiry. We will come and give evidence there. If they have the courage, if they believe in the process in which I believe, I ask the Government to wash this dirty linen and ask the people then to abide by the verdict of an impartial and honest committee in which I can have confidence and in which all sections of this House will have equal confidence. Until you do that, the citizens of Madras will believe, and believe rightly and justly according to me, that the police were interested in crushing this big hartal. They were taken by surprise at the success of the hartal. It did not please the police; more than that, it did not please the *de facto* rulers of this country, the Europeans of Madras. They are the real *de facto* rulers, not those gentlemen on the Treasury Bench. They are not the real rulers of Madras. For whose benefit is the Government of Madras being carried on? They, the Europeans, are the people for whose benefit the Government of Madras is being carried on. They are the masters. We send long memorials but nobody bothers about them. They go into the waste paper basket, but if those people make fiery speeches, and send long letters, at once the whole Government quake in their shoes and send replies to them column after column with bated breath and in whispering humbleness. That is the Government of Madras, and they are the *de facto* rulers of this country and if their pride is wounded. . . . (A voice: Do you want to convert them?) Yes, I want to convert them if possible, because they are the *de facto* rulers of this country. I know that and I feel it. They are so both here and in England; for commerce is the real centre of life of the British Empire; it is they who dictate wars, dictate peace and dictate Simon Commissions. I therefore suggest, Mr. President, that these gentlemen do make up their minds that there shall be no more hartals, and then we shall teach these people that we are the real rulers of the country and not they. So far as the Madras Government are concerned, there is nothing either in the Government Order or in the report of the Commissioner of Police—except one paragraph in a letter which I shall read presently—no allegation is made, either by the Chief Presidency Magistrate or by the Commissioner of Police, directly or indirectly, against the Congress volunteers and workers as having

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taken part in these disturbances. The only paragraph in which reference is made by the Commissioner of Police to us :

'Messrs. Ganapathi and Sydney Smith proceeded homewards about 4-30 to 4-45 p.m. safely as far as " Cupid's Bow " where they were stoned by a khaddar-clad crowd who were evidently Congress or boycott partisans on their way to the Beach meeting convened by the Boycott Committee for 5 p.m. on the Triplicane Beach'.

"That is the only allegation made. In all these letters, no other allegation is made either by the Presidency Magistrate or by the Commissioner of Police against the Congressmen or Congress sympathisers as having taken any part in these disturbances. So far as this allegation is concerned, I know nothing about the truth or otherwise of it, but I invite the Government to investigate that matter, and I can promise to the Government that if they can prove that any Congressmen took part in these disturbances, it would be easy for us to disown them and to say that we would have nothing to do with them. As for the khaddar-clad crowd being necessarily Congressmen, I may say that even rowdies wear khaddar sometimes in order to bring discredit on the Congress and Congressmen. That matter may be investigated by the Government of Madras. (A voice: The Criminal Investigation Department wear khaddar.) Yes. That is so far as the Government are concerned. I am, however, thankful to the hon. the Home Member, that even he, this evening was not able to go to the length to which some of my hon. Friends who spoke from the non-official benches went. This morning as I came into this hall and learnt that my friend, Mr. T. R. Venkatarama Sastri had resigned his Law Membership, I thought His Excellency the Governor would naturally have to think seriously about a successor; but after listening to the magnificent speeches made here, I think it will be rather difficult to choose from among these three gentlemen; because they are the advocates, without fear or favour, of the rule of the rod, of the firm principle, of the iron hand, they are solid in their opinion that the Government have not taken further action and have not gone further. According to Mr. Dorai Raja, all of us should be sent out of the country, out of India, even to the Andamans. According to Mr. Arpudawami Udayar, he is really sorry that Madras was not under more military rule. He would have been pleased if at every street corner there were soldiers, there were armoured cars, and if aeroplanes were flying over Madras, so that Mr. Arpudawami Udayar might come to this Council very calmly and all others may walk in constant fear of the British Government. That is his conception of peace and order. My friend, Diwan Bahadur Krishnan Nayar, was not so wild as that; but even he could not resist the temptation of patting the Government on the back and asking them to go forward with these measures with full confidence.

"I want to conclude with an appeal to all sections of this House, in regard to this matter. My friend, Mr. Krishnan Nayar, has already said that he and his friends sitting with him would vote against this out. I appeal to him and his friends to revise their opinion in regard to this matter. So far as hartals are concerned, hartals need not necessarily lead to these consequences, and we have already seen in the newspapers that some distinguished members of the party to which my friend belongs do not seem to be unfavourable to these hartals in the case of any particular event. As my hon. Friend, the Leader of the Opposition, pointed out, so far as the Government are concerned, last year we cut down the grant for police by five lakhs but yet the Government have now come forward with a motion for the grant of nearly Rs. 4 lakhs. I do not think we ought to allow such motions to come up like this. I appeal to the Independent Party and to the ex-Ministers in particular,

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[Mr. S. Satyamurti]

because we had this morning a disquisition upon Reforms being a Reserved subject and therefore their having nothing to do with it. This is a Reserved subject, and therefore I say they should not have anything to do with it. I ask my friends of the Independent Party to remember that they are now free from the allegiance which they would otherwise owe to the Government as a Ministerial Party in voting with them on this matter; because the question raised in this motion is merely a question of freedom of speech and freedom of association. If really we are going to allow Military rule to take the place of Civil rule, police zoolium to take the place of law and order, then this is a game at which two can play. To-day we are boycotting the Simon Commission and we do not want to include the Government in that; but to-morrow it will be something else. Are we going to encourage this topsy-turvydom and not allow, in the name of democracy, free play of opinions and actions so long as they do not interfere with the equally free play of opinions and actions of the other citizens of India? That is the only principle involved in this matter, and I appeal to all sections of the House to vote for this out unanimously."

* Sir JAMES SIMPSON :—"Mr. President, like my hon. Friend, Mr. Krishnan Nayar, I do not wish to give a silent vote on this motion. I do not want to add fuel to the fire that is smouldering. It is always but a joy to me to follow my hon. Friend, Mr. Satyamurti in debate. I have listened, Sir, and followed the debate with the closest possible attention and I have not found anything coming from the opposite benches warranting me to support this out. On the contrary, I consider that they have been themselves the best advocates of the Government proposals in preserving law and order. I have found this, Sir. Half of them are complaining against the police for having taken action, and the other half of them are complaining against the police for not taking action. They cannot have it both ways. Now, Sir, the *de facto* and *de jure* Leaders of the Opposition have minimised what took place in this city on 3rd February. What are the facts on that day? The city was given over to mob-law. Law and order broke down. Therefore, it was the clear and bounden duty of the Government to see that no repetition of this took place. When the Government learnt that there was to be an intensive hartal on the 17th, having regard to their previous experience, it was their duty to take all possible precautions against a repetition of the breaking down of law and order in this great city that took place on the 3rd February. (Mr. Basheer Ahmad Sayeed: 'Were they also prepared for Mr. Natesa Mudaliyar's hartal?') I do not want to add fuel to the fire. The Leader of the Opposition has made one very wise remark that the Europeans in India do not depend for their living here on Government protection. That is true. They depend on the affection of the people of India. As regards our being the *de facto* rulers of the country, Mr. Satyamurti is certainly right in a way; because the people in business and commerce and agriculture must always be the rulers of every country. And the maintenance of law and order in this province will always have the support of the members of this bench; it would be well if the members on the opposite benches gave the same encouragement to law and order in this country. Let me appeal to the House against the habit of vilifying and calumniating the police.

"Just now, Sir, one Member charged the police with looting, and another with assaulting the citizens. It may be true and may be not. Doubtless, these are facts within their knowledge. But let me say this: The interests represented here on this bench never allow themselves to undertake a campaign

[Sir James Simpson]

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against the police. In the country where we have been brought up, we look upon the police as our friends, not our enemies . . . (Mr. S. Satyamurti: 'They are rowdies here'). The same thing ought to obtain here in this country. I strongly oppose the amendment to reduce this grant."

2-30
p.m.

The hon. Mr. T. E. MOIR:—"It was my intention to speak on this subject at some length, but in view of the speech which has fallen from the lips of the hon. Member, Sir James Simpson, I do not propose now to prolong the discussion. There is much that has been said which made me indignant, but I do not propose to voice that indignation for I feel that this is a matter which most members of this House, and in their hearts even some of those sitting on the benches opposite, would be glad if it were disposed of in the manner in which the speech of the hon. Member who preceded me was framed. I therefore propose to add no further fuel to the fire, to answer no question and to add no further words which would prolong controversy. I have faith in this House and I feel confident that I only echo the appeal of Sir James Simpson and invite this House to reject the proposed amendment and thus to show that this House will not be a party to unsubstantiated and gross charges directed against the members of a department which, whether it may have made mistakes or misconceived the situation at times, did render great services to this city and its people under the difficult circumstances which it had to face during the last two months."

* The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 3,05,880 for 'Police—Reserved' in excess of Budget provision by Rs. 100."

The amendment was put to vote and declared lost.

Mr. S. Satyamurti and other Swarajists:—"Poll."

A poll was accordingly taken with the following result:—

Ayes.

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|------------------------------------|---|
| 1. Mr. Sami Venkatachalam Chetti. | 15. Mr. M. Narayana Rao. |
| 2. " S. Satyamurti. | 16. " A. Parasurama Rao. |
| 3. " C. V. Venkataramana Ayyangar. | 17. " C. Ramasomayajulu. |
| 4. " T. Adinarayana Chettiyar. | 18. " Basheer Ahmad Sayeed Sahib Bahadur. |
| 5. " P. Anjaneyulu. | 19. Mr. P. Bhaktavatsalu Nayudu. |
| 6. " J. A. Saldanha. | 20. Sriman Biswanath Das Mahasayo. |
| 7. " C. S. Govindaraja Mudaliyar. | 21. Mr. A. Kuleswara Rao. |
| 8. " G. Harisvottama Rao. | 22. " R. Srinivasa Ayyangar. |
| 9. " C. N. Muthuranga Mudaliyar. | 23. " L. K. Tulusiram. |
| 10. " Abdul Hamid Khan. | 24. " K. R. Karant. |
| 11. " K. V. R. Swami. | 25. " K. Madhavan Nayar. |
| 12. " D. Narayana Raju. | 26. " C. Venkatarangam Nayudu. |
| 13. " B. S. Mallayya. | 27. " K. S. Sivasubrahmanya Ayyar. |
| 14. " C. Marudavanam Pillai. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 12. Mr. C. B. Cotterell. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 13. " P. J. Gnanavaram Pillai. |
| 3. " Mr. T. E. Moir. | 14. " R. Foulkes. |
| 4. " Mr. A. Y. G. Campbell. | 15. The Zamindar of Seithur. |
| 5. " Dr. P. Subbarayan. | 16. Mr. H. B. Ari Gowdar. |
| 6. Rao Bahadur C. V. Anantakrishna Ayyar. | 17. " J. Bheemayya. |
| 7. Mr. F. B. Evans. | 18. " J. A. Davis. |
| 8. " H. A. Watson. | 19. Subadar-Major S. A. Nanjappa Bahadur. |
| 9. " G. T. Boag. | 20. Mr. N. Siva Raj. |
| 10. " A. McG. C. Tampoe. | 21. " M. V. Gangadhara Siva. |
| 11. " S. H. Slater. | 22. Rao Sahib L. C. Guruswami. |
| | 23. Mr. V. I. Muniswami Pillai. |
| | 24. " W. P. A. Soundarapandia Nadar. |

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Noes—cont.

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| 25. Mr. S. Subrahmanya Mooppanar. | 44. Mr. B. Ramachandra Reddi. |
| 26. " D. Thomas. | 45. Rao Bahadur C. S. Ratnasabhapathi Mudaliyar. |
| 27. " S. Venkayya. | 46. The Raja of Panagal. |
| 28. " K. Krishnan. | 47. Sir A. P. Patro. |
| 29. Sir James Simpson. | 48. Diwan Bahadur M. Krishnan Nayar. |
| 30. Mr. K. Kay. | 49. Mr. P. T. Rajan. |
| 31. " W. O. Wright. | 50. " T. K. Chidambaranatha Mudaliyar. |
| 32. Mr. A. T. Luker. | 51. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 33. Rajkumar S. N. Dorai Raja. | 52. Khadir Mohidin Sahib Bahadur, Muhammad. |
| 34. Mr. Arupudaswami Udayar. | 53. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 35. " K. Ramachandra Padayachi. | 54. T. M. Moidoo Sahib Bahadur. |
| 36. Rao Sahib R. Srinivasan. | 55. Rao Bahadur B. Muniswami Nayudu. |
| 37. Mr. A. Ranganatha Mudaliyar. | 56. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 38. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 57. Rao Bahadur K. Sitarama Reddi. |
| 39. Mr. S. Muthiah Mudaliyar. | 58. The Zamindar of Mirzapuram. |
| 40. " P. Siva Rao. | |
| 41. " C. Gopala Menon. | |
| 42. Kumara Raja of Venkatagiri. | |
| 43. Mr. M. A. Manikkavelu Nayar. | |

Ayes 27. Noes 58.

The amendment was lost.

* The hon. the PRESIDENT:—"I shall now put the original motion to vote. The question is 'the Government be granted an additional appropriation of Rs. 3,05,880 under Grant XV. Police—Reserved.'"

The motion was put and adopted and the grant made.

The hon. Dr. P. SUBBARAYAN:—"I do not propose to move the next item * on the agenda, Sir."

GRANT XXXIV.

* The hon. Sir NORMAN MARJORIBANKS:—"On the recommendation of His Excellency the Governor, I move

'that the Government be granted an additional sum of Rs. 8,000 under Grant XXXIV Agency Tracts—Reserved'.

"Sir, in the coming year there are certain works in the road programme of the Agency. As there was a saving in the works put down for this year, one of next year's works has been taken up. This is the working season and labour once dispersed is difficult to gather again. Therefore I ask the sanction of the Council for the course adopted."

The motion was put and adopted and the grant made.

VII

PUBLIC ACCOUNTS COMMITTEE FOR 1928-29.

The hon. Mr. T. E. MOIR:—"I move

'that with a view to the constitution of a Committee on Public Accounts for the year 1928-29 this Council do proceed on a date to be fixed by the hon. the President to elect seven members of the said Committee'.

* "I move this resolution with reference to rule 33 (1) of the Madras Legislative Council Rules which lays down, 'As soon as may be after the commencement of each financial year a Committee on Public Accounts shall

Grant XXIII.

* The hon. the MINISTER FOR DEVELOPMENT will move

'That the Government be granted an additional sum of Rs. 49,200 under Grant XXIII. Civil Veterinary Services—Transferred for the purchase of sera and vaccines required for the inoculation of cattle against rinderpest during the year 1927-28.'

[Mr. T. E. Moir]

[18th March 1928]

be constituted for the purpose of dealing with the audit and appropriation accounts of the Province and such other matters as the Finance Department may refer to the Committee. This Council has to elect seven Members of the Committee and when it is done three Members are nominated by His Excellency the Governor. Unless the Members appointed by the Council are known before the end of the financial year it will not be possible for His Excellency the Governor to constitute the Committee until the next meeting of the Council in the following year."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I second the motion."

The question was put and adopted.

* The hon. the PRESIDENT:—"It now remains for me to lay down the method by which the election is to be held. I would suggest that hon. Members hand in nominations to the Secretary before 2 p.m. to-morrow (14th). If the number of nominated candidates exceeds seven, an election will be held on the 15th between 1-30 and 2-30 p.m. The election will be according to the method of single transferable vote. The ballot papers can be obtained from the Secretary and should be deposited in the ballot box provided for this purpose between 1-30 and 2-30 p.m. on the 15th when the counting of the votes will commence."

VIII

FINANCE COMMITTEE FOR 1928-29.

* The hon. Mr. T. E. MOIR:—"I move

'that in accordance with resolution No. 17 passed at the meeting of the Council on 1st April 1921 regarding the constitution of a Finance Committee this Council do proceed on a date to be fixed by the hon. the President to elect six persons to be members of the Finance Committee for the year 1928-29.'

"In moving this I would merely say that the same considerations which apply to the Public Accounts Committee apply in this case also."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I second it."

The question was put and adopted.

3-45 p.m. * The hon. the PRESIDENT:—"I fix 2 p.m. to-morrow as the time by which nominations for election to the Committee should be sent to the Secretary. The election will be according to the method of single transferable vote."

IX

ELECTION OF TWO MEMBERS TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY (LIMITED).

* The hon. Mr. T. E. MOIR:—"Mr. President, I move

'that with reference to G.O. No. 55, Railway, dated 10th December 1928, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway Company, the names of two persons elected by this Council in accordance with the agreements made in that behalf by the hon. the President to sit on the Advisory Committee of the said Railway after the 31st March 1928, when the term of office of the present members of the Committee will expire.'

ELECTION OF TWO MEMBERS TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY (LIMITED). 71

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[Mr. T. E. Moir]

"I recommend this motion to the House in order that there may be no break of continuity in the representation of this House on the Advisory Committee."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I second it."

The question was put and adopted.

* The hon. the PRESIDENT:—"It now remains for me to lay down the method by which the election is to be held. I would suggest that hon. Members hand in nominations to the Secretary before 2 p.m. to-morrow (14th). If the number of nominated candidates exceeds two, an election will be held on the 15th between 1-30 and 2-30 p.m. The election will be by the ordinary method, and not according to the method of single transferable vote. The ballot papers can be obtained from the Secretary, and should be deposited in the ballot box provided for this purpose between 1-30 and 2-30 p.m. on the 15th when the counting of the votes will commence."

The hon. Dr. P. SUBBARAYAN:—"I do not propose to move items * V and * VI in the agenda."

X

A BILL TO AMEND THE MADRAS CHILDREN ACT, 1920.

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I beg to present the report of the Select Committee on the Bill further to amend the Madras Children Act, 1920, and move that the Bill as amended by the Select Committee be taken into consideration."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I second it."

The question was put and adopted.

The question that clauses 1 and 2 of the Bill as amended by the Select Committee stand part of the Bill was separately put to the House and carried.

The question that the preamble stand part of the Bill was put to the House and adopted.

* The hon. Mr. A. Y. G. CAMPBELL:—"I beg to move that the Bill be passed into law."

* V.—RESOLUTION UNDER THE COTTON TRANSPORT ACT, 1923.

The hon. the MINISTER FOR DEVELOPMENT will move—

"This Council approves the revised notification and the rules which it is proposed to issue under sections 3 and 7 of the Cotton Transport Act, 1923 (III of 1923), as amended by the Cotton Transport (Amendment) Act, 1925 (XXXIV of 1925), and recommends to Government that the said notification and rules should be issued in the form in which they have been submitted to the Council."

* VI.—A BILL TO AMEND THE INDIAN FISHERIES ACT, 1897.

The hon. the MINISTER FOR PUBLIC HEALTH will present the report of the Select Committee on the Bill to amend the Indian Fisheries Act, 1897, in its application to the Presidency of Madras and move that the Bill as amended by the Select Committee be taken into consideration.

* Printed as Appendix II on pages 79-82 infra.

* Circulated to Members on 27th February 1928.

[13th March 1928]

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I second it."

The question that the Bill be passed into law was put to the House and adopted.

The Bill was passed into law.

The hon. Dr. P. SUBBARAYAN:—"I do not propose to move item No. VIII^a in the agenda."

XI

AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL.

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR:—"Sir, I beg to move that the following amendments^b to the Standing Orders be passed. The proposed amendments only add to the convenience of the hon. Members in transacting business in this House, and I do not think there is any necessity for me to speak on them at length and I accordingly propose that the Standing Orders be amended as mentioned in the agenda."

* The hon. the PRESIDENT:—"The hon. the Advocate-General has presented the report of the select committee appointed to consider certain draft amendments to the Standing Orders Nos. 9 (1), 37 and 38 of the Standing Orders of the Madras Legislative Council and moved that the amendments as accepted by the Select Committee be taken into consideration."

The question was put and adopted.

* The hon. the PRESIDENT:—"The hon. the Advocate-General has moved that the following be added at the end of Standing Order No. 9 (1):—

^a Such notices may be left at the Council Office even when the Council is not in session or by a member even before he is sworn in."

The question was put to the House and adopted.

The House then adjourned to meet again at 11 o'clock the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

^a VIII. A BILL TO AMEND THE STATE AID TO INDUSTRIES ACT, 1922.

The hon. the MINISTER FOR DEVELOPMENT will introduce a Bill to amend the State Aid to Industries Act, 1922, and if the motion is carried, he will move that the Bill be taken into consideration at once.

^b Printed as Appendix III on pages 82-83 infra.

[13th March 1928]

APPENDIX I.

[Vide answer to question No. 1686 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 13th March 1928, page 12 supra.]

(1)

*Resolution from the Board of Revenue (Land Revenue and Settlement),
Mis. No. 2437, dated 1st September 1927.*

[*Subject.*—Irrigation—Ceded Districts Irrigation Committee's report—Kudimaramat--Reconstruction of derelict tanks.]

The Board submits to Government its remarks on the recommendations of the Ceded Districts Irrigation Committee concerning the system of kudimaramat and the revival of derelict tanks.

2. The Collectors of Kurnool, Bellary, Anantapur, Cuddapah and Chittoor were consulted.

* 3. The Committee's recommendations in regard to the system of kudimaramat are—

- (i) that the kudimaramat rules should be liberally interpreted ;
- (ii) that berm cutting should be done at Government cost, and
- (iii) that where, owing to long continued neglect or change in the regime of rivers, etc., the volume of work to be done is very large and beyond the means of the ryots, such works should be carried out at Government expense and by Government Agency.

4. The works executed by kudimaramat in the districts concerned are those enumerated in paragraph 5 of Board's Standing Order No. 86. The Collectors' reports show that the kudimaramat system is working fairly well except in Kurnool district. Mr. Rama Rao (Kurnool) states that the grant of special concessions under precarious sources has led to a partial neglect of kudimaramat work in his district. He observes that as the ryots are charged on the crop (dry or wet) which they raise they find it more profitable to concentrate on raising dry crops and that they are therefore indifferent to the maintenance of irrigation sources in a proper state of repair. He recommends the abolition of the distinction between precarious and non-precarious sources. The other Collectors have not made any such suggestion. The Board is not in agreement with Mr. Rama Rao on this point. The question of the retention of these concessions for precarious sources was fully discussed at the Collectors' conference in 1926. The view of the Commissioner of Land Revenue and Settlement which is given in the Board's review on the resettlement scheme for Anantapur (red soil taluks) was generally endorsed by Collectors with experience of the Ceded Districts. The Board has no doubt that the precarious sources rules have greatly benefited these districts. The dominant fact there is that the average season is a bad season. The Board must emphasize that the ryot in the Ceded Districts is as fully alive as any other to the advantages of bringing as large an area as possible under cultivation and he would not leave considerable extents waste if he could get a good crop off them. If as Mr. Rama Rao points out ryots are concentrating attention on raising dry crops the Board would welcome it as a good thing.

[13th March 1928]

Mr. Rutherford (Anantapur) suggests that the spring channels in his district should be considered as precarious sources and that the second crop charge under such channels should be reduced to a flat rate, in consequence of the high expenditure in money and labour involved in raising a second crop. The question is separately under the consideration of the Board and it will submit a report in the matter in due course.

5. The difficulty regarding the cutting of berms appears to exist only in Cuddapah district. The Collector (Mr. Sitaramayya) is in favour of the Committee's proposals. He states that after it was declared that the cutting of berms on the banks of river and spring channels was an item of kudimaramat the ryots have given up raising the silt and sand to the ground level as the task has become stupendous. He recommends that Government may undertake the work and that Rs. 10,000 may be set apart every year so that the channels may be dealt with in rotation once in ten years. He also states that a similar amount may be placed at the disposal of the Public Works Department for the channels in their charge. The problem of berm cutting was examined in 1914 and 1919. In 1914 the Board agreed with the Chief Engineer that the cutting of berms was part of the silt clearance which should be done by kudimaramat labour. In 1919 the Board reiterated its views of 1914. It perceived no objection to Government doing the initial berm cutting at their cost but expressed itself as opposed to the proposal because ryots would not take the trouble of removing the wet sand thrown on to the berms so as to leave the berms available for further use. The problem of berm cutting seems to be serious in Cuddapah and the Board is disposed to relax its original attitude and come to the assistance of the ryots in the matter. The Board therefore supports the Collector's recommendation with a proviso. If Government agree, the Collector will be instructed to frame a programme for utilizing the sanctioned grant in conjunction in each case with a pro-rata contribution in money or work from the ryots.

6. As regards the execution of works rendered necessary by long continued neglect, the objection to the acceptance of the Committee's recommendation that Government should do the work is that the acceptance of long continued neglect as a valid reason for Government bearing the cost of the work would stultify the kudimaramat system by putting a premium on neglect. Without kudimaramat, the task of maintaining irrigation sources would be beyond the capacity of any Government and without discipline there will be no kudimaramat. The best principle, in the Board's opinion, is that suggested by the Collector of Anantapur, viz., that Government should not take the responsibility altogether out of the hands of the ryots but should come to their assistance where the work is beyond their reasonable capacity.

As regards the execution of works rendered necessary by changes in the regime of rivers, it cannot be said that Government have refused to shoulder the burden of executing such works at their cost whenever there was sufficient cause. The Board would invite the attention of Government to the case of the Kothapalle channel disposed of in G.O. No. 1449 I., dated the 8th October 1926.

7. With regard to the revival of derelict tanks, the Committee itself recognizes that no general rule can be proposed and that each case will have to be considered on its merits.

[13th March 1928]

Mr. Sitaramayya (Cuddapah) repeats this. Mr. Rama Rao (Kurnool) forwards a list of derelict tanks and states that the cases may be referred to the Public Works Department for investigation and restoration.

Mr. Crofton (Bellary) merely suggests the strengthening of the Minor Irrigation staff by the appointment of an additional overseer for one year in order to restore derelict tanks as well as carry out ordinary repairs to Minor Irrigation works. An additional overseer for eight months has already been sanctioned.

Mr. Rutherford (Anantapur) states that the feasibility of restoring the derelict tanks by handing them over on special rate tenure to irrigation societies formed on co-operative basis from which takkavi loans for the cost of repairs less 20 per cent would be advanced may be considered. He also considers that efforts may be made to induce the villagers to execute the repairs themselves on the understanding that Government will contribute such portion of the estimated amount as will secure 4 or 5 per cent on their outlay as a result of the restoration, the balance being contributed by the ryots themselves. The ryots may pay the contribution in cash or they may execute the sanctioned estimates, for the amount approved by the Collector as reasonable for the Government to spend. This seems to be the only sound suggestion made for dealing with the problem of abandoned tanks. If the ryots have also to put their money into a scheme, they will examine more carefully its potentialities and the possibility of returns than if Government alone were interested financially. In dealing with abandoned tanks in the Ceded Districts, the Board thinks that Collectors should be allowed considerable discretion even in cases where the direct return to Government is low, for there seems to be no doubt that the existence of even a small supply in a tank adds considerably to the holding capacity of the wells in the area under the tank. This discretion should be allowed more especially in cases where the ryots are willing to contribute to the restoration of the tank.

8. The Committee has suggested that a large maintenance grant should be given for the Minor Irrigation work in the Ceded districts as at present their condition is unsatisfactory. Increased allotments based on the Collectors' actual demands are now being sanctioned.

9. Government have recently approved the revival of the Tank Restoration Scheme Parties. They have also directed that the Minor Irrigation staff should be freely used for the preliminary investigation of new schemes and of improvements to existing works. These, combined with the provision of larger allotments, will improve the situation.

10. To sum up—

The Board is unable to discover evidence that Kudimaramat rules are worked illiberally or more strictly than is essential if the underlying principle of kudimaramat is to be retained.

It considers that an easy acquiescence in a plea for help to remove the effects of long-continued neglect puts a premium on future neglect.

It recommends a scheme of Government contribution towards hermetizing operations in Cuddapah district where existing conditions appear to constitute a special case.

In regard to abandoned tanks, in addition to what has already been done in this matter, i.e., increased grants, formation of additional Tank Restoration Scheme Parties, etc., it would support the scheme put forward

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by the Collector of Anantapur, and further allow Collector's discretion to propose the restoration of derelict tanks even though the return to Government is low.

(2)

G.O. Mis. No. 2463, Revenue, dated 30th November 1927.

[Subject.—Irrigation—Ceded Districts Irrigation Committee's Report—Kudimaramat—Reconstruction of derelict tanks—Orders passed.]

Read—Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2437, dated 1st September 1927.

Order—Mis. No. 2463, Revenue, dated 30th November 1927.

In paragraph 5 of G.O. No. 1973 I., dated 16th December 1926, the Government stated that the recommendations of the Ceded Districts Irrigation Committee in regard to kudimaramat and the revival of derelict tanks would be remitted to the Board of Revenue for consideration and report. The proceedings read above contain the Board's report.

2. *Kudimaramat*.—From the Collectors' reports forwarded by the Board of Revenue the Government observe that the kudimaramat system is working fairly well except in the Kurnool district. There are at present no special rules for the enforcing of kudimaramat but under Board's Standing Order No. 86, paragraph 5, it is the duty of the Collectors to see that the customary labour on irrigation works is performed in each village of their districts as authorized by section 6 of the Madras Compulsory Labour Act, I of 1858. The question of issuing more specific instructions to Revenue officers to ensure that kudimaramat is regularly done by the ryots every year is under the consideration of the Government, and separate orders will issue thereon in due course.

The recommendations of the Committee and the report of the Board of Revenue show that the main point for the consideration of the Government is whether the Government should undertake to pay anything towards the execution of works which the ryots have hitherto been made to undertake at their cost or which might conceivably be classed as kudimaramat works.

(a) First must be considered the cases in which the execution of kudimaramat works is rendered necessary by long-continued neglect. The Board of Revenue states that the acceptance of long-continued neglect as a valid reason for Government bearing the cost of kudimaramat works would stultify the kudimaramat system by putting a premium on neglect. On the other hand, it may be contended that if the Revenue officials had been attentive to their duties they would have enforced the obligation of kudimaramat and not allowed the neglect to continue so long. On the whole the Government are of opinion that the following may be regarded as a general working principle. In cases where owing to long continued neglect for many years past during which period the Revenue officers have omitted to enforce the work of repair by customary labour an irrigation work involving considerable labour and expense has to be undertaken, the Government will be prepared to consider on the merits of each case whether any contribution should be made from Public Works Department or Minor Irrigation funds towards the cost of the work.

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(b) With reference to the execution of works rendered necessary by changes in the regime of rivers the Board of Revenue points out that the Government have not refused to shoulder the burden of the execution of such works at their cost where there was sufficient cause. Exceptional works rendered necessary by changes in the regime of rivers cannot, strictly speaking, be regarded as kudimaramat works. Such cases should be reported by Collectors for the orders of Government after consultation with the officers of the Public Works Department.

(c) *Berm cutting*.—Orders will issue separately on this point.

3. *Reconstruction of derelict tanks*.—The Committee itself has recognized that no general rule can be proposed and that each case will have to be considered on its merits. The Government consider that the work of the Tank Restoration Scheme Parties in the Ceded Districts should embrace the investigation of the question of restoring the ruined and abandoned tanks in those districts. The list of derelict tanks forwarded by the Collector of Kurnool is accordingly forwarded to the Chief Engineer for Irrigation for investigation by the Tank Restoration Scheme Party working in Kurnool.

(3)

Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2931, dated 8th October 1927.

[Subject.—Irrigation—Ceded Districts Irrigation Committee's report—Pumping with mechanical and electrical appliances.]

The Ceded Districts Irrigation Committee recommended that irrigation from wells and streams by pumping with mechanical and electrical appliances should be developed as a State enterprise. The Director of Industries takes it to mean that "pumping plants electrically or mechanically driven should be installed and maintained by Government and that water should be distributed to ryots and charged for in the same manner as is done with canal water".

2. The Board has consulted the Collectors of the Ceded Districts to which this recommendation in particular applied. The Collectors have to the extent of their knowledge indicated the localities where investigation might reveal an adequate supply of sub-soil water to supply a pumping plant. Their reports do not however suggest that as far as is known at present any substantial project will be possible. As the Collector of Chittoor points out "it is obviously no use setting up a pumping plant unless a fairly constant and abundant supply of water is available".

3. Assuming, however, that investigation discloses the presence of a reasonable supply of sub-soil water or suitable river conditions for a pumping scheme, it still remains to be considered whether the State should undertake and run these projects as a public concern or whether it should leave them to be developed by private enterprise assisted in some way from the State's resources. Past experience of pumping operations undertaken by the State has not been invariably fortunate; as for example, the Gunjana pumping system—G.O. No. 1785, Revenue, dated 24th July 1915, and the Pratur Pumping system—G.O. No. 942, Revenue, dated 14th July 1922, and G.O. No. 104 I., dated 5th May 1928. It does not of course follow that a Government scheme would never be successful; but it is obvious that to

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operate a pumping scheme without financial loss it is essential that the operations should be of a magnitude, e.g., in the island of Divi, for which opportunities are not frequent. The financing and running of a small scheme by Government seems financially out of the question. Irrigation by pumping is expensive. Mr. Rutherford for example reports that the Anantapur Municipal Water Works at its best pumps only 75,000 gallons a day. This, he estimates, would irrigate a wet crop on some 10 acres. He assumes that Rs. 25 is about as high a consolidated double crop wet rate as Government could at present impose and concludes that the income realized, i.e., Rs. 350 would not suffice to pay the cost of running the plant, much less interest on capital. The position apparently is that the expenses of running the pumping installation in most cases are such that no water rate which the ryot would at present be willing to pay would suffice to cover working costs. It does not, however, follow that a ryot or a combination of ryots could not work a similar scheme with profit to themselves.

4. There is another difficulty if the project be one of pumping from wells. In the majority of cases such wells would be sunk on private land. There is therefore the possibility of legal difficulties in levying the full water-rate for water raised from wells on private lands. The Board is therefore of opinion that the recommendation of the Ceded Districts Irrigation Committee is not feasible. It considers that pumping projects should for the present be left to private enterprise and that the State can best assist by (a) undertaking the preliminary survey of irrigational possibilities and indicating sites for sinking wells or installing mechanical or electrical contrivances; (b) permitting the installation of mechanical appliances on the banks of streams or rivers containing copious springs as far as may be possible without damaging any irrigation there may be in the lower regions; (c) granting loans for sinking wells and the purchase of plant.

5. The question of locating the subterranean water-supply has been receiving attention. Government Order No. 337 I., dated 30th October 1924, summarizes the policy of the Government at the time and the Board in its preliminary Memorandum on Irrigation contained in B.P. No. 1311, dated 15th June 1926, has laid stress on the necessity for Government action in this matter. The Director of Industries proposes the entertainment of a special staff to ascertain the sub-soil condition by an examination of existing wells and putting down trial borings where necessary. A special staff of the Industries Department touring throughout the Ceded Districts and Chittoor might advise enterprising ryots or bodies of ryots who agree to undertake such schemes. The information given by the Collectors of Kurnool, Anantapur and Bellary regarding the probable localities where experiment can be tried will give some indication to the staff where to start.

No remarks are required on sub-head (b) except to note that no cases in which ryots have been refused permission to pump water from public sources have been reported to the Board.

As regards point (c) above, special rules already exist governing the grant of loans for pumping installations for which the rate of interest is $7\frac{1}{4}$ per cent. The Board considers that no further encouragement is at present necessary. It is hardly desirable to offer loans for this purpose at specially reduced rates to encourage the ryots to undertake pumping schemes while the conditions of subterranean water-supply are still uncertain.

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6. To sum up: The Board is of opinion that before Government commits itself to any other method of promoting irrigation by pumping with electrical or mechanical appliances, the first essential is as adequate and complete a survey of the surface and sub-soil water-supply as is possible.

APPENDIX II.

[Vide item X on page 71 supra.]

BILL No. 1 OF 1928

A BILL FURTHER TO AMEND THE MADRAS CHILDREN ACT, 1920.

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 Bill further to amend the Madras Children Act, 1920 (Bill No. 1 of 1928), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 17th January 1928, in Tamil, Telugu and Kanarese on the 24th January 1928, and in Malayalam, Hindustani and Oriya on the 31st January 1928.

3. The Committee met on Saturday the 4th February 1928 and examined the provisions of the Bill.

4. They agree to the provisions of the Bill; but to improve the drafting, they would recommend that for

clause 2 of the Bill, the following clause may be substituted:

"2. For sub-section (2) of section 35 of the Madras Children Act, 1920, the following sub-sections shall be substituted:—

(2) The Local Government may order—

(a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school;

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(b) a youthful offender or child to be transferred from one senior certified school to another, or from one junior certified school to another;

(c) a child over the age of twelve years detained in a junior certified school to be transferred to a senior certified school,

(i) when such transfer is for the welfare of the child, or

(ii) when the child is found to be exercising an evil influence over any other child or children in the school or is guilty of a serious breach of the rules of the school or of escaping from the school;

(d) a youthful offender over the age of fourteen years detained in a junior certified school to be transferred to a senior certified school when a majority of the other children in the junior certified school are much below his age, or when there is not sufficient accommodation in the junior certified school;

(e) a youthful offender over the age of sixteen years detained in a senior certified school to be transferred to a Borstal school established under the Madras Borstal Schools Act, 1925, in the interest of discipline or for other special reasons.

(3) Upon the transfer of a youthful offender to a Borstal school under clause (e) of sub-section (2) above the provisions of the Madras Borstal Schools Act, 1925, shall apply to such offender as if he had been originally sentenced to detention in a Borstal school under that Act.

(4) The total period of detention of the youthful offender or child shall not be increased by any transfer under this section."

5. A copy of the Bill as amended by the Committee is appended. The Committee consider it unnecessary to republish the Bill as no material alterations have been made in it.

M. KRISHNAN NAIR.

MD. USMAN.

T. R. V. SASTRI.

J. A. SALDANHA.

S. ARPUDASWAMY UDAYAR.

13th March 1928]

[Note.—The changes made by the Select Committee are printed in clarendon type]

BILL No. 1 OF 1928.

A Bill further to amend the Madras Children Act, 1920.

WHEREAS it is expedient to further amend the Madras Preamble. Children Act, 1920, 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 Children Short title. (Amendment) Act, 1928.

2. For sub-section (2) of section 35 of the Madras Children Act, 1920, the following sub-sections shall be substituted:—

"(2) The Local Government may order

"(a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school;

"(b) a youthful offender or child to be transferred from one senior certified school to another, or from one junior certified school to another;

"(c) a child over the age of twelve years detained in a junior certified school to be transferred to a senior certified school,

(i) when such transfer is for the welfare of the child, or

(ii) when the child is found to be exercising an evil influence over any other child or children in the school or is guilty of a serious breach of the rules of the school or of escaping from the school;

"(d) a youthful offender over the age of fourteen years detained in a junior certified school to be transferred to a senior certified school when a majority of the other children in the junior certified school are much below his age, or when there is not sufficient accommodation in the junior certified school;

"(e) a youthful offender over the age of sixteen years detained in a senior certified school to be transferred to a Borstal school established under the Madras Borstal Schools Act, 1925, in the interest of discipline or for other special reasons;

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Madras Act
V of 1926.

"(3) Upon the transfer of a youthful offender to a Borstal school under clause (e) of sub-section (2) above, the provisions of the Madras Borstal Schools Act, 1925, shall apply to such offender as if he had been originally sentenced to detention in a Borstal school under that Act.

"(4) The total period of detention of the youthful offender or child shall not be increased by any transfer under this section."

APPENDIX III.

[Vide item XI on page 72 supra.]

To

THE HONOURABLE MEMBERS OF THE
MADRAS LEGISLATIVE COUNCIL.

WE, the Members of the Select Committee appointed on 21st October 1927 to consider certain draft amendments to the Standing Orders of the Council given notice of by the Advocate-General, beg to submit the following report.

2. We met at 11 a.m. on Thursday the 3rd November 1927 and again at 5-10 p.m. on Monday the 23rd January 1928. The amendments are considered below *seriatim*.

3. *Amendment to Standing Order 9 (1).*—Add the following at the end of Standing Order 9 (1):—

"Such notices may be left at the Council Office even when the Council is not in session or has not been constituted. The notices may also be left by a member, elected or nominated, even before he is sworn in."

We accept this amendment but would shorten its language as follows:—

"Such notices may be left at the Council Office even when the Council is not in session or by a member even before he is sworn in."

4. *Amendments to Standing Orders 37 and 38.*—

I. "Add the following as clause (2) of Standing Order 37 and number the existing Standing Order as clause (1) of that Standing Order:

"(2) If the Council agrees to such a motion, the Secretary shall send a copy of the Bill to Government in the Law (Legislative) Department for publication in the *Fort St. George Gazette*."

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II. In Standing Order 38 (1) after the words 'published in the Gazette' insert the words 'under the preceding Standing Order or under rule 18 of the Madras Legislative Council Rules'.

III. Add the following proviso to Standing Order 38 (1):

"Provided that where printed copies of the Bill have been furnished to each member of the Council, not less than six days before the motion for leave to introduce a Bill is made under the preceding Standing Order, the member in charge may, immediately on such motion being agreed to by the Council, introduce the Bill."

The Advocate-General has since given notice of certain other amendments to Standing Orders 37 to 39 and these latter amendments have been adopted by the Council on the 25th January 1928. We consider that the draft amendments extracted above have now become unnecessary and recommend that they be not proceeded with.

C. V. S. NARASIMHA RAJU.

T. R. V. SASTRI.

S. MUTHULAKSHMI REDDI.

S. N. DORAI RAJAH.

B. MUNISWAMI NAYUDU.

MAHMUD SCHAMNAD.

B. RAMACHANDRA REDDI.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 14th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur O. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon.
Sir Norman
Usman Sahib Bahadur, The hon. Khan
Bahadur Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The
hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Abdul Rasack Sahib Bahadur, Khan Bahadur
S. K.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur O. V.
Anjneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur
E. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsala Nayudu, Mr. P.
Bheemayya, Mr. J.
Biswanath Das Mahasanyo, Srinan.
Boag, C.I.E., I.C.S., Mr. G. T.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Davis, Mr. J. A.
Doral Raja, Mr. S. N.
Ethirajulu Nayudu, Diwan Bahadur P. O.
Evans, C.S.I., I.C.S., Mr. F. B.
Foulke, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. O. S.
Guruswami, Rao Sahib L. O.
Hamid Khan Sahib Bahadur, Abdul.
Harisarvottama Rao, Mr. G.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Krishnan, Mr. K.
Krishnan Nayar, Diwan Bahadur M.
Kumara Raja of Venkatagiri.
Kumaraswami Reddiyar, Diwan Bahadur S.
Laker, Mr. A. T.
Madhavan Nayar, Mr. K.
Mahmud Sahamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S.
Muhammad.
Moldoo Sahib Bahadur, T. M.
Muniswami Nayudu, Rao Bahadur B.

Muniswami Pillai, Mr. V. I.
Munugappa Chettiyar, Diwan Bahadur
A. M. M.
Muthiah Mudaliyar, Mr. S.
Muthulakshmi Reddi, Dr. (Mrs.).
Muthuranga Mudaliyar, Mr. O. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raja, Mr. D.
Narayana Rao, Mr. Mothay.
Narayanan Chettiyar, Mr. A. Ar.
Parasurama Rao Pantulu, Mr. A.
Parthasarathi Ayyangar, Mr. O. R.
Patro, Mr. Rao Bahadur Sir A. P.
Raja of Panagal, K.C.I.E.
Raja of Ramnad.
Rajan, Mr. P. T.
Ramaachandra Padayachi, Mr. K.
Ramaachandra Reddi, Mr. B.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur
O. S.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Simpson, Mr. Sir James.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Slater, C.M.E., C.I.E., I.C.S., Mr. S. H.
Soundarapandia Nader, Mr. W. P. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. Q.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dubash
Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. O.
Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. O. V.
Venkatarangam Nayudu, Mr. C.
Venkiah, Mr. N.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Gollapalli:
Zamindar of Mirzapuram
Zamindar of Seithor.

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STARRED QUESTIONS**Education**

Accommodation for the Lady Amphill Secondary Girls' School, Masulipatam.

* 1727 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Lady Amphill Secondary Girls' School, Masulipatam, is suffering from want of proper accommodation, that the various forms are located in small rooms and that the health of the pupils is being injuriously affected thereby;

(b) whether the inspecting authorities have reported the fact to the Director of Public Instruction, Madras, and if so, what action has been taken by him; and

(c) whether the Government propose to make arrangements for proper accommodation?

A.—(a) The Government understand that the school is accommodated in two separate buildings and that this arrangement is found unsatisfactory.

(b) & (c) The Director of Public Instruction has submitted proposals for the acquisition of a site and the construction of a building for the school; these are under consideration.

Mr. V. RAMJEE RAO:—"May I know, Sir, with reference to clauses (b) and (c), at what stage the proposal is now, and whether funds have been provided in the budget for the acquisition of the site?"

The hon. Dr. P. SUBBARAYAN:—"I want notice."

Employment of L.M.P.'s as physical directors in schools.

* 1728 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Director of Public Instruction has made any definite proposals to the Government regarding the question of employing L.M.P.'s as physical directors and medical advisers in schools; and

(b) if so, whether the Government have come to any decision on this matter?

A.—(a) Yes.

(b) A copy of G.O. No. 328, Law (Education), dated 17th February 1928, is placed on the table of the House.

Mr. A. B. SHETTY:—"May I know, Sir, what action the Director of Public Instruction proposes to take on this matter in view of the Government Order placed on the table of the House?"

The hon. Dr. P. SUBBARAYAN:—"I will ask for information of the Director of Public Instruction."

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Vacation classes for teachers in the mufassal training schools.

* 1729 Q.—Mr. A. B. SHETTY: With reference to my question No. 449 answered on 27th August 1927, will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have considered the question of holding vacation classes for teachers in the mufassal training schools; and

(b) what they propose to do in the matter?

A.—(a) & (b) The Government have asked the Director of Public Instruction to consider the question and submit a report to Government. His report is awaited.

Local Boards

Nomination of Christians to represent depressed classes in local boards.

* 1730 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to the answer to question No. 736 answered on 20th October 1927, regarding nomination of Christians to represent depressed classes in local boards—

(a) what the replies to (a) and (b) of that question are; and

(b) whether Christians come under 'depressed classes' or 'minorities'?

A.—(a) The President, District Board, Kistna, has reported that no Adi-Andhra has been appointed as a member of the Gudivada Union Board. He has been asked to instruct the President of the Taluk Board, Gudivada, to appoint a suitable Adi-Andhra in the next vacancy on the Union Board.

(b) A Christian is not necessarily 'depressed' by reason of his religion. As a community Christians may be said to form a minority community.

Construction of the new building of the Madura District Board office.

* 1731 Q.—The RAJA OF RAMNAD: With reference to my question No. 754 answered on 31st March 1927, regarding the construction of the new building of the Madura District Board office and to the answer given to the supplementary questions put thereon by Mr. L. K. Tulasiram, will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government called for the information; if so, to what effect;

(b) whether they will kindly place the report received from the president, district board, concerned on the table;

(c) if the report had been called for and received, whether the Government have decided upon the change of site of the building to a more suitable place;

(d) when the work was stopped last and what is the intention of the District Board, Madura, in the matter;

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(e) whether it is intended to proceed with the building from where it was left or abandon it altogether ;

(f) whether the Government will make a full statement regarding the construction of this building, showing in how many places it had cracked, what the progress is that has been made and what is proposed to be done further with its construction ;

(g) with reference to the answer to clauses (c) and (d) of the question, viz., that the payment of the honorarium to the Superintending Engineer to the extent of Rs. 2,012-3-9 for preparing the design of the building was permissible under rule 1-A (12) of Schedule V of the Madras Local Boards Act, 1920, what are the reasons which made the Government consider that such a charge is necessary or incidental to the district board administration as required under the said rule ; and

(h) whether they will state if any other district board had at any time incurred such an expenditure, and if so, which board had done so, in what year, in what manner and to what extent ?

A.—(a) & (b) The reports received from the President, District Board, Madura, are placed on the table.

(c) No. The Government do not consider that a change in the site of the building is practicable or necessary.

(d) & (e) The work stopped in the first week of November 1926. The President, District Board, reports that it is intended to complete the building as it at present stands.

(f) The cracks in the building are six in number and they have not widened at all since they appeared. The President, District Board, also reports that proposals for future construction are in correspondence with the Superintending Engineer and the Chief Engineer, Public Works Department. The work was finished up to the top level of basement by the end of September 1926.

(g) The Madura District Board desired to have the benefit of the Superintending Engineer's assistance and sanctioned the payment of an honorarium ; the Government permitted the Superintending Engineer to receive it at their discretion.

(h) No ; so far as the Government are aware.

The RAJA OF RAMNAD :—“ With reference to the answer to clause (b) I find that it is only the enclosures that have been placed on the table and not the report. May I ask the hon. the Minister whether he will place the report on the table ? ”

The hon. Dr. P. SUBBARAYAN :—“ I thought it was the report that was placed on the table ; I shall place it on the table. ”

The RAJA OF RAMNAD :—“ It is stated that the cracks are six in number and that they have not widened at all since they appeared. May I know whether the cracks did not widen because there was no construction of super-structure and because the work has been left there ? ”

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The hon. Dr. P. SUBBARAYAN :—“ That is a matter of imagination. ”

The RAJA OF RAMNAD :—“ It is a fact. ”

The hon. the PRESIDENT :—“ The hon. Member will do well to table a resolution and argue out the matter. When a resolution is tabled it can be decided whether it is a matter of fact or of imagination. ”

The RAJA OF RAMNAD :—“ I shall consider the suggestion. ”

“ With reference to the answer to clause (h) it is stated that there has been no precedent for honorarium being paid to Superintending Engineers in the matter of preparing plans and estimates. May I know what made the Government sanction this extraordinary expenditure when, as a matter of fact under the rules the Superintending Engineer scrutinizes the plans and estimates costing over a certain amount with any honorarium ? ”

The hon. Dr. P. SUBBARAYAN :—“ I want notice, Sir. ”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ May I know what percentage does the amount of Rs. 2,000 and odd come to with regard to the estimate of the cost of the building ? ”

The hon. Dr. P. SUBBARAYAN :—“ Notice, Sir. ”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ May I ask whether it exceeds or is below the percentage fixed under centage charges ? ”

The hon. Dr. P. SUBBARAYAN :—“ I want notice. ”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ It is stated in the appendix that there was no further development in the cracks. May I know whether, since November last, there has been any development in the construction of the building ? ”

The hon. Dr. P. SUBBARAYAN :—“ I want notice, Sir. ”

Institution of a Rural Development Fund.

* 1732 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have now come to any definite conclusion regarding the institution of a Rural Development Fund ?

A.—No. The matter is under further consideration.

Municipal Councils

Nominations to the Municipal Councils of Chidambaram, Cuddalore, etc.

* 1733 Q.—Swami A. S. SAHAJANANDAM : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government are aware that the period of nomination of the nominated Municipal Councillors of Chidambaram, Cuddalore and Villupuram of South Arcot district, and Gudiyattam of Vellore district has expired ; and

(b) whether those seats have been filled up by nominations ?

[14th March 1928]

A.—(a) & (b) The present position is as follows:—

Chidambaram Municipal Council.—The terms of all the five nominated councillors have expired. The Collector has been asked to expedite his proposals to fill the vacancies.

Villupuram Municipal Council.—The terms of three nominated councillors expired in November and December 1927 and January 1928. One vacancy has since been filled and proposals are under consideration in the case of the remaining two vacancies.

Cuddalore Municipal Council.—The terms of five municipal councillors expired in June and November 1927. One of these vacancies has been filled. The Collector has been asked for proposals in respect of the other four.

Gudiyattam Municipal Council.—All the vacancies in nominated seats have been filled.

Rao Bahadur K. SITARAMA REDDIYAR:—“Are the Government aware that these are the only municipalities in the South Arcot district?”

The hon. Dr. P. SUBBARAYAN:—“Yes.”

Rao Bahadur K. SITARAMA REDDIYAR:—“Is there any special reason why in all these three municipalities of the district nominations are being delayed?”

The hon. Dr. P. SUBBARAYAN:—“Reports have been called for from the Collector.”

Rao Bahadur K. SITARAMA REDDIYAR:—“With regard to the Villupuram Municipal Council will the hon. the Minister in charge consider the claims of the people in the Railway colony who contribute much to the coffers of the Municipal Council?”

The hon. Dr. P. SUBBARAYAN:—“There is already a nominated member for the Railway colony.”

Rao Bahadur K. SITARAMA REDDIYAR:—“Is the hon. Minister in charge aware that at the time of the formation of the municipality the original proposal was that the Railway colony should have three seats in the Municipal Council?”

The hon. Dr. P. SUBBARAYAN:—“That suggestion of my hon. Friend will be considered.”

Civil Justice

Revision of the pay of copyists and examiners.

* 1734 Q.—MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Law Member be pleased to state—

(a) what the present pay and emoluments of the copyists and copyist-examiners in the Revenue as well as Judicial offices are;

(b) whether the Government propose to increase their pay; and

(c) whether the Government propose to give them pension or bonus after retirement?

14th March 1928]

A.—(a) *Copyists and copyist-examiners in the Revenue department.*—The hon. Member is referred to Board's Standing Order No. 173, section (ii).

Copyists in the Judicial department.—Copyists are paid at the rate of 15 pies per 150 words copied, subject to a monthly minimum pay of Rs. 20.

Examiners in the Judicial department.—The sanctioned scale of pay for examiners is Rs. 35—40.

(b) & (c) There are no such proposals before the Government.

Memorial from an amin of Cannanore District Munsif's Court regarding his promotion.

* 1735 Q.—Mr. J. A. SALDANHIA: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received a memorial from one Henry Theodore Peter, permanent senior amin, District Munsif's Court, Cannanore, regarding his promotion;

(b) whether the memorialist has rendered Military service during the war;

(c) if so, whether his Military service and his service in the Judicial department have been taken into account in considering his prayer for promotion; and

(d) what action Government have taken or propose to take on his memorial?

A.—(a) & (d) The Government have not received the memorial referred to.

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

Forests

Rewards for killing wild animals.

* 1736 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) whether the Government have considered the report of the Collector of South Kanara laid on the Council table in reply to my question No. 1424 answered on 25th January 1928; and

(b) whether, in view of the increase in the number of cattle destroyed by wild animals in 1926, the Government propose to give rewards freely for killing wild animals instead of restricting them to deserving cases?

A.—(a) Yes.

(b) The Government are unable to accept the suggestion that rewards should be granted in undeserving cases. They are unable to attach the same significance to these statistics as the hon. Member does.

Mr. A. B. SHETTY:—“May I know, Sir, what led the Government to issue instructions to district authorities to give rewards only in deserving cases?”

The hon. Sir NORMAN MARJORIBANKS:—“I believe, Sir, that it was due to one of the recommendations of the Retrenchment Committee.”

[14th March 1928]

Mr. A. B. SHETTY:—"In view of the remarks made by the District Collector will the Government be pleased to define or to make clear what exactly they mean by 'deserving cases'?"

The hon. Sir NORMAN MARJORIBANKS:—"As at present advised I am unable to see that there is much doubt in the matter."

Local Fund Audit

Temporary and acting clerks in the Local Audit department.

* 1737 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon. the Member for Finance be pleased to state—

(a) the number of officiating and temporary clerks on 1st January 1928 in the Local Audit department and their qualifications;

(b) the normal period during which they are likely to be confirmed;

(c) whether there are any cases in which officiating clerks were thrown out of service (1) prior to 1st January 1928 and (2) after 1st January 1928, (i) for not producing medical certificates of fitness at the time of confirmation or (ii) for not obtaining the sanction of the head of the department exempting them from age-limit;

(d) if reply to (c) above be in the affirmative, whether the hon. Member will reconsider the cases of those sent out for not obtaining exemption from age-limit; and

(e) whether the same principle that was applied in the cases referred to above will be applied in future also to other officiating clerks in the department and the new entrants?

A.—(a) The number of officiating and temporary clerks in the Local Audit Department on the 1st January 1928 was 31. They are all graduates.

(b) Confirmation depends on the occurrence of vacancies and on the understood principle that the claims of all communities must be considered in making permanent appointments to the department.

(c), (d) & (e) With reference to that principle, in two cases notice has been given to officiating clerks that their services will not be permanently required, but the question of how inequalities of recruitment in this department should be rectified is under examination and these cases will be finally disposed of with reference to the final conclusions that may be arrived at.

Irrigation

Drainage scheme for Sengatipuram village.

* 1738 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon. the Member for Revenue be pleased to state whether provision has been made in the budget for 1928-29, for the drainage scheme sanctioned for the Sengatipuram village in Nannilam taluk, Tanjore district, and whether the work will be carried out this year?

A.—No, it is a complicated matter and the estimate is not yet ready for submission to Government.

[14th March 1928]

Irrigation sources in Chidambaram taluk.

* 1739 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that in Chidambaram taluk, South Arcot district, the irrigation sources are broadly mentioned as from a certain main channel and the special sources of irrigation either through a direct opening in a particular branch channel, or after raising the level of the water by damming across the same, are not specified;

(b) whether the Government are aware that such damming is mostly done either under authority or through custom;

(c) whether the Department of Public Works maintains any register of authorized or recognized dams;

(d) whether a copy of any such register will be granted if applied for, and by whom; and

(e) whether several channels drain some lands at their source and irrigate some lands lower down and vice versa?

A.—(a) The details concerning Government irrigation works given in the descriptive memoir of each village fall under the following heads:—

Name of work.	Source of supply.	Surplus flows to.	Classification assigned to work.	Number of wells in the ayeest.	Area registered as wet.		Total resettlement demand.	
					Single crop.	Double crop.	Single crop.	Double crop.

(b) The Government do not know whether the facts are as stated by the hon. Member.

(c) & (d) No.

(e) The fact may be as stated by the hon. Member. The Government do not know.

Inams

Inam lands restored to Catholic churches in South Kanara.

* 1740 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state—

(a) whether Catholic churches in South Kanara destroyed by Tippe Sultan had been granted inam lands by Bednore or Ikri princes and were deprived thereof on their destruction;

(b) whether on the rebuilding of churches under British regime, their original inam lands were restored to them and, if so, to what extent;

(c) whether any, and, if so, what recommendations were made by Mr. Harrie and other Collectors as to the restoration of such lands and subject to what conditions;

(d) what action was taken as to the inam lands of the churches at Madankan near Bantval, Mangalore taluk;

[14th March 1928]

(e) what the area and assessment were of the original inam lands of those restored to that church;

(f) what modifications in regard to area and assessment have those lands undergone; and

(g) what orders the Collectors and the Revenue Board have passed as to the area, assessment and conditions of use of the site of the church and the contiguous lands required for processions and other religious functions?

A.—(a) to (g) The information desired by the hon. Member is not available in any of the ordinary books of reference. Search is being made in the Government Record Office and the records of the Board of Revenue and the result will be stated if the hon. Member will repeat his question later on.

Land Revenue

Disabilities of Catholics as to lands purchased for Churches in South Kanara.

* 1741 Q.—MR. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state—

(a) whether Government have received a representation from the Secretary of the South Kanara Indian Christian League submitting a resolution recorded by its Committee to represent to Government, the disabilities of Catholics as to lands purchased for churches with a memorandum as to the canon and civil laws on the subject; and

(b) what action Government have taken in the matter?

A.—(a) The Government have received a representation on the subject on the 15th February last, but no copy of the resolution recorded by the Committee of the League has been received.

(b) The matter is under the consideration of the Government.

Search fees for copies of public documents applied for by interested parties.

* 1742 Q.—MR. J. KUPPUSWAMI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the recent judgment of the Madras High Court reported in LIV, M.L.J., 229 regarding *Raja Sahib of Vijayanagaram v. the Sub-Collector of Berhampur*, declaring that no search fees should be charged for copies of public documents applied for by interested parties in addition to the supply of copy stamp papers therefor;

(b) why search fees are even now demanded by the Revenue and Registration departments in such cases;

(c) whether the judgment of the High Court has been communicated to all heads of departments for information and guidance;

(d) whether the Government have not yet revised their rules in the Board's Standing Orders, Registration and other departmental manuals relating to the payment of search fees with reference to the judgment of the High Court above referred to; and

(e) why even when the party gives in his application for copies sufficient details relating to the number, year and substance of the document a search fee should be demanded by the Revenue and the Registration departments?

[14th March 1928]

A.—The Government have seen a report of the judgment in LIV, M.L.J., 229 and see in it no authority for the generalizations sought to be made from it in the question. The Government have called for a report on the case and on receipt of it will consider what amendments, if any, are necessary to the existing rules on the subject of search fees.

Suspension of the collection of land revenue in Bellary and Rayadrug taluks.

* 1743 Q.—MR. R. NAGAN GOWDA: Will the hon. the Member for Revenue be pleased to state—

(a) the villages in Bellary and Rayadrug taluks, Bellary district, in which the collection of land revenue was either suspended or remitted wholly or partially for any or all of the faslis 1333, 1334, 1335 and 1336 together with their respective average yields in fasli 1337;

(b) the villages in which the suspended revenue of the previous faslis or fasli was collected in fasli 1335 with their respective average yields in that year;

(c) the villages in which the Government have ordered the postponement of collection of land revenue for fasli 1336;

(d) the villages in which the Government have ordered the remission of land revenue for fasli 1336 wholly or partially and in the latter case the amount of such partial remission; and

(e) the villages in which the Government have ordered the suspension or remission of land revenue due for fasli 1337?

A.—(a) & (c) The villages in which land revenue was suspended or remitted in fasli 1333 are given in the list (No. 1) appended.^a The land revenue due for faslis 1334 and 1335 was not suspended or remitted. The villages in which the collection of the suspended land revenue of previous faslis was postponed or remitted in fasli 1334 are given in the list (No. 2) appended.^a The villages in which the land revenue for fasli 1336 was suspended are given in the list (No. 3) appended.^a The estimated average outturn of crops in fasli 1337 in the villages in which the revenue of fasli 1336 was suspended is shown in the list (No. 3).

(b) A list of the villages (No. 4) is appended.^a The estimated yield averaged from 8 annas to 12 annas in the villages of the Bellary taluk and from 8 annas to 11 annas in the Rayadrug taluk. The Government are not in possession of separate figures for each village.

(d) No remission of land revenue due on dry lands was sanctioned. The remission of land revenue due on wet lands was granted in accordance with the Board's Standing Orders.

(e) No suspension or remission of revenue due for fasli 1337 has been sanctioned. The suspended revenue of fasli 1336 which was due for collection in fasli 1337 has been further suspended in the villages given in the list (No. 5).

[14th March 1928]

Mr. R. NAGAN GOWDA:—"I see from page 157, in list 8 that in 80 villages the outturn of crops was about 4 annas and that in 20 villages it was 5 annas. Considering the fact that these villages had no good crops in the previous years, will the Government consider the question of remitting or suspending the collection of land revenue for fasli 1337 at least?"

The hon. Sir NORMAN MARJORIBANKS:—"We will put the hon. Member's suggestion to the Collector, and ask for his report."

Mr. R. NAGAN GOWDA:—"Considering that collection of land revenue is going on now, will the Government consider the advisability of expediting the matter?"

The hon. Sir NORMAN MARJORIBANKS:—"Certainly, Sir; this is a matter that must receive immediate attention."

Mr P. SIVA RAO:—"Will the Government consider the question of the suspension of the collection of takkavi loans also in connexion with this matter?"

The hon. Sir NORMAN MARJORIBANKS:—"If the hon. Member can give me a statement of the grounds on which I may take action, I shall be very glad to consider it."

Failure of crops in Bellary and Rayadrug taluks.

* 1744 Q.—**Mr. R. NAGAN GOWDA:** Will the hon. the Member for Revenue be pleased to state—

(a) the extent of rainfall in the month of February 1928 in Bellary and Rayadrug taluks of Bellary district;

(b) the increase in the insect-pests of cholam crop and the extent to which the cotton flowers and buds have dropped on account of these rains;

(c) the reduction in the crop outturn on account of these rains;

(d) the number of villages which were estimated in January to yield an outturn of 4-7 annas have yielded less than 4 annas after the rains; and

(e) what action is being taken to suspend land revenue this year in these villages?

A.—(a) During the three weeks ending 19th February 1928, the rainfall in the Bellary taluk was 1.09 inches and in the Rayadrug taluk 1.32 inches.

(b) & (c) The Government cannot undertake to make these estimates.

(d) Cotton forecasts are prepared at the end of January and again at the end of March and the estimate for cholam is made only at harvest. There are no monthly reports or accounts of the kind suggested in the question.

(e) No orders have been issued suspending the revenue due for the current fasli in the two taluks. The collection of the entire suspended revenue of fasli 1336 in 55 villages of the Bellary taluk and in five villages of the Rayadrug taluk has been postponed from the current to the next fasli and the collection of half the suspended revenue of fasli 1336 has been similarly postponed in 63 villages of the Bellary taluk and in 31 villages of the Rayadrug taluk.

14th March 1928]

Mr. R. NAGAN GOWDA:—"Sir, in answer to clause (d) it is stated that cotton forecasts are prepared at the end of January and again at the end of March. That means that they are prepared before and after the revenue collection time. Should not the change that takes place between these two periods taken into consideration at all? There may be thorough failure of crops or very near to it. Are not the Government bound to make these calculations and remit the assessment of revenue?"

The hon. Sir NORMAN MARJORIBANKS:—"I do not follow the hon. Member. The forecast is prepared at the end of January and at the end of March and if circumstances of agricultural failure have occurred in between, it seems to me that the forecast at the end of March would have to reflect those circumstances."

Survey

Alleged irregularities in the resurvey of Kasaragod taluk.

* 1745 Q.—**Mr. J. A. SALDANHA:** Will the hon. the Member for Revenue be pleased to state—

(a) how far the resurvey of the old Kasaragod taluk (portions of which are in the new taluk of Mangalore) has been done;

(b) whether Government or the Revenue Board or the Revenue Settlement Officer have received any complaints as to the irregular manner in which the resurvey has been made in the taluk, and if so, what is the nature of the complaints;

(c) whether complaints have been received from Mr. M. S. Mascarenhas [owner of portions of old S. No. 69 (1.4; 6.14), No. 120 (2.4), No. 124 (2), Nos. 124 and 131 (1) comprised in patta No. 55 of Manjanadi village in old Kasaragod taluk now in Mangalore taluk] about the exclusion of portions of his old survey areas and clubbing together in one patta of old S. No. 69 (5) not belonging to him with a portion belonging to another;

(d) how many days' notice was given by the pottail in sending the rough patta of the above survey numbers to Mr. Mascarenhas to appear before the Revenue Settlement Officer and, what procedure was observed thereafter in enquiring into the alleged irregularities and with what result; and

(e) whether Government or the Revenue authorities concerned have found any defects in the procedure observed in this and other cases and how they propose to remedy the defects?

A.—(a) The villages of the old Kasaragod taluk are now included in the Kasaragod taluk and parts of Mangalore taluk and Puttur taluk (old Uppinangadi). In the Kasaragod taluk, 762 square miles are to be resurveyed and up to 31st December 1927, 406 square miles had been resurveyed. In Mangalore taluk the resurvey of the villages of the old Kasaragod taluk (74 square miles) has been completed. In the Puttur taluk (old Uppinangadi), 159 square miles are to be resurveyed and up to 31st December 1927, 62 square miles had been resurveyed.

(b) The Government have not received any such complaints; nor are they aware that such complaints have been received by the Board or the Settlement Officer.

[14th March 1928]

- (c), (d) & (e) The Government have not heard of the case. The Board of Revenue has been asked to report whether the case disclosed any defects in procedure of a general character, and if so, what remedy has been or is proposed to be applied.

Resurvey of the South Kanara district.

* 1746 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state—

(a) to what extent the resurvey of South Kanara district has been effected; and

(b) whether it is being extended beyond the areas of the old Kasaragod taluk now included in the Mangalore taluk?

A.—(a) In the Kasaragod taluk 762 square miles are to be resurveyed and up to 31st December 1927, 406 square miles had been resurveyed. In Mangalore taluk the resurvey of the villages of the old Kasaragod taluk (74 square miles) has been completed. In the Puttur taluk 159 square miles are to be resurveyed and up to 31st December 1927, 62 square miles had been resurveyed. These areas in these three taluks comprised the old Kasaragod taluk.

(b) The hon. Member is referred to the answer to question No. 1667 given on 2nd March 1928.

UNSTARRED QUESTIONS

Local Boards and Municipal Councils

Representation of the depressed classes in local boards.

1747 Q.—Swami A. S. SAHAJANANDAM : Will the hon. the Minister for Education and Local Self-Government be pleased—

(a) to lay on the table a list of the representatives of the depressed classes (non-Christians) in the various local boards, municipal councils, village panchayats, and union boards; and

(b) to state the steps taken to secure an equitable and proportionate distribution of such members in all local bodies?

A.—(a) Lists* of representatives of the depressed classes appointed by the Government to district boards and municipal councils and now in office are laid on the table.

The information is not available in respect of taluk boards, union boards and village panchayats.

(b) The attention of the hon. Member is invited to section 7 (8) of the Madras District Municipalities Act, 1920, and section 9 (5) of the Madras Local Boards Act. The Government have issued instructions impressing on presidents of district and taluk boards that, whenever a suitable nominee is available, a member of the depressed classes should be nominated to taluk and union boards unless the community has already secured adequate representation through election. Members of village panchayats are all elected.

* Printed as Appendix IV on pages 161-163 infra.

[14th March 1928]

Forests

Control of the Narasingapuram forest in the Gundamanikanur zamindari.

1748 Q.—Mr. L. K. TULASIRAM : Will the hon. the Law Member be pleased to state with reference to the answer to question No. 1368 answered on 24th January 1928—

(a) whether the Narasingapuram forest in the Gundamanikanur zamindari and its branches, viz., the Varisanadu forest and the Kadamalakundu forest in the Madura district are at the disposal of Government;

(b) if so, when and how the Government assumed control of the said forest and its branches;

(c) whether M.R.Ry. M. S. Sesha Ayyangar Avargal, M.L.A., has, as vakil on behalf of the ryots of Narasingapuram, presented a petition to the Collector of Madura in connexion with the action proposed to be taken under section 26 of the Forest Act;

(d) whether it is a fact that the District Collector and the Conservator of Forests, V Circle, visited the said forest between 18th and 22nd January 1928;

(e) if so, for what purpose and with what object; and

(f) whether the Government are now aware of any of the proposals mentioned in (e) to (g) of my question referred to above?

A.—(a) & (b) The forest referred to is not at the disposal of Government.

(c) Yes.

(d) & (e) The forest was inspected by the Collector and the Conservator in connexion with an application to them by the owner to extend the provisions of section 26 of the Madras Forest Act.

(f) There is no proposal to apply section 29 of the Forest Act.

[*Note*.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

PERSONAL EXPLANATION OF AN EX-MINISTER.

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, with your permission I beg to offer a word of personal explanation with reference to what was said of me by the hon. Minister yesterday. He stated that I did not answer the question why my hon. Friend Mr. Arogyaswami Mudaliyar and myself met some of the leaders of the Congress party . . ."

The hon. Sir NORMAN MARJORIBANKS :—"Sir, I wish to know whether the hon. Member can make a statement in addition to what he made yesterday. I would only ask you to consider whether it is permissible that he should continue from day to day making statements of this nature. It will lead to a debate. The rules, I would submit, contemplate only one statement and one reply."

* The hon. the PRESIDENT :—"The point of order raised is that it may give room to the continuance of the debate."

[14th March 1928]

* Mr. A. RANGANATHA MUDALIYAR:—"You will remember, Sir, that I was absolutely impersonal yesterday; I do not propose to do anything otherwise to-day."

* The hon. the PRESIDENT:—"The hon. Member has taken my consent on the ground that the hon. Minister made an attack upon his conduct in connexion with the no-confidence motion tabled by the Congress Party. If the object of the hon. Member is really to explain to the House his conduct, I think he will be in order and I have simply to refer to one passage. 'The House in all cases of personal explanation will frequently waive a rigid adherence to established usage especially when the public conduct of a member is involved'."

The RAJA OF RAMNAD:—"May I know the name of the book, Sir."

* The hon. the PRESIDENT:—"Bourinot's Parliamentary Procedure. As I think that the conduct of the hon. Member is involved in the statement made by the hon. the Chief Minister, he will be in order to make a statement with reference to the attack on his conduct."

11-15 a.m. * Mr. A. RANGANATHA MUDALIYAR:—"I have already said that with me, the question of refusing to tender evidence before the Statutory Commission is an All-India one."

* The hon. the PRESIDENT:—"Order, order. I have given permission to the hon. Member to give a personal explanation with regard to the attack made on his conduct by the Chief Minister with reference to his alleged connexion with the no-confidence motion."

* Mr. A. RANGANATHA MUDALIYAR:—"I obey your ruling, Sir. He stated, Sir, that I was a party to the motion of no-confidence against him. My Colleague, Mr. Arogyaswami Mudaliyar, has already told the House that we endeavoured our best to persuade our friends to drop the idea of no-confidence motion. Many Members on this side cannot be unaware of my efforts on the 1st instant calculated to achieve the same object. Why, Sir, even an hour before the Council met on the 2nd instant, I was telling my friends that, even if 42 people stood up for the motion, I considered it my duty to have the motion defeated in the form in which it was couched. Then I had not the ghost of an idea that, by any stretch of imagination, the results of the motion as it was framed could be associated with the earlier resolution of the Legislative Council. I shall not say anything more, Sir, at least for the present."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I want to make a personal explanation and it is this. I will content myself with reading two passages, one from a letter of the Leader of the Swarajya Party to the Press and another by the Deputy Leader of the Swarajya Party to the Press."

* Mr. ABDUL HAMEED KHAN:—"Sir, I raise the same point as was raised by the hon. the Leader of the House. The hon. the Minister raises a question which was not raised in this House but was raised outside this House. I do not think the hon. the Minister can be allowed to give an explanation with regard to matters which were raised outside this House."

[14th March 1928]

* The hon. Dr. P. SUBBARAYAN:—"Sir, I made that statement in view of the statement made by the Leader of the Swarajya Party in the Press. I think I ought to be allowed to touch on that considering that you allowed my hon. Friend to give an explanation."

* The hon. the PRESIDENT:—"With regard to the permission I have given to Mr. Ranganatha Mudaliyar, it is to give him an opportunity to vindicate his conduct before the House, but here the hon. the Chief Minister wants to give the reasons why he made a particular statement. I do not think the reasons would constitute any element of personal explanation. There may have been various elements which might have induced the Chief Minister to make a particular statement. But the reason for the same cannot constitute any personal explanation."

III

COMMUNICATIONS TO THE COUNCIL.

1. The Secretary laid on the table copies of—

(i) a G.O. No. 199, Development, dated 3rd February 1928, recording the audit report of the Government Industrial Institute, Madura, for 1926-27.

(ii) a G.O. No. 207, Development, dated 6th February 1928, recording the audit report of the Government Institute, Madura, for the quarter ending 30th June 1927.

2. With reference to the answer to supplementary question No. 1448 given at the meeting of the Legislative Council held on the 26th January 1928, the Secretary laid on the table copies of the original question regarding the appointment of Oriyas to the Civil Court of Ganjam district and the answer thereto.

IV

MOTIONS ON THE BUDGET FOR 1928-29.

* The hon. the PRESIDENT:—"Under sub-rule (b) of rule 29 of the Madras Legislative Council Rules, His Excellency the Governor has been pleased to fix one day as the maximum for the discussion of the motions on each of the following demands, viz., Land Revenue Demand I; Education (Transferred) Demand XIX and Civil Works (Transferred) Demand XXX; and half a day as the maximum for motions affecting each of the other demands. I propose to treat the parts of a day before and after lunch as half a day each."

"Hon. Members will kindly remember that under rule 29 (8) it will be my duty at 5 p.m. on the 30th March to put every question necessary to dispose of all outstanding matters in connexion with the Demands for Grants."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I would like to know what the time limit, if any, is."

a Printed separately.

b Printed as Appendix V on pages 164-165 infra.

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* The hon. the **PRESIDENT** :—" I have carefully examined the question and I do not think there is any Standing Order which enables the President to fix the time limit regarding the debate on the grants and I am not personally inclined to fix any time limit regarding the speeches of hon. Members when the motions on the budget demands are under consideration."

DEMAND I—LAND REVENUE.

* The hon. Sir **NORMAN MARJORIRANKS** :—" Sir, on the recommendation of His Excellency the Governor, I move

'that the Government be granted a sum not exceeding Rs. 260·88 lakhs under Demand I. Land Revenue Department'."

* **MR. BASHEER AHMAD SAYEED** :—" Sir, I wish to move

'that the allotment of Rs. 33,24,000 for Land Revenue be reduced by Rs. 100.'

"The object of the motion, Sir, has been stated in the list of motions printed and circulated, and that is, to record the disapproval of the settlement policy of the Government. In this connexion, Sir, at this late hour, it is needless for me to repeat all those points which have been urged from time to time against the land revenue policy of this benign Government. In spite of repeated demands to bring the land revenue policy of this Government under popular control, at least under the control of the Legislature, this Government have not taken any serious steps to do so in spite of the promises that have been held out from time to time. Mr. President, it has been the fixed policy of this Government, so far at least as the ryotwari lands are concerned, to assess 50 per cent of the net produce of the cultivator a State demand. That principle has been fixed, in spite of the so-called temporary settlement, as an unalterable principle. The half net principle was fixed as early as 70 or 80 years ago, and times have advanced. Labour has become costly, cultivation has become unprofitable and the net benefit that the ryot derives from cultivation is next to nil. And yet the half net principle has not changed. In other Provinces there have been attempts to change the half net principle and also to bring land under a permanent settlement. In this Province, Government have no doubt several times held out promises and given pledges to bring a sort of permanent settlement for the ryotwari lands and yet they have failed to do so. The intensity and frequency of famines all over India and especially in this Presidency, though not solely due to over-assessment of the land, yet is to a large extent due to the half net principle which leaves nothing for the cultivator to live upon. The assessment is supposed to be equitable in character and moderate in principle, but we see hardly anything of the kind. The proprietor of the soil is not left ordinarily that margin of profit that will enable him to save enough to meet the strain of exceptional misfortune. Government so far have not done anything to make the cultivator more prosperous, more resourceful and better able to help himself in years of bad harvest, especially when he is visited by frequent famines; nor have they done anything to foster agricultural enterprise or to enable the cultivator to accumulate capital in order to invest it in more productive sources of industry and other productive works. Nominally, the principle that has been followed is to take 50 per cent of the net

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produce, but in the actual working of that half net principle, there has been always a growing tendency at the time of every settlement to increase land assessment. People who have been interesting themselves in land revenue have urged upon the Government to reduce this State demand to a maximum of one-fifth of the gross produce or, as I would urge here, one-third of the net produce. All these appeals or attempts or whatever they are, have fallen so far on deaf ears. It is supposed that a liberal reduction is made at the time of the resettlement, but cultivators who are actually cultivating lands and who are bearing the burden of this land revenue know in fact that there is no liberal reduction in cultivating expenses or in the cost of labour. The avowed policy of the Government has been to have a progressive reduction of the State demand but no effect seems to have been given so far to that avowed policy. The unlimited discretion left in the hands of the settlement officers in respect of changes of land classifications at the time of resettlement or new settlement is often abused, and abused to the advantage of the State and not to the advantage of the cultivator. We, the representatives, our predecessors in that capacity, have asked the Government to give us pledges against future revisions of classification of land, except in cases where the nature of the land has been affected either in its fertility or by its deterioration, but the Government have refused to give any such pledges as to classifications of land. The greatest burden for the cultivating ryot is the innumerable cesses that are being levied on the revenue of the land for purposes which are extraneous to the benefit of the land itself. He is made to pay on the rental value of land or on the revenue of the land. There has been no limit fixed so far in actual working as to the rate of cess that is imposed on the land and the cultivator in excess of the land tax of 50 per cent of the net produce, which he is made to pay. The cesses which are levied for the construction and repair of roads, the upkeep of schools and dispensaries and other duties pertaining to local boards are generally assessed on the assessment of the rental value or on the revenue of the land.

"These, I submit, are a great source of impoverishment to the cultivator. In this Province the cesses amount to between 10 and 11 per cent of the land tax. But in other Provinces like Bombay, Burma and Assam these land cesses are far lower than 6 or 7 per cent. These cesses are onerous besides being excessive. There are also, as the Government are aware, a lot of illegal and unrecognized and unauthorized cesses which are a source of great drain on the income of the cultivating ryot. Though the Government know about these illegal and unauthorized cesses yet they have not taken any drastic step to prevent or put an end to such illegal demands whether they be on the part of their own officers or on the part of the landlords under whom the ryots are supposed to be cultivating. The Government have not taken any notice or even attempted to remedy the ever-increasing subdivision of holdings, the decline of industrial occupation other than agricultural and the usurious rates of interest demanded by the money-lending classes under whose control most of the ryots of the Province are, the excessive expenditure upon litigation by way of stamps and other judicial fees and the numerous payments in the form of petty bribes to officers of Government or other people. The Government have been callous and turning a deaf ear to these grievances of the cultivator. They have not legislated so far upon any money lending transactions though it is a matter of common knowledge that every cultivator in this Presidency is almost hopelessly indebted to the money-lender who is every day sucking the very

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life blood of the cultivator. In other Provinces like the Punjab, the Government have brought forward a legislation against money-lenders, but in this Province where the Government are supposed to be a great protector of the depressed classes cent per cent of whom are known to be cultivators, the ploughers and the harvesting people in this Presidency and who are to a large extent indebted to the sowcars as well as those who are in possession of the land and directly concerned with cultivation, they have done nothing. The pitch of enhancement is so high that although the Government have said that the enhancement of taxation is to be by gradual and progressive moderation yet nothing seems to be in practice, given effect to. The levy of the same assessment in bad years as well as good and the mode of calculation followed in several cases on the basis of a good harvest, on the assumption that the saving in a good year will meet the loss in the others are most detrimental to the well-being of the cultivator. Government and their officers have not taken any steps to stop the increasing deterioration of lands. The deterioration has been increasing by leaps and bounds and the rate of cultivated land has not been keeping pace with the demand of the population nor is the produce in any way keeping pace with the demand of the population. In foreign countries, in Europe and America, the question is one of over production and lower prices but quite the reverse is the case in this unhappy country. In practice where the chances of a bad harvest are high, allowances for crop failure in framing the assessment rates are not made helpful to the cultivator as they ought to be, so that when the inferior lands leave no net produce whatsoever to the cultivator, the assessment has often to be paid by the cultivator only by borrowing money from money-lending sowcars at usurious rates of interest or by stinting the necessities of life and submitting themselves to starvation and other evils following from starvation. Special arrangements supposed to be made for the remission of revenue for the failure of crops on land are very meagre. In many cases what are called savi cultivation is never given any exemption of land tax. The moment one or two grains of corn become mature, they are supposed to be beyond the pale of exemption. In several cases within my personal knowledge in the district of South Arcot, produce which is not mature and would not yield anything substantial to the cultivator has not been exempted. Lands which are deplorably fallow, lands unsown for several generations and which have remained without yielding any profit whatsoever have been made subject to payments of land tax. Nothing could be more unjust from the point of view of the cultivating ryot. Aids are supposed to be given by the Government for land improvement and other agricultural improvements."

* The hon. the PRESIDENT :—"I think the hon. Member is going far beyond the scope of the motion. Land Revenue policy does not mean land improvement as well. I rule it out of order."

* Mr. BASHEER AHMAD SAYEED :—"I obey. In fine, the person that is suffering most from the land revenue policy of the Government is the ryot. Although the theory is that the land revenue policy is administered to the benefit of the ryot, yet the high incidence of land tax and various other cesses that he is made to pay, the insecurity of the tenure, and the high assessment by the settlement officers go to add to his suffering; and whereas in other fields like the income-tax and other spheres of earning there is a certain minimum exempted from taxation, in the land revenue system of

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this country not even a single cent of land is exempted from land tax. The owner of even two or three cents has to pay at the same rate and at the same calculation a heavy assessment. No consideration is shown to his circumstance and especially the small extent of his holding. In spite of the Agricultural Commissions coming and going, unless and until the Government bring the land revenue policy within the control of the legislature and within the control of the representatives of the people, I do not think Government have any justification to claim any tax or any cess from the ryot or cultivator. 'Land revenue' according to Mahatma Gandhi 'has become the close preserve beyond the pale of law'. Such as it is, is indeed very deplorable. The regulation of assessment rests entirely with the executive authority. Every attempt hitherto made to bring it under popular and judicial control has failed owing to the dogheadedness of the executive Government. Government must somehow or other meet the evergrowing expenditure, the bulk of which is no doubt military. Land revenue lends itself to arbitrary increase as it affects the largest class, a class which has no voice, a class that can be squeezed without mincing. There should be an end to the irresponsible Government if they are to have another taxation or it should be resisted successfully. I therefore appeal to the House to see that this motion is voted upon unanimously."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, no taxation without representation is the law of modern democracy. No representation without taxation is the law of our Indian bureaucracy. The Indian ryot is asked to pay out of his poor earnings a great deal of taxation, without having a word to speak as to the method by which he is taxed or as to the amount for which he is taxed. If we look at our budget we will find that out of 18 crores budgeted for as revenue, seven crores and odd, very nearly 45 per cent of the income comes out of the executive power of the Government in regard to revenue. The legislative bodies have nothing to do with the settlement policy of the Government of this country. This is the state of affairs which all friends who talk loud about reforms have to take note of, which all friends who talk loud about co-operating with the Government for the purpose of working on the reforms should contemplate."

"Attempts have been made and, they have failed, to induce the Government to introduce legislation on this matter. We are told, Sir, that very good rules have been framed, we are told, Sir, that the Revenue Department is very careful about the interests of the poor ryots. I know that my hon. Friend on the Treasury Bench, Mr. Marjoribanks is a very industrious man. I know that he attends to every detail, and I am prepared to concede it. I know that at one moment or another in his life he is prepared to be sympathetic to the Indian ryot. I concede that also. But yet, Sir, without representation of the ryot, without his voice being the supreme authority in determining taxation, in deciding what the Government shall put as taxation on the poor, is it possible, even for an expert like my hon. Friend, Mr. Marjoribanks to do justice to the ryot? What a number of wheels within wheels have to be crossed before anything comes to his notice? I have known instances where even Revenue Members have been helpless. Let us take actual settlements. What is it that has been conceded by Government in its own publications. If you look at the Settlement Manual; you will find that the Government are helpless in regard to the fixing of the cultivation expenses. It is a very difficult problem, they say,—the fixing of

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standards in regard to prices and standards of grain values. They have very great difficulties really in making up their mind as to what is equitable and what is not. What is allowed to the ryot as expense of cultivation is to my mind absolutely little, even according to the calculations that the Government have carefully made. Not only that. I would request all those concerned to consider very carefully whether it is not the ryot that pays all the taxation of this country; not merely the revenue taxes, but he pays almost the entire taxation of the country. He pays the whole income-tax, and I may tell my friends over there, the European members, that the income-tax they are paying is paid ultimately by the ryot, because in this country there is no other source of income except agricultural profits. The ryot in India pays the highest percentage of consumptive taxes. The ryot is ground down, with all the best intentions of an individual here or an individual there; I am not prepared for one moment to admit that the machinery of Government has any intentions. It is merely a machine; it cannot have intentions. There may be individual members who may have certain good intentions. Granting these intentions, the ryot is being ground down every day, the complaint is growing that he is poor because of this particular fact, that the revenue of this country is derived from the ryot without his vote being taken in the matter of its payment. Most of the revenue comes from him, be it land revenue, be it income-tax paid by my friends the European magnates in trade and commerce, or be it any other revenue. May I appeal, Sir, to my European friends—I could not probably succeed on a question of law and order—but may I appeal, if they have a heart in them, to rise to the occasion and tell the Government by voting for this cut motion (Mr. Muniswami Nayudu: 'Bravo') that a settlement law and a land policy subject to the control of the popular will are a necessity in this country if the ryot is to come back to his own. May I know as a proof of their sympathy to the ryots what the British representatives in this House will say to this? I do not want to take up more of your time. I commend this motion to the House and hope that there will be unanimous support for it."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, I rise to support the motion. As this question has come up before this House many a time and has been discussed threadbare, I do not propose to go into the merits or details of the question covered by this motion. But I deliberately accuse the Government, not only this Government but the Central Government, the Government of India as well, of callousness, indifference and irresponsibility; and I am tempted to go a step further and accuse the Government of being irresponsible to public opinion. The recommendations of the Decentralization Commission that were made 12 years ago have been given the go-by by this Government. The recommendations of the Joint Parliamentary Committee which insisted upon the House having a direct and potent voice in the matter of fixation of assessment have been cast to the winds. Nor is that all. When the matter came up here, the House or rather some of the old members of the House would remember that the committee presided over by the hon. Sir Muhammad Habib-ul-lah prepared a draft Bill which in a way embodied the principles of the recommendations made by the Decentralization Commission and the Joint Parliamentary Committee to place the principles of settlement on a legislative basis and that Bill received a very cold reception at the hands of this Government. And later on, Sir Arthur Knapp attempted to pilot a Bill in this House, and as some of its

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provisions ran counter to the recommendations of the Commission and some of the principles of that Bill were of a retrograde character, it produced an intensity of feeling and indignation on the floor of this House, with the result that that Bill was completely turned down by as many as 60 Members against 18 that voted for it. Now, what happened afterwards? Later on, about this time last year, the Government came up with a Bill and published it for criticism. That is exactly where the matter stands. If I remember right, about a fortnight ago, the hon. Mr. Marjoribanks told us that the Government of India were unwilling to subject the rates of assessment to the vote of the House, or, in other words, in matters of taxation, Government were very anxious to keep out the public, and were determined to see that the views of the public were not allowed to prevail. That is rather a very curious and, if I may say so, inexcusable and indefensible position for any Government to take. We the people are called upon to pay a certain amount of taxation, and the persons from whom the money is sought to be taken away are denied the *locus standi* which in every system of jurisprudence and under any system of Government people similarly circumstanced ought to be permitted to have. But anyhow, curiously enough, the Government say: 'You shall have no voice in the matter'. For what does the Government exist? Does not the Government exist for the people, and can the Government with good grace say: 'Though you represent the people, though you are of the people, in a matter affecting the people, we shall not consult the people or the representatives of the people.' That is a most extraordinary attitude for the Government to take which deserves in my humble judgment the strongest condemnation.

"We have thought it necessary to bring this motion once again, so that the Government of India and this Government may know that the people are very keen about it, that they are treating it as a live issue and are determined to fight to a finish unless the Government are prepared to go forward and meet the people half-way in the legitimate demands they have been making in this direction.

"So far as this Presidency is concerned, the income under Land Revenue comes to about 45 per cent. The incidence of taxation is the highest in this Presidency. I do not want to take the House through facts and figures, because on a former occasion, about this time last year, my hon. friend Mr. Krishnan Nayar gave the House a complete history of this subject from start to finish, and therefore, as most of the Members of this House, I dare say, will be familiar with the literature on the subject, I do not want to take up their time. The Government have absolutely no justification for assuming this attitude and to stay their hands. Therefore, it is with this view to compel the Government to revise their attitude and to meet the people's wishes for whom and whom alone I venture to think they exist, we have thought it necessary to table this motion."

* Diwan Bahadur M. KRISHNAN NAYAR:—"I wish to make only one or two statements on this motion, Sir. I need not remind the House that all the important arguments in support of this motion have been advanced on the floor of this House many a time, and also on the last occasion when the general discussion on the budget took place. My friend the hon. the Revenue Member said in reply to my criticism during the debate on the budget that he was surprised that the subject came up again for discussion.

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I may venture to tell my friend that he need feel no surprise whatever; for this subject is bound to come up year after year, and, if possible, month after month, until the demand of the House that the power of fixing settlement rates should be given to this Council is conceded. I may say that this motion is intended rather to help my hon. Friend the Revenue Member than to embarrass him. We know very well, and he himself said this on the floor of this House some time ago, that it is the Government of India that stand in the way, and he quoted certain passages on a former occasion in support of that statement. We are very thankful that this Government themselves are not opposed to this reform, so that if this motion is pressed and carried in spite of the opposition of my hon. Friend, that will really strengthen his hands in going before the Government of India with the demand of this House. So, that is the object and that is the reason why we press this motion in the present instance. I submit, in addition to all the arguments that have been advanced, this is an important argument, namely, that this province is the most heavily taxed of all the provinces in India. It is therefore very desirable and necessary that this power of fixing the land revenue rates which form the most important portion of revenue should be granted to the Members of this Council. In support of that position, namely, that this province is the most heavily taxed, particularly in respect of land, of all the provinces in India, I just wish to draw the attention of the House to some of the figures.

"The incidence of land revenue per cultivated acre in ryotwari areas in India is as follows.

"In Madras, it is Rs. 2-8-11; in Bombay it is Rs. 1-5-7 only; in the United Provinces (Agra) it is 1-12-8; in Oudh, it is Rs. 1-15-3; in the Punjab, it is Rs. 1-8-6; in the Central Province, it is only As. 10; in Bihar and Orissa, it is only Rs. 1-2-6.

"I quote these figures from a memorandum which was kindly put into my hands by my hon. Friend Mr. Moir on the occasion of a deputation from this Council to the Viceroy. Even if we go to the taxation per head of the population, the figures stand thus:

	RS.		RS.
Madras	27	Punjab	28
Bombay	8	Bihar and Orissa	10
Bengal	18	Central Province	8
United Provinces	12	Assam	18

"Having regard to the fact that this province is the most heavily taxed of all the provinces, it is very desirable that the representatives of the people in this Council should be given the power of determining the most important item of the revenues of the Presidency, namely, land revenue. I do not wish to refer to the other arguments advanced either on the present occasion or on former occasions, so that having regard to the facts, namely, that this is the most important item of revenue, and this is the most heavily taxed of the provinces and the circumstance that this resolution if carried will strengthen the hands of my hon. Friend, I have great pleasure in supporting this motion."

* Mr. J. A. SALDANHA:—"Mr. President, Sir, the principle of no taxation without representation is not, as my hon. Friend Mr. Hariharvottama Rao said, a principle of modern democracy, but was a principle established

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in the most ancient of democracies. It was recognized and acted upon in the Greek and Roman republics of pre-Christian times and Italian republics of mediæval times, as also in the tiny Parliament of England in the 13th century. My friend Mr. Moir is very much shocked by my quoting instances from ancient history. But from ancient history we can learn lessons, as from modern history. As to the English Parliament, it is stated in the English Primer I hold in my hand—"The powers of Parliament grew stronger as time went on so that at the time of Edward III (I think it is in the 14th century). . . . it was not lawful for the King to raise money without the consent of his Parliament. No laws should be changed without the consent of both Houses. So, Sir, this tiny Parliament of England of the 14th century had powers that our toy Indian Parliaments of the 20th century do not enjoy. It is this fact that needs to be driven home. It is no wonder that we resent the treatment given by the British in allowing us to talk and talk, year after year but always in vain on our contention that our land revenue taxation should be based on democratic principles, that we should have the right of fixing the rate and other things recommended by the Joint Committee of the Houses of Parliament. We can see how deep the feeling is and how universal it is from the fact that we have 23 cuts on this single point on this occasion. I have been in this Council for the last five years and this cut has been again and again reiterated, but still the authority of the Government of India is cited that they are against giving us this simple right which the British Government enjoyed as long ago as the 14th century. I appeal to my Christian and Catholic friends who think it is almost disloyal to the British Government to make persistent insistence on this principle. I appeal to my hon. Friend Mr. Arpudasmami Udayar who wished a greater display of the military during the stay of the Simon Commission here which wish is against the constitutional liberty for which the English and Italians in the middle ages strove. If the Catholic Church did not oppose this strife, did not stigmatise as heretics the people who fought for the establishment of this principle of no-taxation without representation, in the 14th century, then surely there is nothing wrong if we Christian now stand shoulder to shoulder with the nationalist parties and join their ranks in their fight for constitutional liberty. In fact our condemnation of the appointment of Commissions like the Simon Commission is the outcome of this strife. We are treated still as small school children under a *Ma-bap* Government; that is we are expected to treat the Government as *Ma-bap* (Laughter) that the Government are the father and mother who are yet entitled to say to us 'Have confidence in us the British Government. The time has not come for Government to levy taxes after consulting the representatives of the ryots.' We have no voice even as to the irrigation cess and we have been deprived of the power of settling the irrigation cess. . . ."

* The hon. the PRESIDENT:—"The hon. Member will do well to confine his remarks to the Land Revenue demand and not traverse the Irrigation demands."

* Mr. J. A. SALDANHA:—"I only mentioned a parallel instance" (Laughter.)"

* The hon. the PRESIDENT:—"It is better that the hon. Member takes another opportunity to refer to it."

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* Mr. J. A. SALDANHA :—" This being the highest and the largest amount of tax that we pay, what is the use of this Council at all if we have not got the power to levy the tax and fix the rate of its increase. I think this appeal will be heard by all the Members of the Treasury Bench on the opposite side. I appeal to them to make up their minds to urge the Government of India to accede to this principle. Without giving that power to us it is better that we have no Council at all."

* Sriman BISWANATH DAS Mahasayo :—" Mr. President, Sir, I rise to support this motion for the following reasons. It has become practically an annual Shraddha ceremony with the Members of the Legislative Council. The agitation regarding the initiation of a policy of land revenue by which the Executive Government are to come to this House for sanction of enhancement and resettlement is as old as myself, that is since 1921. Sir, Government are not going to abide by the decision of this Council and this Council time after time approached the Government and tried to convince the Treasury Benches as to the necessity of this measure. My friend the hon. Member from Malabar time and again quoted opinions, figures and what not, to convince the Treasury Benches. I am glad also that he quoted the very figures supplied to him by the hon. Mr. Moir. It is therefore needless for me to take up the valuable time of this hon. House as also myself and yourself to dilate upon the figures or the past history, as if the Treasury Benches do not know it. The young civilian before he leaves the shores of England, the first thing he does is to read the land revenue system of India. After a short training, he is posted as a Settlement Officer and as such he knows as much as ourselves, if not more. The Indian Land revenue system has a history of its own in several provinces and this is neither the place nor the occasion to dilate upon all that. But this much is sure; that the Government are not going to submit themselves to the will of the legislature. May I remind you, Sir, that you yourself were one of the distinguished members of that Committee who spent days and days on the Land Revenue Bill to bring about a satisfactory legislation and I am sure that none felt more disappointed than yourself? It is therefore hardly necessary to recollect past difficulties and disappointments. Now what pains me and this hon. House is that after 1917 England says that she has given you a new system of Government. She has given you responsible Government and that in provinces where the Ministers are directly, and the Executive Councilors, though not legally, constitutionally responsible to the wishes of the legislature. Sir, the Provincial Legislative Council time after time has passed resolutions demanding the Government to submit to the wish of the legislature so far as resettlement is concerned and now the Provincial Government put themselves of course under the shelter of the Government of India, who are not responsible to us, on the ground that the Government of India have not allowed them to introduce the Bill. Well, if the Government of India have stood in the way, what is the meaning of the Muddiman Committee saying that 'we have given provincial autonomy! Where is that autonomy if for the separation of the judiciary from the executive the Government of India do not give them permission and for land revenue legislation the Government of India do not give them permission. It is a farce to say that we have autonomy when we have none. The Government may say 'if we submit to the wishes of the legislature, the legislature may not allow us to enhance to that pitch or to any pitch at all'. That seems to

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be the only possible objection. But I think this has no basis, because after the reformed Legislative Councils came into existence, this very Council has allowed the executive to levy taxes to the extent of a crore and more of rupees on the people of this province and that without demur and even that with the huge surplus. When we ask for a reduction of the tax, they say 'No'. Then where is the necessity for any possible suspicion that the legislature may not allow the levy of additional taxes when this House is responsive to the needs, when there is a necessity. It is therefore nothing short of open rebellion of the steel frame to say that we would not submit to the wishes of the legislature. You cannot go on breathing hot and cold in the same breath. It is a huge farce to say that you have given us responsible government and at the same time to levy 50 per cent of the total revenue of the whole province, in the shape of land revenue without the authority of the Legislative Council. This seems to be inconsistent with the principle of democracy and with the self-respect of this Council. I therefore appeal to the Members of the Treasury Bench not to trade in the name of democracy and say that the people of this province have democratic institutions. I think not even a minute should be wasted before a Bill acceptable to the wishes of the people is introduced in this Council.

"Well, Sir, a lot of public opinion was brought to bear when Mr. 12-15
Montagu and Lord Chelmsford went round India on this very subject. P.m.
Some of the Indian politicians who went to give evidence before the Joint Committee brought forth this point very clearly before the Joint Committee and the Joint Committee made a very strong proposal in the report that legislation on this subject should be undertaken very early. And early enough, Sir, the Statutory Commission has already come and still neither the Government of Madras nor the Government of India nor the Secretary of State, or whatever the authority may be, has made up its mind yet. This is the way that Englishmen want to treat Indians. If they are sincere in what they say, I think it is time that this sort of deviations should go. It is time that this sort of—I do not know what would be the most appropriate expression to use—but I should say 'misrepresentation' should go. With these words, Sir, I beg to support the motion."

* Mr. S. ARFUDASWAMI UDAYAR :—" Mr. President, Sir, I think the hon. Member from South Kanara made a special appeal to me. I do not know why that special appeal was made. It will probably be a revelation to my friend if I ask him to turn to page 2 and find that I too have tabled a motion on this very same subject. And, again in the special appeal he made to me, he was charitable enough to attribute what is most uncharitable, viz., that I have spoken of military discipline (A voice: 'Military rule') in the collection of taxes. I think my friend was not exactly in the land of the living (laughter) when he made that statement. However, Sir, to come to the point.

"Now, the real reason why I have tabled this motion for a cut is to impress upon this House and especially to impress upon the hon. Member for Revenue and the other Members of the Treasury Benches that there is a real feeling in this country that nothing has been done in this respect to afford relief to the ryot, to remove his grievances and enable him to carry on his work without fear of being at any moment, after a resettlement, asked to pay more. The ryot thinks rightly or wrongly that one reason why this

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Land Revenue Bill is not forthcoming is that Government want to have the right to enhance or raise the rates at their own will. Sir, as has been remarked on a former occasion, one of the objects with which I, in company with several other Members of this House, have tabled this motion is not to find fault with the Provincial Government, nor to find fault with my friend, the hon. the Member for Revenue, but on the other hand my object is to strengthen his hands, so that an unanimous vote of the House may make him represent to the Government of India that the Council and through the Council the tax-payers of this province are very eager and very desirous to have this Land Revenue Settlement Bill introduced at the earliest possible opportunity.

"Sir, you will please allow me to say something about (b) also. Or shall I say what I have to say on that separately, namely, as to the desirability of reducing the settlement rates of the tax?"

* The hon. the PRESIDENT :—"I think it comes within the purview of the Land Revenue Policy."

* Mr. S. ARPUDASWAMI UDAYAR :—"Coming to the second point, Sir, viz., the desirability of reducing the resettlement rate by at least 12 per cent, I am glad to note that Government will have no objection whatever to some such reduction. Sir, all these years the House has been fighting for, clamouring for, the remission of the Provincial contributions. While the Members of the Council have been crying very loud for this remission, the ryots also were eagerly stretching forth their hands and have been longing for a remission of the Provincial contribution, only with this object, viz., that this remission will result in a mitigation of the burden which presses heavy upon them in the form of the incidence of the land tax. And immediately announcements were made of the forthcoming remission of this contribution, I know very many representatives of ryots and very many ryots' associations expressed the desire that the first duty of the Government was to afford relief to the heavily taxed ryots. And, I think that Government were alive to the necessity of affording some such relief, for I find in the Report of the Finance Committee, which was circulated to us, this sentence—

'In the light of the information contained in this memorandum, the Committee has addressed itself to the possibility of a reduction of taxation.'

"Therefore, Sir, the Finance Committee are engaged in considering this question of the reduction of taxation, and reduction of taxation certainly means in the first place a reduction of the land tax. I have put forward this modest request that they should try to reduce the resettlement rates by about at least 12 per cent. I know that the hon. the Member for Revenue in conjunction with the hon. the Finance Member will pay special attention to this and see that as soon as possible a liberal gesture is made by the Government to win the affection of the people, who are anxiously looking forward to this generous policy of theirs."

* Mr. C. RAMASOMAYAJULU :—"Mr. President, Sir, I do not wish to cover the ground that was covered by the two previous speakers, because it does not serve any useful purpose to reiterate time and often that the Government have been obdurately defying the decisions of this Council that a Land Revenue Settlement Bill must necessarily be launched by the Government with power to fix the rates vested in the Legislative Council. I find, Mr. President, that such representations as have been made are of absolutely

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no avail against the adamant heart of the reserved half. But, Sir, I wish to point out one anomaly in this matter of the land revenue policy and it is this. The theory, Sir, that the State is the owner of all the land does not hold good and it has been held by no less a judge of this province than Sir S. Subrahmaniam Ayyar that the theory that every person who owns the soil owns it of the Government does not hold good in India. It is only the peculiar corollary of the feudal system prevailing in England and that theory does not hold good in India. Therefore, Sir, I wish to attack the policy of the Government in its very foundation

"My point is this: Sir, unless it be that the State arrogates to itself the right in the soil, the State cannot, with any consistency, either in law or in logic, arrogate to itself the power to raise the settlement rates off and on. I can understand, Sir, that for the purpose of protecting the citizens of the State, as it used to obtain in this land in former Governments, for the purpose of affording protection to the citizens, the State no doubt has taken a portion of the produce of the land but not in its capacity as the owner of the land. It did so only in its role as the protector of the people. Now, Sir, if that is the theory which is to be taken by the Government as the basis for assessing land revenue, I take it, Mr. President, that the only possible ground on which the State can raise the assessment of land revenue at any particular time must necessarily depend on the increased protection afforded by the State, that is to say, the increased amenities afforded to the citizens, by way of road developments, fresh communications or other similar amenities and conveniences. It is only on that basis that the State can, at best, take to itself the right of increasing the assessment and on no other basis can the State do that. I say this, Sir, in view of the observation made by the Special Officer appointed by the Government to draw up the scheme report in view of the resettlement going to be introduced in the districts of East and West Godavari and Kistna. In that report what Mr. Holdsworth, the Settlement Officer appointed for the purpose of drawing up a scheme report to help the resettlement operations states is this: that the prosperity of the people has increased, that the value of the food-grains has been rising and that there has been commercially and otherwise prosperity that the State is continuing to get only its old quota, and that therefore it is time enough that the quota of the produce that the State is to receive must necessarily be increased. These are the statements made by the Special Officer. So long as the subjects continue in prosperity, the State continues its part of taking a portion of the prosperity from the subjects. That is absolutely no basis either in law or in jurisprudence and therefore I wish to point out to the Government that the very basis of their reliance has absolutely no legal foundation nor traditional foundation, at any rate so far as this country of ours is concerned.

"Now, Sir, so far as the general policy of the Government is concerned, I wish to confine myself mainly to that observation and I now proceed to deal with three or four important questions about which I have given out motions and they all come within the purview of this out motion. Out motion No. 1 refers in a comprehensive way to a disapproval of settlement policy of the Government and I hope, Sir, there is no chance of the other out motions being reached. Since they fall immediately within the purview of the first motion, I wish to deal with them along with the first out motion itself. I hope, Sir, I am entitled to do that.

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"The first of these, so far as my motions are concerned, deals with pattadars assessable at Rs. 10 and below. What I want to emphasise in this connexion is this. I have moved this motion last year also but unfortunately no reply was made. Even the Taxation Enquiry Committee made very strong recommendations in favour of pattadars assessable at Rs. 10 and below. They have viewed with sympathy the case of these people. They have pointed out that their case is one worthy of great sympathy, but all the same they felt that they were unable to make any recommendations, because, according to their view, the land tax is a tax *in rem*. I think they look on it as an inexorable law which is not to be disobeyed. This principle that the land tax is a tax in rent is merely a convention made by the people for the better governance of the country and if in a particular province there is a large section of 70 per cent of the people who own patta below Rs. 10 and if it is possible for the Government to confer a maximum benefit by giving the minimum amount of land revenue, I cannot understand what stands in the way of the Government making this concession to the pattadars assessable at Rs. 10 and below. I hope this affords an occasion for giving the maximum amount of relief by giving the minimum amount of land revenue and to look upon it as a tax in rent. Therefore, I wish to submit, Sir, that it is a travesty of procedure to be adopted by Government which indicate so much sympathy for the poor cultivator. That is so far as this question is concerned.

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* "Then, Sir, last year when the question of suspending the settlement and survey operations till the Land Revenue Bill was passed into law was mooted in the Council, the hon. the Revenue Member was pleased to say that apart from the question of resettlement operations, it was absolutely necessary for each pattadar to exactly know the extent of the land he owned and in order to demarcate and to afford scope for people to know what really they owned, it was necessary that the survey operations must be allowed to go on. Now, Sir, at what stage are we? The survey operations have been completed. What reply has the hon. the Revenue Member to give us now? He took shelter under that argument last year; but now that the operations have been completed, I do not think that argument can hold good any longer. I may say, Sir, that with reference to the scheme report submitted by Mr. Holdsworth,—it was officially published I understand one or two months ago—this relates to one of the motions I have tabled, and I suppose it comes under this demand."

* The hon. the PRESIDENT:—"I do not think a particular scheme report can come within the purview of the motion. A scheme report with regard to a particular district cannot come under a general review. The hon. Member will have to take another opportunity to discuss that point."

* Mr. C. RAMASOMAYAJULU:—"If by chance that motion is reached, Sir, then I will take the opportunity."

"Then, Sir, with reference to the settlement operations in the East Godavari, West Godavari and the Kistna districts, my point is this: The Government can have absolutely no objection to our request that they should be suspended until the land revenue policy is codified. As so many Members of this Council have been pointing out, this Council is at one on this matter, and has decided to compel the Government to launch a Bill in the House so as to vest the ultimate power of fixing the rates in this Council.

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Therefore, Sir, it is no use prevaricating in this matter, and the Government must gird up their loins and face the situation and launch the Bill in this House before long. That is so far as that question is concerned.

"Then, I want to submit another thing. In the matter of these settlement operations, the Government, instead of appointing special officers to make enquiries and then give reports or making enquiries and then fixing the rates in a hole and corner fashion, will be better advised to take the co-operation of the people themselves who would be in a better position to afford them the necessary facilities in arriving at the real state of the financial conditions of the tenants and ryots. So long as the Government do not do it, I assure the House that the Government will only get one-sided information or interested information from the officers of the Government, in regard to the procedure that they should follow. I therefore support this motion, and I hope the House will accept it unanimously."

* Mr. K. V. R. SWAMI:—"Sir, this question of the policy of the land revenue has been before the country for a very long time. As my hon. Friend, Mr. Ramasomayajulu, stated, the theory seems to have been put forward by this Government that all the lands in the country belong to the State. That is a wrong presumption. The land never belonged to the State at all so far as India is concerned, much less to the British nation, because the British have stepped in very late in the day. By that time, almost all the land was occupied by the ryots and improved and much investment had been made by the ryots in the full belief and faith that the land belonged to them. Now, why should anybody pay any tax at all? That is the question we have to consider, because we are now seeing what is happening in the other countries of the world. Tax is paid in any country because people want to live peacefully and they want to contribute towards the expenses of the State. That is the only reason why anybody pays any tax at all. No State has any right to collect any tax at all except for this limited purpose. The land revenue policy so far as this Government is concerned, seems to be the other way. Whether there is any need to enhance the rates or not, once in thirty years or once in twenty-five years, the land revenue must be enhanced. That is what our Government say. Why? Because, in their view, the ryot may be getting more and the circumstances may have changed since the last settlement was made."

Rajkumar S. N. DORAI RAJA:—"On a point of order, Sir. Can any hon. Member snore and sleep in the House!"

* The hon. the PRESIDENT:—"Oh, yes. Certainly. The Member who sleeps is responsible for the others going to sleep."

* Mr. K. V. R. SWAMI:—"The State seems to think, whether there is any need for enhancing the tax or not, that it must increase the tax, so far as land is concerned. My submission, Mr. President, is that it is altogether a wrong theory. Taking the present financial circumstances of the country and the budget into consideration, there is no need at all for enhancing the tax. Still, the enhancement is being proposed this year on the pretext that it is the usual practice to revise the tax once in thirty years. My hon. Friend, Mr. Krishnan Nayar, and so many others have spoken very eloquently and advanced very convincing arguments, and taking the note prepared by the hon. Mr. Moir once upon a time, they wanted to use it against the Treasury Benches, which would clearly show that this Presidency is v

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heavily taxed, that the taxation in this Presidency at any time has always been more than what it was in other Presidencies. Granting that that is true, I do not think we can convince the hon. the Revenue Member or the Government of the justice of our plea. It is not want of arguments on our side that is against us, but it is the want of strength in us to adopt sufficient means to compel the Government to yield to us that really stands in our way. We were thinking, Sir, that after the Reforms we would be given at least a partial privilege to deal with taxation and other matters as we pleased, because the Joint Committee expected that the Provincial Governments would not act in defiance of the opinion of the Legislative Councils. The present Provincial Government is pretending not to act in defiance of the opinion of this Council; but the result is the same. What the hon. Member for Revenue stated very recently was: 'Why do you raise this question again and again? The matter is pending with the Central Government and as soon as the Central Government give us leave or permission, we shall be quite prepared to do it'. That seems to be the trend of the argument on the side of the hon. the Revenue Member. Now we see the trick—as I would call it—that is played with the country. Hitherto, we expected that after the Reforms we would get certain powers and that those powers would be used for the good of the country, because the Members in this Council represent in a way the people who pay the taxes. But this Government simply say: 'We are helpless; unless the Central Government give us permission, we cannot move in the matter at all.' If the same subject is moved in the Assembly, the Central Government would certainly say: 'We have nothing to do with this matter; these are all Provincial matters and the Provincial Governments are concerned with them.' Thus, we would be moving in a vicious circle. For one reason or other, the actual recommendations that are made by this Government to the Central Government are not placed before us, so that we may know the form of the recommendation made, but the Central Government may take shelter by saying at some time or other that this is against the general policy adopted in other provinces. The hon. the Revenue Member would say 'Look here, we are all in a subordinate position under the constitution, and the Central Government is the real authority who can help in the matter.' Really if the Government honestly think that they are bound by the decision of this House and that they have got a duty to perform in a case like this, they have to move with us and to vote with us. If they do not vote with us and if they have other reasons for not voting with us, it only means that no amount of argument will convince the hon. Members on the other side of the justice of our claims; that is the only presumption that we can obviously draw. Then, what are we to do in this matter? Every Member of this hon. House knows how much the people are suffering on account of heavy taxation imposed on land. My friend, Mr. Arpudaswami Udayar, went a step further than the members of the Congress Party in proposing a reduction motion for the same purpose; and from that we can presume that there is unanimity of opinion in regard to this matter. The Government do not want to yield. Of course my hon. Friends there do not adopt the means suggested, by the National Congress or by the Congress Party, but have they any other means, approved by the constitution, to compel the Government to adopt a revenue policy advocated by this hon. House? My submission is that they ought not tamely to submit. We should not simply argue the case as we do in courts of law and leave the matter to the Government. In that way we shall never

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succeed. I therefore appeal to all the Members of this House not only that they should vote unanimously—which I know they will—but also to seek every opportunity to obstruct the other demands that may be made by the Government in order to compel them to yield in this matter to the wishes of this House."

* Mr. P. ANJANEYULU :—"Mr. President, Sir, I shall not tread the ground which has been so ably covered by the previous speakers. The general feeling is that the Government were not paying that attention to the subject which it deserves. Of all the items that go directly to meddle with the ryots, this land revenue policy is one of the utmost importance. The ryot, Sir, is the very backbone of the country and this policy which is being adopted by the Government by way of increasing the ratio of the amount of money that they should take from the ryot is coming up for criticism very often in this Council and elsewhere. If this policy is to be pursued for long, it will not be a wrong prophesy if I say that if the ryot comes to know where he is, he will pick up that amount of non-co-operation for which the Government policy will be directly responsible. And what the Congressmen may not be able to do directly the Government will be doing indirectly.

"Those of the Government Members who have had any experience of district administration will know what the ryot feels about the matter. They have only to be reminded of the past experience of the districts so that they may have sympathetic consideration for the ryot to relieve his distress, and if this is done ere long all may be well. The time is not far remote when the mute ryot, for whom all sympathy is expressed to the ear and broken to the heart, will realize his financial status and then it will be hard for the Government to combat the forces that will be set in motion. All this can be avoided if the distress is alleviated in time. I earnestly remind the Government that ere it is too late the land revenue should be fixed at a fixed ratio and a Bill brought into being. They place the balance at the doors of the Central Government saying that it is with the Central Government that this power rests. It is for this Government to fight this matter out with the Central Government so that the ultimate power to fix the rates may be vested in the Legislative Council. With these few words, I support the motion."

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, speakers on this subject this morning have traversed the whole field of land revenue policy and administration and the special question of the weight of the incidence of land revenue. I feel it is difficult to cover the whole ground in any detail. However, it scarcely seems necessary to do that. But I gather the object of this motion is two-fold. One, to urge the enactment of legislation that will give this Government a fixed assessment, and the other, to suggest the lessening of the existing rates.

"As regards the question of legislation, Sir, Diwan Bahadur M. Krishnan Nayar, I am afraid has misunderstood me. I do not mean that I was surprised that the subject of a settlement Bill should be referred to but that I was surprised that he spoke without any reference to the considerations which I had explained on previous occasions. The proposal that this House should have a mandatory voice in the fixing of the rates of assessment conflicts with the present constitution in which responsibility for the land revenue administration is laid upon the Reserved Half of the Government. If the Reserved Half of the Government is to be responsible, Sir, I do not

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see how it can divest itself of the power of increasing the rates of land revenue. It must be remembered that this Reserved Half is not elected, and it does not have a party behind it in this House."

Mr. J. A. SALDANHA :—"What about stamps?"

The hon. Sir NORMAN MARJORIBANKS :—"I am now talking of land revenue. (Laughter). As I said there is a constitutional difficulty in bringing forward such a provision. The Government of India may have pointed it out but the difficulty is there and I do not see how it is to be met."

Mr. G. HARISARVOTTAMA RAO :—"Transfer the whole thing."

* The hon. Sir NORMAN MARJORIBANKS :—"What the hon. Member now said is a solution of the matter. And it may in time be adopted. But I wish to say this : that it is not a spirit of defiance that prevents this Government taking such action now. The transfer of subjects is not within the powers of this Government. With regard to the various proposals put forward to relieve the weight of land revenue it might be said that it is in the power of this Government to take action. One suggestion is that pattadars paying a land revenue of less than Rs. 10 should be exempted from assessment. I do not understand why a man holding a small patta should be exempted. We have to consider the total amount of revenue paid by each person, whether he holds one patta or many pattas. I do not think it is in accord with the basis of our land revenue system. That basis is that the State is entitled to a share of the produce of the land irrespective of the fact whether it is a small holding or a large holding. In my opinion, to adopt the suggestion put forward, would be entirely to change the basis on which land revenue is levied. Unless we abolish the present system and have a system of agricultural income-tax, I do not think the proposal to exempt small holders can be accepted. But such a change is not one, I think, that is practicable in the present transitional stage of the constitution."

"Then, Sir, reference was made to the heaviness of taxation and to the apparently aimless way in which assessments are increased every thirty years. In all recent years any increase that has been made has been in the main due to the rise of prices, and in no case is the increase as much as the rise in prices."

"I do not know if hon. Members will contend that the assessment should be fixed as so many rupees even though the rupee loses half its value. For, with the fall in the value of the rupee the payments of Government must necessarily increase and as you know, it is mainly because of the fall in that value that we have had so great an increase in expenditure in the last few years."

"Another point was that there have been changes in classification. Such changes have nearly always been in cases where there have been additional irrigation facilities. In recent years there have been very few cases of reclassification."

"Hon. Members from the Godavari and Kistna districts asked what is the Survey and Settlement parties doing, now that the survey was completed. I am not aware that the survey is completed. Surely hon. Members understand that besides measuring lands there is the correction of the registers, the entering of the changes in the description after hearing objections and

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appeals : and that in fact land survey is not so easily finished as hon. Members seem to think. As regards the resettlement report, the Government have published the report for criticism and have yet to decide, whether there should be any increase of rates at all, and if so, how much. The survey and settlement staffs are certainly not engaged in surreptitiously carrying out increases in the rates of assessment."

"Reference was made by certain hon. Members to numerous cesses. I am aware of only two. The only two cesses are the land cess and the education cess collected by the local bodies : Both these cesses were levied with the authority and I presume, have the approval of this House. I don't think there is any unauthorized cess. If hon. Members can give any information about any such illegal cesses, the Government would be very grateful."

"I do not know whether there is any other point on which I can usefully say anything except generally to sympathise with the holders of land who object to pay any assessment at all : but the payment of taxes is incidental to any civilized life. I cannot find any valid criticism of the policy of the Government beyond the fact that the subject is not a Transferred one, which is a circumstance which no doubt will be remedied in time."

* Mr. S. SATYAMURTI :—"Mr. President, Sir, my hon. Friend the Revenue Member has performed his usual function of replying to this usual cut in the Land Revenue Demand asking for a Land Revenue Bill giving the House the power of fixing the assessment. He has made a bland speech ; but his predecessors used to be on the war path. But now, I find the Treasury Benches when an inconvenient case is presented to them for an answer, give a soft answer in the hope that it will turn away wrath, except of course when their passions are roused as my hon. Friend's were yesterday. But the hon. the Revenue Member has given nothing but soft answers and his answer is so soft that we cannot really pierce through it. We are left exactly where we were. He has given one argument which he gave last year also, viz., that so long as Land Revenue remains a Reserved subject, this House can have no control over the rates of assessment. That is a position which I cannot concede either as a lawyer or as a Member of this House or as a student of the Government of India Act. I shall ask my hon. Friend one simple question. Court fees and Stamps are Reserved subjects ; yet the rates of assessment and the classes of assessment are all fixed by a legislation of this House and the Reserved Departments are working the Court Fees Act and the Stamp Act according as this House decides. It is open to-morrow to this House, by a majority vote, to change the classes of cases in which Stamps and Court fees may be levied and the rates of assessment changed. What is the position in law or under the Government of India Act which is inconsistent with Revenue being a Reserved subject while the rates of assessment are fixed by a vote of this House? My second argument is this. A distinguished predecessor of his, Sir Muhammad Habib-ul-lah, aided then by the hon. the then Chief Minister, the late Law Member and the late Development Minister, brought forward a Bill giving to this House the right to fix the rates of assessment. Even then, Land Revenue was a Reserved subject. Is it suggested then that that was *ultra vires* of the powers of this House to undertake that piece of legislation? My next point is this. If Land Revenue is a Reserved subject and this House can have no control over it, because the Government cannot discharge their responsibility to the Secretary of State and Parliament on the one hand and abide by the vote of the House on the

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other, what is the farce of voting on Reserved subjects provided for? Is it suggested that if we cut down the grants with regard to these Reserved departments, the Governor would automatically restore them and that therefore this House can have no control over the administration of the Reserved departments? I think it is a most dangerous proposition which my hon. Friend, the Revenue Member, has sought to lay down. It is up to us to join issue with him on this point. Otherwise what is the meaning of this debate and the vote of the House? Supposing the House carries this motion and a substantial cut is made in the demand, is my hon. Friend absolutely confident that the Governor will restore the amount reduced? I grant that he has got the power under the Government of India Act; but I cannot assume that as a matter of law it is impossible for him to accept the vote of the House and that therefore he should advise His Excellency to restore the amount and that His Excellency would feel himself bound in any sense of that word to restore that grant. I agree that it is an anomalous position being required to be responsible to the Parliament and the Secretary of State and at the same time to accept the vote of this House. But with regard to Reserved subjects, unless His Excellency the Governor is always advised and always accepts the advice to restore the grant or the portion of the grant omitted, the position of the hon. the Revenue Member seems to me to be wholly untenable. Assuming for one moment that the position is right that unless Land Revenue becomes a Transferred subject, we cannot hope for any land revenue legislation of a satisfactory character, may I ask him one other question: why the Government of Madras go on persisting in their resettlements and enhancing the assessments when Land Revenue has not become a Transferred subject and this House has not got control of the assessment?"

The hon. Sir NORMAN MARJORIBANKS:—"Rise in prices."

* Mr. S. SATYAMURTI:—"Assuming that the enhancements in assessments have borne a direct relation only to the rise in prices, a proposition the correctness of which we challenge, who is to be the judge of the rise in prices and whether the proposed enhancement is absolutely necessary and is based only on the alleged rise in prices? We claim that this House ought to be able to pronounce on that question. My hon. Friend says, 'No'. If he is really sympathetic in his attitude to this House,—though he somewhat cynically referred to the fact that this House consisting largely of people who represent the ryotwari landholders—I am not one of them—would naturally ask for the right to fix the rate of assessment being vested in them,—why should not he and his Government stop enhancing the assessments until a satisfactory Land Revenue Bill is placed on the statute book? Moreover, Sir, my hon. Friend speaking on this debate last year—there is a charming uniformity about his speeches on this matter—referred to the order of the Government of India on this subject of introducing a Revenue Settlement Bill containing provisions giving the local Legislative Council the power to fix by means of a Taxation Bill the money rates of assessment both at initial settlements and at resettlements. But even then the Government of India did not discover this strange argument of my hon. Friend the Revenue Member about the inconsistency between Land Revenue being a Reserved subject and the Council being therefore incompetent to deal with the rates of assessment. They simply say:

"The Government of India have expressed their inability to accept the proposal on the ground that it involves a fundamental departure from the practice which has been hitherto observed in Revenue Settlements throughout India that no similar proposal is contained in

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legislation which either has been introduced or is about to be introduced on the subject in other parts of India and that a careful examination of the language used by the Joint Select Committee shows that their support cannot be claimed for the proposal."

I congratulate my hon. Friend on this ingenious argument, although the Government of India with the advice and help of their legal advisers were not able to discover this. But so far as the report of the Joint Select Committee is concerned, I want to repeat this that the report clearly lays down that this House must have control over the imposition or enhancement of assessments. They considered that the imposition of new burdens should be gradually brought more within the purview of the Legislature. That certainly means—if English means anything at all—that at least enhancements of assessments should be brought within the purview and control of this House. The Joint Select Committee wrote this report as early as 1919. Nearly nine years have elapsed and a Royal Commission has been appointed to report on the state of things brought into existence by that Joint Committee. But like Tennyson's Brook, Commissions may come and Commissions may go, but the bureaucracy will go on in its own way. So long as the bureaucracy in this country does not become responsible, they will find excellent devices for going behind the recommendations of all possible Royal Commissions, giving excuses of one kind or another. I do not want to say more on this subject at this stage, except to point out to the hon. the Revenue Member very respectfully that if ever the long suffering people of this country come to feel that the British yoke is intolerable and that they must put it aside, it will not be so much by the agitation of agitators like myself, but by the country's sense of hunger which the British Government has provoked but has done nothing to alleviate. Hunger has been throughout the world a potent cause of revolution. Unless the land revenue system is going to be placed on a satisfactory basis, unless something is done to satisfy the hunger of the poor landowner and still poorer ones amongst them, and the poor agricultural labourers, their hunger will be a more potent enemy of this bureaucratic Government than all the agitators on this side or on other sides of the House."

* The hon. Mr. T. E. MOIR:—"Mr. President, Sir, I do not wish to add much to the debate that has taken place to-day. Might I in the first place repudiate any responsibility or credit for certain figures quoted by my hon. Friend Diwan Bahadur Krishnan Nayar? I have had an opportunity of consulting the document from which he quoted."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I offer a word of personal explanation, Sir."

* The hon. the PRESIDENT:—"The hon. Member will be given an opportunity after the speech of the hon. Finance Member."

* The hon. Mr. T. E. MOIR:—"As a matter of fact that document was prepared when I happened to be on leave. The figures were quoted from the Agricultural statistics of the Government of India for which neither I nor the Government are responsible. I simply wish to deny any credit for compiling these figures. And may I say I used those figures not with reference to any comparative question, or on the assumption that there might not be qualifying considerations but on the general aspect of the matter, as indicating that this province as compared with others had done exceedingly well in developing its own resources and that therefore it was most unfair

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to this province that a large share of its resources which it had so carefully developed should be taken away from it, and that out of all proportion to what was taken from other Provinces for the purposes of the Government of India. Now, I do not propose to go into details of revenue settlement or our system of carrying out resettlements, because as a matter of fact we have not heard very much on that aspect of this motion and to whatever was said thereon, the hon. the Revenue Member has already given a reply. But there is the more general question to which my hon. Friend, Mr. Saldanha, devoted most of his speech.

i-15 p.m. "He quoted—and to my approval—the dictum that there should be no taxation without representation. Might I say that to one passage in his speech I dissented not with reference to anything he said about the British Parliament as he seemed to think, but with reference to the Roman Empire? As far as I know—my recollection of what I once learnt is perhaps becoming somewhat dim—there was no representative system in the Roman Empire."

Mr. J. A. SALDANHA:—"I said the Roman Republic."

* The hon. Mr. T. E. MOIR:—"Even in the Roman Republic when it extended beyond certain measurable limits there was no representation. My hon. Friend, who is a student of those matters, will remember that Mr. H. G. Wells in a book on history which he produced some time ago laid it down that, in his opinion, the greatest mistake or misfortune that happened to the Roman Empire was that it failed either to discover or to establish the principle of electorates and parliamentary representation. That, however, is by the way."

"The hon. Member, Mr. Saldanha, asseverated his adherence to that principle of parliamentary government. Might I remind him that there are other axioms of parliamentary government to which he might also pay attention? One, might I say, is that the 'King's Government must carry on.' I do not think he accepts that parliamentary dictum. There is another, 'that the authority of Parliament must ultimately prevail.' So far as I know, his conversion to constitutionalism has not yet extended so far as to involve his acceptance of that political principle."

"I think that he was on still weaker ground when he proceeded to bring in a religious argument. I would suggest that was rather an unwise proceeding. Might I remind him of an injunction quotation on that subject from the sources of his religion 'render unto Caesar things that are Caesar's'? I am afraid that the hon. Member has not succeeded either in reconciling his present political practice with his principles or in commending to his community his attitude on the issue we are at present discussing."

"But let us turn to the general question which he has urged. It may be that there is a certain ideal to be worked up to; but we are at present working in these matters and others under a constitution which was framed by Parliament. That constitution it is unnecessary to discuss in detail, but as regards certain matters, it laid down that the time had not yet come for full responsibility and that in certain matters certain safeguards must be introduced. One of those safeguards operated in respect of law and order and another was in respect of land revenue. Why? I suppose mainly because land revenue was one of our principal sources of revenue and Parliament at that time was not prepared to run all risks which a possible transfer of that

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[Mr. T. E. Moir]

very important source of revenue to popular representatives in this House might imply. But while that was the case, it was not a case that all powers were denied to this House. It is perfectly true that a resolution of this House is merely a recommendation to the Government. I would however ask hon. Members whether it is the case that resolutions of this House or debates in this House have no influence even on the subject of land revenue. I can point to a very pertinent matter in which the wishes of this House were given effect to by the Government and that was when the Government stated that in future settlements they would not permit of any increase in the assessment exceeding 18½ per cent; and that was a provision which it was intended to insert in that very Bill which this House preferred to do without, thereby sacrificing all that was given unless one additional thing was also granted."

"Then the hon. the Deputy Leader of the Swarajist Party asked why if it is a case that our demands may be refused or that the Government of India can refuse to give effect to our demands, the budget should be placed before the House at all. I can only suppose that the reason why Parliament, in its discretion, while imposing certain safeguards, made provision on matters such as these was that this House should have ample opportunity to record its opinion, with a view to see whether, judging by the manner in which this House approached these questions, it would, when the next period came round, be justified or not in making that further advance to which the Act under which we stand here to-day looked forward. I cannot say what view the Commission which is now in this country to investigate the steps will take of that question. But one thing is perfectly certain. Among the materials placed before them and on which they will come to a decision as to when and what advance may be made are our debates on land revenue and Land Revenue Bills and the manner in which land revenue should be administered. Therefore, for my part, I do not consider that our debates are wasted. It seems to me that they will throw valuable light on a very important question."

"The hon. the Deputy Leader of the Opposition also asked 'Why do you go on carrying out resettlements and adding to the assessment in this country?' Why not? Are we to treat one district differently from another? Why should we allow Godavari and Kistna preferential treatment as compared with Tanjore? If Godavari and Kistna were allowed to go without resettlement we should be unfair to other districts. So long as we are responsible for the administration of land revenue, to that principle of impartiality we are bound. It is of course open to hon. Members who represent districts which come under resettlement to demur to that principle of impartiality."

"For my part, I hope that more powers such [as this House seeks to demand will in course of time be granted to it. But, I would ask the House to remember that land revenue will continue to be the most important source of their revenues. Hon. Members here to-day are in other ways demanding large additional expenditure. I wish that when they do so, they would pay a more careful regard to the question of the sufficiency or adequacy of our revenue to meet those many demands that are not yet included in the estimates before the House."

* Diwan Bahadur M. KRISHNAN NAYAR:—"On a matter of personal explanation, Mr. President; Sir, the document from which I quoted was one out of several documents which my hon. Friend, Mr. Moir, himself handed

[Mr. M. Krishnan Nayar]

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over to me in connexion with the deputation of this Council to His Excellency the Viceroy in the year 1922. The figures I quoted are at page 7 in enclosure III of the document styled 'contribution from Madras to the Central Government'. At the instance of my hon. Friend, I show this document to him to-day and it is from that document that I quoted the figures."

The hon. Mr. T. E. MOIR:—"I merely stated that neither did I prepare those figures nor was I responsible in any sense for their accuracy; they were taken from a publication that was available."

* Diwan Bahadur P. KESAVA PILLAI:—"May I speak after lunch? Hon. Members are hungry." (Laughter.)

* The hon. the PRESIDENT:—"The House will now adjourn for lunch and meet at 2-30 p.m."

After Lunch (2-30 p.m.).

* Diwan Bahadur P. KESAVA PILLAI:—"Sir, my Friend, Mr. Saldanha, is referring to some Joint Parliamentary Committee. I am not conversant with it. But, Sir, I am conversant with one thing, that is, the state of affairs in our districts. I understood from the hon. Mr. Moir's speeches and from Sir Marjoribanks' that the rates are increased, that the enhancement is based on the rise in prices and on the irrigation facilities provided. Their main point is that Government must get on, and therefore land revenue must be collected. I can understand Mr. Moir, referring to the Tanjore and Godavari districts, where there are irrigation facilities, justifying periodical settlements and enhancements; but I do not understand how they can have the heart to go on enhancing the settlement rates in our districts, especially where no irrigation projects worth mentioning have been undertaken and carried out, as in Anantapur district, since the advent of the British Rule. Whether the money is collected from the ryots is termed rent or taxation, Government should be concerned about the economic state of the people. As I said once before, there has been once an equitable settlement in Cuddapah district, that is when Mr. Moir was the Settlement Officer. Now he does not see if the settlements are just and equitable. In cases of resettlements, the condition of the people should be considered, not the rise in prices only. They have to consider the capacity of the people. Are they indebted or are they prosperous? Are they in a state to pay these enhancements? Most of these ryots are small landholders. The Government appear to be not very much concerned with their moral and material advancement. The ryots are indeed becoming more and more helpless and are unable to recoup themselves when the Government are so hard upon the ryots, even in the collection of Takkavi loans. They do not as a rule suspend the collection of Takkavi loans in hard times. If the Government are really concerned—they ought to be concerned—civilized Governments are concerned—at least we have had so many declarations—our officers are sympathetic—they should try to feel for and help the ryot; but they are pursuing a relentless policy laid down somewhere. No doubt, they are giving relief to people in bad years. They are remitting revenue now and then. They are starting famine works. My friend, Mr. Harisarvottama Rao, reminds me that Collectors are always hard and people are sometimes obliged to starve. No doubt, some of the Collectors are very hard, but some of them are sympathetic; but the policy of land revenue

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[Mr. P. Kesava Pillai]

and rack-renting continues to be more or less the same. If they neglect to consider the economic condition of the people, Government will be doing injustice. The result will be disastrous. I am appealing to the good sense of the Government, not to be solely guided by the rules framed by them to levy additional revenue. They are responsible for the moral and material condition of the people. Against one year of plenty, they have got three years of poor crops and some years of famine; and yet the Government do not hesitate to enhance the revenue. No commission can solve our difficulties, unless they consider this question of resettlement and look into the condition of the ryotwari population. I have often appealed to my Friends the hon. Mr. Moir and Sir Marjoribanks, and yet they are acting as if they were mere tools of some soulless machinery, and going on enhancing the rates. From the material point of view, I would appeal to the Government not to enhance the rates, not to be harsh at any rate upon the people who are not blessed with irrigation facilities. I have been hearing in this Council expressions of Government concern and sympathy for the ryot. As I have stated so often, all the settlements after Mr. Moir's in Cuddapah, have resulted in enhanced revenue to the State by 15 and 25 per cent and even more. They do not hesitate collecting penalties on Takkavi loans from the poor ryots when they fail to pay yearly instalments.

"The hon. the Revenue Member has promised to consider the question of reducing the rate of interest levied on Takkavi loans, and I would appeal to him to consider the propriety of levying the penalties which are simply ruinous, and pass favourable orders.

"Mr. Satymurti, the hon. Member for the University, ended his speech by saying that the danger of a revolution will not be from educated people, like him, but from a hungry peasantry. The hunger of the peasant and the labourer, and not the Swarajists, is always a potent danger, and every civilized Government should guard itself against it."

* Mr. K. MADHAVAN NAYAR:—"I rise, Sir, only to repudiate one argument of the hon. the Finance Member based upon the impartiality that the bureaucracy evinces towards the various districts of this Presidency. That argument based upon impartiality reminds one of the story of the monkey and the cats where the impartiality of the monkey resulted in the vanishing of the loaf into the stomach of the monkey to the detriment of the cats. That is the sort of impartiality we get at the hands of the bureaucracy in this matter. The Government proceed unjustly without any settlement policy, without any principle regulating them in introducing settlement into one district and after perpetrating one injustice in one district they say that they have to perpetrate the same injustice in other districts also, in the name of impartiality. No argument can be more preposterous than this. The policy that the Government have adopted so far as the revenue settlement of this Presidency is concerned is the worst example of the autocratic Government we are under. The Government concede the principle that the tax-payers' consent ought to be taken before they are assessed. The Legislature in the Province has been uniformly endorsing the principle that there should be a resettlement law before these settlement operations are carried on. People feel that they are heavily assessed and they cry for a settlement law. Yet the Government are proceeding arbitrarily. The Government in theory and the Legislature and

[Mr. K. Madhavan Nayar]

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the people in fact are all agreed on this matter; yet we see the Government doing nothing at all. When we cite in support of our claim the opinion expressed by the Decentralization Commission, we are told we are not correctly interpreting that opinion; when we say that the Council has almost unanimously passed this resolution, they say 'you have not attained that stage of development in representative Government, wherein the opinion of the Legislature can be taken to be the opinion of the people.' When you exclaim that the assessment in the Madras Presidency is exceedingly heavy and that it should undergo some reduction, they say, 'we have already assessed you in some districts and we have to continue the same policy in other districts in the name of impartiality.' This is no argument at all. It is simply callousness and irresponsibility with a vengeance. Let them tell us frankly: 'We are not prepared to pay heed to your opinion. We shall go on irrespective of your opinion, in spite of your opinion.' Then we shall be satisfied and shall keep silent and say no more in this House about this matter."

* Mr. A. KALESWARA RAO:—"Sir, the hon. the Finance Member said that Government were impartial. The impartiality has been exemplified by my Friend, Mr. Madhavan Nayar. I do not want to say anything but that the injustice perpetrated upon several districts should not be perpetrated hereafter upon the other districts also. That is all I say about impartiality. The question is whether it is right or wrong; whether it is right to go on with these ruthless increments of land revenue without the vote of the people's representatives. It is a lawless thing that the bureaucracy is doing in increasing taxation on these poor agriculturists under the name of resettlement. One thing that the hon. the Finance Member said is that the Government must go on. He was refuting some arguments of Mr. Saldanha who reiterated the principle 'No taxation without representation'. It seems to me the same principle ought to be applied here. Sir, the Government must go on; that is the English law. But, Sir, it was the British Parliament that was the first to resist autocracy and to introduce an atmosphere of democratic government in the history of Parliamentary Government."

2-45 p.m. "And also the second thing he said was that Parliament was the supreme authority. I admit the principle. But I say it is not the Parliament of the alien people but the Parliament of the people who pay taxes that ought to be the supreme authority. That is the principle of representative institutions, of all democracy and of all self-government in any civilized country. Now, Sir, by 18½ per cent they want to increase each time by the so-called resettlement. Why should there be increments? That is the question. Is it necessary that in every 80 or 25 years the land revenue or the water tax should be increased? Of course, when you give additional agricultural or irrigational facilities you have a right to take water tax or something else. But, without doing anything, simply because prices have risen, is it right on your part to increase the revenue? That is the question. That is the question at issue behind these settlements. The zamindari ryots seem to be in a more advantageous position in this respect. Under the Estates Land Act they do not pay more to the zamindar unless the zamindar has introduced some irrigational facility or some such thing. Their tenure is fixed and their taxes are fixed, whereas under the so-called benign British Government these people suffer

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more. Once in every 25 or 30 years the tax on the ryotwari pattadar is increased without any reason whatsoever except on the ground of rise in prices. Now, Sir, if the prices have increased, the cost of the living of the ryot has also increased. The prices of all articles, including their clothes, have increased. The cost of labour has increased. The cost of foodstuffs has increased and they have to pay more for labour. The institutions which dispensed cheap justice have all been killed and for each and everything they have to go to courts. The cost of litigation and other things has made the life of the ryots more costly and therefore there is no ground for the increment of tax. Another reason that has been adduced for the resettlement of the Kistna and West Godavari districts is that there has been rise in the prices of lands. Under the British Government the industries of the country have been killed. Cottage industries which have been the supplementary occupation of the agriculturists have all died and therefore all people have turned to the occupation of agriculture and labour. They have become the primary and the only occupations and therefore any little savings that people effect are invested in the purchase of lands. Therefore, owing to the unnatural demand, the prices of land have risen and not owing to natural causes and circumstances. Another reason for these resettlements and the taking of more tax is that the leases which the landlords are getting contain higher rates. But they only apply to the absentee landlords. Secondly, as ryotwari holdings are being subdivided, people have very small holdings under them and the result is that those who want to depend upon agriculture compete among themselves and take leases at high rates. If they get something on which to exist, that is enough for them. The landlords stipulate for higher rates on account of the unnatural bargains. Therefore that cannot be a standard. So, there is no reason whatever for Government to collect more tax than before. There is no proper or reasonable ground. The Government have been following a commercial policy even in the matter of irrigation facilities. In the Ceded districts big tanks constructed by Hindu and Mussalman rulers have all been neglected and allowed to go to ruin and have now taken up the anicuts of Kistna and Godavari. They have realized there all the money and are making profits at 15 to 25 per cent by way of interest. It is only from the anicuts of Kistna and Godavari that they get large profits by spending some money. At first the water tax of Kistna and Godavari was Rs. 3 per acre, then it was raised to Rs. 4 and then to Rs. 5 and it is now proposed to raise it to Rs. 6-4-0. There is no cause except that Government want more money to spend for services Indian and European and allowances and other things. That is what we have been seeing now in the financial report of the Finance Member himself. When we see how Provincial revenues are spent, we see that the expenditure under these heads is increasing to such an extent that Government have been obliged to levy more tax on stamps, registration and court fees. So, that is the way in which Government have been going on and how the poor agriculturists who are the mainstay of the country and who have no other occupation and who are notorious for their indebtedness in spite of their industrious and thrifty habits are taxed. The peasantry does not spend money on luxuries. They are free from the bad habits of drink and are taking one meal a day under this benign Government. Who is responsible for this? The Government is responsible. Under these circumstances, it is really highly immoral to collect more tax, to increase the revenue or the water tax got from these people. So I support the out."

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Mr. K. R. KARANT :—" I move that the question be now put."

The closure motion was put and carried.

The original motion of Mr. Basheer Ahmad Sayeed was put and declared lost. A poll was demanded and the House divided thus—

Ayes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 25. Basheer Ahmad Sayeed Sahib Bahadur. |
| 2. Mr. A. B. Shetti. | 26. Mr. P. Baktavatsalu Nayudu. |
| 3. Mahmud Sahammad Sahib Bahadur. | 27. Sriman Biswanath Das Mahasayo. |
| 4. Mr. R. Nagan Gowda. | 28. Mr. A. Kaleswara Rao. |
| 5. " C. R. Parthasarathi Ayyangar. | 29. " B. Srinivasa Ayyangar. |
| 6. " Ramanath Goenka. | 30. " L. K. Tulasiram. |
| 7. " S. Arpudawami Udayar. | 31. " K. R. Kurant. |
| 8. " A. Ranganatha Mudaliyar. | 32. " K. Mudhavan Nayar. |
| 9. " Sami Venkatachalam Chetti. | 33. " C. Venkatarangam Nayudu. |
| 10. " S. Satyamurti. | 34. " S. Muthiah Mudaliyar. |
| 11. " C. V. Venkataramana Ayyangar. | 35. " P. Siva Rao. |
| 12. " T. Adinarayana Chettiayar. | 36. " C. Gopala Menon. |
| 13. " P. Anjaneyulu. | 37. Sayeed Ibrahim Sahib Bahadur. |
| 14. " J. A. Saldanha. | 38. Mr. M. A. Manikkavelu Nayakar. |
| 15. " G. Harisavottama Rao. | 39. " B. Ramachandra Reddi. |
| 16. " C. N. Muthuranga Mudaliyar. | 40. Sir A. P. Patro. |
| 17. " K. V. R. Swami. | 41. Diwan Bahadur M. Krishan Nayar. |
| 18. " Muhammad Meera Ravuttar. | 42. Mr. P. T. Rajan. |
| 19. " D. Narayana Raju. | 43. " T. K. Obidambaranatha Mudaliyar. |
| 20. Dr. B. S. Mallayya. | 44. Diwan Bahadur S. Kumaraswami Reddi. |
| 21. Mr. C. Maruthavanam Pillai. | yar. |
| 22. " M. Narayana Rao. | 45. Rao Bahadur B. Muniswami Nayudu. |
| 23. " A. Parasurama Rao. | |
| 24. " C. Ramasamayajulu. | |

Noes.

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| 1. The hon. Sir Norman Macjoribanks. | 16. Mr. V. Ch. John. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 17. Subadar-Major M. A. Nanjappa Bahadur. |
| 3. " Mr. T. E. Moir. | 18. Mr. Al. Ar. Narayana Chettiayar. |
| 4. " Mr. A. Y. G. Campbell. | 19. " N. Siva Raj. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 20. " M. V. Gangadhar Siva. |
| 6. Mr. F. B. Evans. | 21. Rao Sahib L. C. Guruswami. |
| 7. " H. A. Watson. | 22. Mr. V. I. Muniswami Pillai. |
| 8. " G. T. Boag. | 23. " S. Subramanya Moopanar. |
| 9. " A. Mc G. O. Tampoe. | 24. " S. Venkiah. |
| 10. " S. H. Slater. | 25. " A. T. Luker. |
| 11. " C. B. Cotterell. | 26. Rajkumar S. N. Dorai Raja. |
| 12. " P. J. Gnanavaram Pillai. | 27. Swami A. S. Sahajanandam. |
| 13. " R. Foulkes. | 28. Mr. R. Srinivasa Ayyangar. |
| 14. " J. Bheemayya. | 29. Syed Tajudin Sahib Bahadur. |
| 15. " J. A. Davis. | |

Neutral.

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| 1. The hon. Dr. P. Subbarayan. | 7. Muhammad Khadir Mohidin Sahib Bahadur. |
| 2. Mr. D. Thomas. | 8. Moidoo Sahib Bahadur, T. M. |
| 3. " K. Krishnan. | 9. Diwan Bahadur A. M. M. Murugappa Chettiayar. |
| 4. " K. Ramachandra Padayachi. | |
| 5. The Raja of Panagal. | |
| 6. Diwan Bahadur P. C. Ethirajulu Nayudu. | |

* The hon. the PRESIDENT :—" Hon. Members are requested not to take their seats before their names are called. It causes inconvenience to the Secretary.

Ayes 45. Noes 29. Neutral 9.

The motion was carried.

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3 p.m.

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I move

'to reduce the allotment of Rs. 89,400 for Board of Revenue by Rs. 100'.

"This is also, Sir, one of the annual farces, and we are asked as to why we should go through this farce of moving resolutions here, getting them passed and then His Excellency coming down saying 'I certify it', or going further and saying 'We will allow this 100 rupees out to remain there but we don't care because the Revenue Board can go on with this reduction of Rs. 100; or they accept the reduction, as was done in another case, keep quiet for 365 days and then come with a supplementary grant for practically the same amount. Therefore this is nothing but a farce and most of what we do is nothing but a farce and there is no reason why we should take part in this farce to-day. I have not made the calculation as to the exact number of occasions on which this resolution that we do not want the Board of Revenue has been carried in this House by large majorities, sometimes by token motion, sometimes a motion for the whole demand to be taken away, and yet the Government are firm and say that this Board of Revenue is necessary. I have no doubt, Sir, that the hon. the Revenue Member will repeat the same old argument that the Board of Revenue is necessary. One stock argument will be that the Board of Revenue is referred to in several enactments as appellate authority, and therefore if the Board of Revenue were abolished there should be some other functionary to do the work under the Acts. To that we can easily say that there is a very large number of white elephants receiving very large salaries and they can very well deal with this work, and there may be one common Act saying that the functions of the Revenue Board under any Act either of the Government of India or the Government of Madras shall be performed by a particular white elephant. One other stock argument I expect to-day is that in other provinces where there is no Board of Revenue there are commissioners corresponding to the Board of Revenue here. For that, all I can say is that even in other provinces the Councils have resolved upon the services of the commissioners being dispensed with. Therefore, there is no use in saying that this large costly establishment of Board of Revenue is necessary. There are several other reasons as to why, if you really want retrenchment, this Board of Revenue should be sent away. I do not want, as we are especially anxious to move various other cuts, to repeat the various arguments which would be available in the previous debates of this House. All I want to say is that to-day our motion is for a very small out of Rs. 100, whereas in some previous years our resolution was to remove the whole grant. I can only make an appeal to the hon. the Revenue Member and through him to the Cabinet and if possible to His Excellency also in these days when so much is said of respecting the opinions of the people in view of the proposed change in the Government of India Act (a reference was made to it even to-day that we are functioning now in a period of transition) if there is any truth in that statement of the bureaucracy that they are going to respect the wishes of the people in any matter, here is one where they can easily respect our feelings by abolishing the Board of Revenue. This is just a test to see whether what they say is a lip word or something coming deeper from the heart. With these few words I formally move this proposition."

Mr. C. N. MUTHURANGAM MUDALIYAR :—" I beg to second this."

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* The hon. the PRESIDENT:—"I think in the matter of debate I may suggest to the hon. Members of the House that it will be better if really they want any replies to their criticisms from the Members of the Treasury Bench they should express their criticisms before hand. After the Members on the Treasury Bench have given their replies, if any other points are raised, as has been done by Mr. Kaleswara Rao in a previous debate, the points have to go unanswered and I do not think it is to the profit of the House. The hon. the Revenue Member has said he has no following in this House to get up and give replies. That is the only suggestion from me." (A voice: "What about Secretaries.")

* Mr. J. A. SALDANHA:—"Mr. President, Sir, the motion under which we propose a cut of Rs. 100 is one which concerns the liberty of the people. The Board itself is a citadel of the bureaucracy and occupies the position equivalent to that of Parliament in respect of land revenue. The rule of absolutism prevails in that Board in the matter of the fixing of land revenue. If the real spirit of the old Reforms Act is to be given effect to, this Board must go, because the spirit of the Reforms Act has been much more liberally interpreted than, as my hon. Friend Mr. Moir would put it, by the Joint Parliamentary Committee. I remarked in a speech this morning that the Finance Member had entirely overlooked the recommendation of the Parliamentary Committee, as was too often overlooked by other friends on the Treasury Bench."

The hon. Mr. T. E. MOIR:—"May I ask the hon. Member if the Joint Parliamentary Committee recommended the Board of Revenue to be abolished."

* Mr. J. A. SALDANHA:—"It has recommended that it is this House that should pitch the rate of assessment and so on. As a matter of fact, the Board of Revenue settles everything about rates of assessment, etc. It is in fact one of the Members of the Board that is the supreme head of the Settlement department, and he comes only for the formal sanction of Government. It is this citadel that I want to attack. If this House is to settle the rate and pitch of assessment, we need no Board of Revenue for that purpose. I will read a passage and from that it will be very clear that if the policy recommended by the Joint Parliamentary Committee be carried, we would not have the Board of Revenue and the waste of three crores on costly appointments. The passage is this: "At present, the statutory basis of charging revenue on land varies in different provinces, but in some at least, i.e., Madras, the pitch of assessment is entirely at the discretion of the executive Government (that is, the Revenue Board here), and no branch of the administration is regulated with greater elaboration or care (I must give credit for this to the Board of Revenue). But the people who are most affected have no voice in the shaping of the system and the rules are often obscure and imperfectly understood by those who pay land revenue."

* The hon. the PRESIDENT:—"The hon. Member would have been more in order to have quoted this passage in his previous speech." (Laughter.)

* Mr. J. A. SALDANHA:—"It was repeated on a previous occasion by the hon. the President in his very able speech as a member of this Council."

* The hon. the PRESIDENT:—"Is it the case of the hon. Member that the President as a member of the Council referred to it on an irrelevant occasion? This is not the proper occasion."

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* Mr. J. A. SALDANHA:—"I referred to it only because"

* The hon. the PRESIDENT:—"I will suggest to the hon. Member to pass on to the next point."

* Mr. J. A. SALDANHA:—"The Board of Revenue does the work which this Council ought to do and ought to have done. There is no use in saying that Parliament has finally to decide this question. Parliament has left it—at least the Parliamentary Committee has left it—to the Councils. Now the Board of Revenue cooks up all the material and sends it up for being a little flavoured to the Secretariat. I hope this repeated demand made by all sections of the House will be given effect to. When the special officers are going to send their reports to the Royal Commission, this demand, which has been repeated year after year for several years, will be put in proper light before them if at all it is worthy of their advice."

* The hon. Sir NORMAN MARJORIBANKS:—"Sir, the Mover of this motion was good enough to supply me in advance with arguments against his motion 2-15 p.m. which of course he proceeded to demolish. I am not very grateful to him, for I do not think his arguments are very good ones. It is not the fact that the Board of Revenue is mentioned in enactments that is the reason for maintaining the Board, or rather if that was the only reason they might be replaced by a better agency. As for the seconder, his argument was the most curious I have heard advanced yet in support of the abolition of the Board of Revenue. If this House fixes the rate of assessment, he said, you need no Board of Revenue. But how does he propose to prepare the material for this House? He surely does not suppose that fixing the rates of assessment constitutes the whole work of the Revenue Board. It would be a very simple and easy job if all the Board of Revenue had to do was to sit once perhaps every two years and fix certain rates of assessment. The truth of course is that the Board of Revenue is entrusted with the supervision over the whole of the Land Revenue administration which is of a very varied nature. I think that the Members of this House are well aware of this. I do not know whether it would interest Mr. Saldanha, since he is so interested in things in Bombay, to know that the Bombay Retrenchment Committee recommended that the Commissioners in the Presidency should sit only at the headquarters and distribute the work among themselves on a subject basis. If that recommendation were adopted, the Commissioners would be replaced by a Board of Revenue. It may perhaps interest Mr. Saldanha that in the Presidency which he has often been holding up to us as a model, the Retrenchment Committee has recommended the Madras plan. But to turn to our Board of Revenue, the subject was discussed exhaustively by a committee which was appointed by the Government in 1921 and I can only refer the House to the report of that Committee. Since that time no argument has ever been raised that I know of, seriously challenging the grounds of that Committee's report."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Has that report been accepted by the Government?"

* The hon. Sir NORMAN MARJORIBANKS:—"I could not say that all parts of it were adopted, but I am sure that no part of it suggested the abolition of the Board of Revenue. The strength has been reduced practically to two members, for the third member is only the Ex-Officio Member and is only technically part of the Board of Revenue. The existing work of the Board of

[Sir Norman Marjoribanks] [14th March 1928]

Revenue proper is divided between the two members. Reduction has been carried to its limits. There remains the argument of the repeated desire of this House. The desire of this House has not been repeated quite so often as in the last year or two. I understand that earlier, that is, two or three years back, there was a very strong feeling against the Board, but that was not based on the ground that there were more members than necessary or that the Board itself was unnecessary for the work, but on the ground that the manner in which representations were dealt with and replies given had produced a good deal of friction and feeling against the Board. I do not think there has been anything in that direction to complain of recently and, as I have said, I have not been able to perceive that anybody to-day has brought any valid argument in favour of the motion."

The motion was put to the House and declared carried.

The hon. Sir Norman Marjoribanks demanded a poll and the House divided as follows:—

Ayes.

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|--------------------------------------|---|
| 1. Mr. C. R. Parthasarathi Ayyangar. | 22. Basheer Ahmad Sayeed Sahib Bahadur. |
| 2. " Chavadi K. Subrahmanya Pillai. | 23. Mr. P. Bhaktavatsulu Nayudu. |
| 3. The Zamindar of Gollapalli. | 24. Sriman Biswanath Das Mahasaya. |
| 4. Mr. A. Banganatha Mudaliyar. | 25. Mr. A. Kaleswara Rao. |
| 5. " Sami Venkatachalam Chetti. | 26. " R. Srinivasa Ayyangar. |
| 6. " C. V. Venkataramana Ayyangar. | 27. " L. K. Talasiram. |
| 7. " T. Adinarayana Chettiyar. | 28. " K. R. Karant. |
| 8. " P. Anjaneyulu. | 29. " K. Madhavan Nayar. |
| 9. " J. A. Saldanha. | 30. " S. Muthiah Mudaliyar. |
| 10. " C. S. Govinduraja Mudaliyar. | 31. " P. Siva Rao. |
| 11. " G. Harisarvottama Rao. | 32. " O. Gopala Menon. |
| 12. " C. N. Muthuranga Mudaliyar. | 33. " M. A. Manikkavelu Nayakar. |
| 13. Abdul Hamid Khan Sahib Bahadur. | 34. Diwan Bahadur M. Krishnan Nayar. |
| 14. Mr. K. V. R. Swami. | 35. " P. C. Ethirajulu Nayudu. |
| 15. " Muhammad Meeran Ravuttur. | 36. Mr. P. T. Rajan. |
| 16. " D. Narayana Raju. | 37. " T. K. Chidambaramatha Mudaliyar. |
| 17. Dr. B. S. Mallaya. | 38. Diwan Bahadur S. Kumaraswami Reddi. |
| 18. Mr. C. Marudavanam Pillai. | 39. Rao Bahadur B. Muniswami Nayudu. |
| 19. " M. Narayana Rao. | 40. " K. Sitarama Reddi. |
| 20. " A. Parasurama Rao Pantulu. | |
| 21. " C. Ramasamayajula. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 20. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 21. Mr. N. Siva Raj. |
| 3. " Mr. T. E. Moir. | 22. " M. V. Gangadara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 23. Rao Sahib L. C. Guruswami. |
| 5. Dr. (Mrs.) Muthulakshmi Reddi. | 24. Mr. V. I. Muniswami Pillai. |
| 6. Rao Bahadur C. V. Ananthakrishna Ayyar. | 25. " P. W. A. Soundarapandia Nadar. |
| 7. Mr. F. B. Evans. | 26. " S. Subrahmanya Moopanas. |
| 8. " H. A. Watson. | 27. " D. Thomas. |
| 9. " G. T. Boag. | 28. " K. Krishnan. |
| 10. " A. McG. C. Tampoe. | 29. Rajkumar S. N. Dorai Raja. |
| 11. " S. H. Slater. | 30. Mr. S. Arpudawami Udayar. |
| 12. " C. B. Cotterell. | 31. " K. Ramachandra Padayachi. |
| 13. " P. J. Gnanavaram Pillai. | 32. Swami A. S. Sahajanandam. |
| 14. " R. Foulkes. | 33. Rao Sahib R. Srinivasan. |
| 15. The Zamindar of Seithur. | 34. Syed Tajuddin Sahib Bahadur. |
| 16. Mr. A. B. Shetty. | 35. Khan Bahadur M. K. Abdul Rasool Sahib Bahadur. |
| 17. " J. Bheemayya. | 36. Muhammad Khadir Mohidin Sahib Bahadur. |
| 18. " J. A. Davis. | 37. T. M. Motdoo Sahib Bahadur. |
| 19. " V. Ch. John. | |

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Neutral.

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| 1. Diwan Bahadur P. Kesava Pillai. | 6. The Raja of Panagal. |
| 2. Mr. E. Nagan Gowda. | 7. Rao Bahadur Sir A. P. Patro. |
| 3. " S. Venkiah. | 8. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 4. Kumara Raja of Venkatagiri. | 9. The Zamindar of Mirzapuram. |
| 5. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. | |

Ayes 40. Noes 37. Neutral 9.

The motion was carried.

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I formally move

'to reduce the allotment of Rs. 1,93,10,900 for General Administration—District Administration by Rs. 100'

(To record the disapproval of the policy of Government in keeping judicial and executive functions combined in spite of the incessant demand that they shall be separated.)

"Sir, I do not want to speak much on this, because this is also one of the questions on which we have several times passed resolutions in this House and what is more the Government also have more than once practically supported our motions. This is as old as this Council. The Government generally try to close our mouths by appointing committees and on my resolution a committee was appointed on this motion also of which the president was a high Government officer and it made a practically unanimous report. So far as this matter is concerned, the report said that the two functions should be separated and now we are told that the Government of India and the Secretary of State have this subject still in their own hands. We are very glad to know that the Secretary of State repeated, according to the papers, the same statements a few days ago which he said nine months ago and the Government of India recently said that the matter was still under consideration. We have been always asking the Government to tell us what this Government's recommendation was on this matter and as to whether there has been any subsequent correspondence between them and the Government of India and they often say that the correspondence is confidential. Certainly I think, this House should be taken into their confidence at least now and let us know at what stage the matter is and whether any further correspondence has taken place between the Secretary of State and the Government of India. I therefore wish to record our disapproval of the policy of Government in this matter and we appeal to this House again to carry this motion."

Mr. G. HARISARVOTTAMA RAO:—"I second the motion, Sir."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, by means of this resolution we want to reaffirm our opinion once again on the floor of this House that we are very anxious that there should be a separation of the judicial and executive functions. Oftentimes we have heard from the Government of India that this matter has been engaging their attention. Apparently it would go on till Doomsday or even till the Greek Kalends. No one denies that the combination of the two functions in one and the same officer is an evil of very great magnitude. But so far nothing has been done. No doubt so far as this Government is concerned, its attitude does not appear to be quite unsympathetic or unsatisfactory. With a view

[Mr. R. Srinivasa Ayyangar] [14th March 1928]

to strengthen the hands of this Government and to enable the Government to put up a fight, we think it necessary to table this resolution and give our expression to emphatic views on the question."

* Mr. BASHEER AHMAD SAYEED :—"Sir, I want to know from the Government at this stage what exactly has been the action and their attitude towards this question which has been raised from year to year in this House and also outside this House. There is no use, Sir, in giving us the same old replies. This is a problem which is keenly felt by the rate-payers outside this House as well as their representatives within, and it is but fair that the Government should give us definite information as to what action has been taken on this suggestion and on this request of the representatives of the people. There is great havoc played by officers combining the executive and the judicial functions in them and this has to be put an end to and we want to know what are the honest intentions of this Government in this matter."

3-30
P.m.

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir,—This matter has been constantly debated in this House before now as has already been mentioned and was raised the other day in the general debate upon the budget when it was presented by the hon. the Finance Member. The then Law Member made a statement in this House as to the present position. The House is well aware that we have made a report to the Government of India and that the matter is still under consideration of that Government and until we receive the orders of the Government of India we are unable to do any further in connexion with this matter."

Mr. BASHEER AHMAD SAYEED :—"When was the report made, please?"

* The hon. Mr. A. Y. G. CAMPBELL :—"I have not got the exact date when it was made. It was some time ago."

Mr. BASHEER AHMAD SAYEED :—"How long ago?"

Mr. SAMI VENKATACHALAM CHETTI :—"Several years ago?"

* The hon. Mr. A. Y. G. CAMPBELL :—"I think it was some two or three years ago."

"As has been pointed out, Sir, this is a matter in which we are bound to abide by the orders of the Government of India if they give us any instructions in the matter, as it is a reserved subject. But, we are not in a position to communicate to this House the recommendations of this Government to the Government of India until we have permission from the Government of India to do so."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Has it been applied for?"

* The hon. Mr. A. Y. G. CAMPBELL :—"We should not be permitted to communicate to the public our recommendations until they had been considered by the Secretary of State as well. As I believe the matter has been referred to him, it could not be of much use if we applied for permission at the present stage."

"It may be of some interest to hon. Members of his House if I mention one or two facts to show what policy has been followed by the Government in the last few years in this respect. The Criminal Courts in this Presidency fall under certain categories and for this purpose I do not think we need

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take into consideration the High Court, the Sessions Court or the Presidency Magistrates' Courts. The remarks regarding the desirability of the separation of the executive and judicial functions refer to the other criminal courts of this Presidency, especially those of the District Magistrate and the Divisional and the Subdivisional Magistrates and the Taluk Magistrates.

"Now, I have compared the cases tried by these other courts during the years 1922 and 1926, the latest year for which we have statistics. I find in 1922, there were tried in all these courts, viz., the District Magistrates' Courts, the Subdivisional Magistrates' Courts, the Sub-Magistrates' Courts, the special Magistrates' Courts, Bench Magistrates' Courts, the Panchayat Courts and by the Village Magistrates, a total number of 207,163 in 1922, while the total number of cases tried in 1926 was 253,692—an increase of 45,526 or nearly 22 per cent is thus seen. Now, taking together the District Magistrates' and the Subdivisional Magistrates' Courts, the number of cases tried fell from 9,051 to 8,675 in 1926. The number of cases tried by the stipendiary Sub-Magistrates (including both Stationary Sub-Magistrates and Taluk Magistrates) has risen from 99,636 to 103,645, or there is an increase of about 4 per cent. There has been a fall in those tried by Special Magistrates who are, I believe, generally either officials not of the Revenue Department—Sub-Registrars and so on—from 5,548 to 2,945. The number of cases in Village Magistrates' Courts has fallen from 6,304 to 4,260. Now when we come to the Bench Courts, we find there has been an increase in the number of cases tried from 88,764 to 99,589 or nearly 18 per cent. In the Panchayat Courts, the cases tried have increased still more remarkably from 2,823 to 33,577, or nearly 12 times. Taking together the Bench Magistrates' and the Panchayat Courts, we find an increase from 86,587 to 133,166, that is to say, the increase in these classes of courts is somewhat larger than the total increase in the number of cases tried in the Magisterial Courts in the whole of the mufassal. These courts tried more than half such cases in 1926, I think, Sir, that this is sufficient to show that the policy of Government during the past four years 1922—1926 has been to meet as far as possible the desire expressed in this House that there should be a separation of the judicial and the executive functions (Hear, hear), in the manner which it has been possible for this Government to adopt, that is to say, by increasing the number of these courts and by increasing the powers of the Bench and Panchayat Courts. I hope, Sir, that this House will not pass this motion as it may be regarded as a censure on the policy of the Government which has been adopted during the past few years. I submit that the Government have done all they can under the circumstances."

Sriman BISWANATH DAS Mahasaya :—"Sir, I thank my hon. Friend the Law Member for the whitewashing speech peculiar to the steel frame he has just delivered on the floor of this House. All that the motion wanted was the transfer of the control from the executive to the judiciary, i.e., the High Court. My hon. Friend does not speak a word about this very important question, but goes on to say that the number of cases tried by the Stationary Sub-Magistrates has increased. We have nothing to do with that. The Stationary Magistrates are controlled by the District Magistrates and they are subordinate not only to the District Magistrates but also to the Divisional Magistrates and the Tahsildars. Therefore, Sir, there is no reason in quoting these figures."

The hon. Mr. A. Y. G. CAMPBELL :—"I have not spoken, Sir, of the District Magistrates controlling the Sub-Magistrates or others."

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Sriman BISWANATH DAS Mahasaya :—" I take his correction, Sir, though I do not admit it. I know in my district the Sarishtadar-Magistrates are subordinate to the Tahsildar and Subdivisional Magistrates. So, even taking the correction, my point whether you should transfer the control of the Magistrates from the executive to the High Court remains unanswered. That is the important question at issue. Without speaking a word on that important question, the hon. the new Law Member goes on justifying the position of the Government when there is nothing to be justified. I think it is better for my friend to say, 'We do not care for you or for the recommendations of the Committee.' That would be more frank. I think these are times when honesty and frankness are needed more in politics. To say 'Government of India stood in our way' is to point to people who are not responsible to this House. With these few words, Sir, I strongly support the motion and I appeal to the various sections of the House to support the motion."

Mr. P. SIVA RAO :—" Mr. President, Sir, I have heard the hon. the Law Member. There is evidently a misconception as to what really is meant by separation of the judicial from the executive functions. Evidently, the hon. Member seems to think that by the multiplication of some Stationary Sub-Magistrates or by the appointment of the Special Magistrates of the first class solely devoted to criminal work, or by the organization of Judicial Panchayats, he has satisfied the aspirations of the House towards the separation of the executive from the judicial functions. The essence of the whole scheme is that the Magistracy in the district should cease to be subordinate to the District Magistrate and the Subordinate Magistrates should be made subordinate only to the highest judiciary in the district and it also necessarily involves that the recruitment of this Magistracy should be altered. What we have been contending for is that these Magistrates should be recruited separately if possible out of the members of the bar and that they should not be made subordinate to the District Magistrates. So long as this reform is not carried out, I do not think that the hon. the Law Member can satisfy the House by quoting instances of some Judicial Panchayats. After all, the small modicum of reform which this Government take credit for having achieved in the course of a century, is one which, I do not think, can meet the purpose that we have in view. That is the essence of the scheme we want and I do not think that the reforms he has introduced so far touched even the veriest fringe of the reforms that we wanted."

* **Diwan Bahadur P. KESAVA PILLAI** :—" May I say one word, Sir? I think Mr. Siva Rao means, when he says that Sub-Magistrates should not be subordinates to the District Magistrates, that they should not be the subordinates of the District Collector. It ought to be so, because even now the Stationary Sub-Magistrates are subordinate to the District Collector. Well, Mr. President, the reform may come or may not come, but may I ask the Government for a favour not to invest sarishtadars with magisterial powers. Now sarishtadars in the taluks where there are no Stationary Sub-Magistrates are exercising even the powers of second class magistrates. Whenever there are Tahsildars there are Taluk Magistrates and Sarishtadar-Magistrates, some having powers to punish people up to six months and 200 rupees fine. Sarishtadars are paid low, and they are heavily worked. They are liable to be tempted or to be influenced by fear. I know there are exceptions always. It is regrettable that the Government cannot and will

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[Mr. P. Kesava Pillai]

not understand this. I believe whatever might be done hereafter for the separation of the judicial from executive functions, let me appeal to the hon. Member to see that no Sarishtadar is hereafter invested with the magisterial powers. Will I be appealing successfully to the hon. the Law Member in this respect?"

* The hon. the **PRESIDENT** :—" I take that the House is ready for a vote on this question. The question is :

'To reduce the allotment of Rs. 1,93,10,900 for General Administration --District Administration by Rs. 100.'"

The motion was put to the House and carried.

* **Mr. N. SIVA RAJ** :—" Sir, I beg to move

'that the allotment of Rs. 53,200 for Charges of Administration be reduced by Rs. 100.'"

" Sir, I move this with a view to draw the attention of the Government to the poor representation of the depressed classes in the services. Year in, year out, the representatives of our community have been making these requests in this House with, I think, no fruitful results. The Government invariably gave the reply that the Government was in sympathy with the demands of the members of our community and that if proper and qualified men are available for the various services from the members of our community, they would have no objection whatever to take them in, and that, on the other hand, they will prefer such persons to others to be appointed in the various services.

" We find, Sir, from the facts and figures—let me also say that the facts and figures so far as the depressed class are concerned are practically nil—contained in the various Government reports that there is no ground for the inference that the Government have been really acting in this matter according to the wishes of the representatives here. Probably, Sir, it is probably due to the fact that they are sure of the support of the members of our community on their side on almost every question in this House (laughter); but I am anxious and I am very keen in my anxiety, to bring this point to the attention of the Government. The days are gone perhaps never to return; and unless there is a liberal and satisfactory response on the part of the Government, when it may be said the the members of our community, at any rate in this House, will act likewise, we feel, Sir, that we have to learn the art of sitting in Opposition to and attacking the Government in season and out of season to see that the Government take in at least some of our community men or kinsmen in all the various offices. After all it is the Government jobs that can do a very great deal in the matter of the upliftment of the various communities. I think I need not reiterate or repeat what is very well known to the hon. Members of this House that in this part of the country, at any rate, we find that people who are really powerful, who are really influential and who really can achieve any good for the members of their communities, are just those who are able to get some of the important jobs both in the head offices here in Madras and in the district offices. So, I appeal, Sir, that the Government should really devote their sincerest attention to this question. There is another argument, Sir, that is brought forward against the candidates of the depressed classes. Whenever we ask the question as to why there is not

[Mr. N. Siva Raj]

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sufficient representation of the depressed classes in the various services, the Government say that they are not efficient. Let me tell them, Sir, that if the depressed classes candidates are not efficient, it is due to the neglect on the part of the Government. (Hear, hear.) We know, and I suppose even to-day it is true, that the British Government and the Britisher are famous for their idea of fairplay; but in this country, I think, so far as we are concerned, they seem to have forgotten that idea completely (hear, hear), and they have left the caste people and the capitalists to ride rough-shod over us in every matter. (Hear, hear.) For instance, in the matter of efficiency, I may tell them that unless they give us fair opportunities for making ourselves efficient, the Government have no right to confront us with this argument of inefficiency, whenever we try for jobs. We must be given equal opportunities to make ourselves efficient, before they can be in a position to say that we are inefficient. As a matter of fact, we find that we are not given any opportunities, and even if any opportunities exist in theory—in practice we find that we cannot avail ourselves of such opportunities. If we are inefficient to-day, it is not our fault. One thing, however, is certain, Sir, and we must thank God for that, that brain and intellect are not the monopoly of any one community. Given the opportunities, we are sure that we will rise to some of the highest offices in the State and that we are capable of discharging any duties that we might be asked to discharge in respect of those offices. Therefore, Sir, I move my token motion to reduce the allotment of Rs. 53,200 for Charges of Administration by Rs. 100."

* Mr. L. K. TULASIRAM:—"Mr. President, Sir, I rise to second this motion brought by my hon. Friend Mr. Siva Raj. No doubt, the party sometimes deserts us at critical times; but still, to show that we, members of the Opposition, are always their supporters in season and out of season (hear, hear), I rise to speak on this occasion. Sir, I have been analysing the reports of the officers and clerks employed in the public services of the Government every year, and I know, Sir, that out of 865 gazetted officers, there are only two gazetted officers representing the depressed classes. Sir, it is really a charge which should be laid at the door of the Government and not at the door of the Opposition or of the Members of the Swarajist Party. Sir, it has been represented by Mr. Siva Raj that they are not wanting in brain or in efficiency. The greatest law-giver, the greatest codifier, the greatest man who wrote the greatest work in Tamil literature, is Tiruvalluvar Nayanar, a member of the Adi-Dravida community. Sir, when such is the fact, I, as an ardent student of Tamil literature, would not deny them the right that they claim. If brains are wanted, I say brains are in the community. It is only the British Raj that has not been giving them the hand of help. (Hear, hear.) Sir, before the claims of other communities are recognized, it is very necessary in the interests of communal justice, in the interests of fairplay and in the interests of judicious administration, that members of the depressed classes should be shown all preference. Before the members of other communities are appointed, they should be appointed. Sir, sometimes the members of the depressed classes think that by siding with the Government, they may gain their end. I want them to forget that. I say that if they throw in their lot with the common-folk, I mean with the real politicians who are entrusted with the welfare of the country, they would gain their end in a double measure. I therefore have the greatest pleasure

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[Mr. L. K. Tulasi Ram]

in seconding the motion which has been so ably moved by my hon. Friend, Mr. N. Siva Raj."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Sir, I wish to associate myself with the claims put forward on behalf of the depressed classes by my hon. Friend Mr. Siva Raj and my Friend Mr. Tulasiram. I also wish to point out that there are other backward classes, who are also very poorly represented in the services, and in fact, they need greater encouragement; because the depressed classes at least have the nursing hand of Mr. Slater, but the backward classes do not possess such advantages, and they therefore require special encouragement. The position of the backward classes is something like being between the devil and the deep sea. The backward classes do not belong to the depressed classes and therefore they do not have the protection of the Labour Commissioner. On the other hand, the backward classes do not get the sympathy of the so-called higher classes. As a matter of fact, their position is really very miserable, and so in giving representation to the various communities, particular attention should be paid by the Government to the proper encouragement of the backward classes. It used to be said that there is a dearth of qualified candidates either from the backward classes or from the depressed classes. But now, the supply seems to be far greater than the demand. So, that argument does not hold good at present. I have also given notice of a different motion on the subject of the representation of the backward classes; but I do not propose to move it and therefore associate myself with the remarks already made on this motion."

* Mr. P. BHAKTAVATSULU NAYUDU:—"Mr. President, I am very glad to support this motion, and I am also equally glad to find my friend, Mr. Siva Raj at least once in a way understanding the real motives of the Government and their fair play and their foul play. During the time of the discussion on the Simon Commission, the hon. Mr. Slater shed crocodile tears, as Labour Commissioner, on behalf of the depressed classes, and now Mr. Siva Raj has given a revelation to the Council and said that the Government have not at all been treating them fairly. Sir, it is quite true, very true and highly true. No doubt, Government pitch upon one depressed class man here and there in order to placate that community and to serve their own purposes. The general policy of the Government has not at all been for the upliftment of that community for the past 200 years of British rule in this country. Only a few years back when the Congress demanded, from the various platforms, that the depressed classes should also be given their share, that the Labour Commissioner came into existence. These depressed classes thought that by voting with the Government in season and out of season they could get something from the Government instead of from their own brethren of the other communities, their own Indian brethren. They are there making a serious mistake, and if at all any one could come to their rescue, it is their own Indian brethren who have now realized that they have done a serious mistake in calling them depressed classes and in treating them as untouchables. Those days have gone and now people everywhere realize, all parties now realize, that their prosperity lies on par and in line with the elevation of the depressed classes. So, I think it is time for us to realize that the depressed classes also have to share the same conditions with their co-brothers, and the so-called depressed classes—who should feel ashamed to call themselves 'depressed classes'—should now realize that the Government ought

[P. Bhaktavatsulu Nayudu] [14th March 1928]

not to be allowed to play with them like this. Even in selecting men from among the depressed classes, the Government should not placate them for their own purposes, but should select the candidates by pure competition among themselves, and give the posts to really qualified persons. It is also incumbent on the so-called depressed classes that they should educate themselves and make themselves qualified to enable them to aspire for such posts, instead of throwing the blame on this party or that party or on the Government. With these few remarks, Sir, I strongly support this motion."

* Mr. V. I. MUNISWAMI PILLAI:—"As one coming from the mufussal I should like to support this motion now before the House. Mr. Siva Raj coming from this city has very properly laid much stress on the necessity for the due representation of the depressed classes in the various public services. Sir, the number of educationally qualified people from the depressed class is very small and even the very few that get into the ladder of the administration in the various districts are very badly treated by the mouthpieces of the Government. I may say that some of the depressed class members employed in the Government service in Malabar and Coimbatore had to leave the appointments due to social oppressions leaving all those dependent on them to starve. I say, Sir, that in all the offices, the important officials happen to be our caste brethren who, for various reasons, socially oppress the depressed class members getting into the services and are even denied the privilege of taking their meals in the very tiffin room in which the others take their meals."

4 p.m. "I know of instances where some of the members of this community who had the opportunity to serve under Government were denied this privilege and as a result of this they had to go away from the services: and it is up to the Government to see that members of the depressed classes who are chosen and elected to serve in the Government services are protected and safeguarded. Unless this Government comes to our rescue there is no possibility of our members continuing in the services. My hon. Friend Mr. Tulasiram has been very kind to say something about the depressed classes. But I may say it is due to the social oppression of the caste people that are at the top of the ladder that are responsible for not allowing members of our community to get into the services. If they really want to support the depressed classes I must say there must be a change of mentality in them. My hon. Friend Mr. Bhaktavatsulu Nayudu who just spoke cast a sweeping remark said that the members chosen to represent the depressed classes are not the real representatives to represent their community. Hon. Members sitting in this side of the House representing the depressed classes have been chosen by various associations of theirs and from various districts. And I may say to my hon. Members that we command the confidence of the associations and our people in the various districts. With these few words I heartily support the motion moved by my hon. Friend Mr. Siva Raj."

* Mr. R. NAGAN GOWDA:—"Mr. President, Sir, I have to make one or two points in this connexion. One aspect of this question which must be remembered in the making of appointments of the depressed classes, men in the Revenue department is this. There are a number of appointments requiring executive work, mainly out-door work, and the members who are appointed to these come from higher communities not accustomed to out-door work, and they find it difficult to cope with it. For instance, the work that is allotted to the reporting of the condition and outturn of the yield of

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crops is allotted to Revenue Inspectors. Again take the work of taking care of the survey stones and the work of the Land Record Tahsildars. Some of these work could be given to men who are accustomed to out-of-door work, men who can do them much more easily, a work which is natural to them than to other communities. I say this aspect of the question may be considered."

* Rao Sahib R. SRINIVASAN:—"Mr. President, Sir, what the Government was fifty years ago is not the Government of to-day. The Government officials are mostly of Indian element. Caste and untouchability are still observed in Government offices. There are depressed classes men in the service under the guise of caste men and Christians. When young Adi-Dravidas enter into service they find it intolerable to keep up their position on account of the iniquitous treatment they receive from caste Hindu officials. A young Adi-Dravida who passed his school final and entered into service at the Collectorate, Chittoor, was transferred to the Labour department. The hon. Member for Madura, Mr. Tulasiram, mentioned about the brain power of the Adi-Dravidas. Their brain power is next to the best among Indians in South India. They are next to the Brahmans according to Mr. Thurston's Anthropology. The sympathy shown by Swarajists or Congressmen is nothing but a political game."

* Mr. C. R. PARTHASARATHI AYYANGAR:—"In support of the motion I wish to say a few words that may serve to expel from their minds the feeling that they have been purposely ill-treated by the upper classes. In India all except the Europeans form the depressed classes. Very often when we meet with persons who think and act in the opposite way we expect them to do we say we are ill-treated. I would make bold to say there is no one who has got any sense of self-respect who would betray their own fellowmen and join the ruling class. Take, for instance, the members of the legal profession who are supposed to be the most independent men. I am speaking from my own experience of the last 30 years. It is not always we get proper treatment from the sort of civilian judges that we expect. They cast aspersions on us and we have to swallow them. Hence I say that the salvation of the depressed classes lies in the hands of their own Indian brethren. There is no use looking for help from a foreign nation. Therefore in supporting this motion I would strongly suggest that the salvation of the depressed classes lies with us."

* Mr. A. KALESWARA RAO:—"Mr. President, I associate myself with the motion proposed by Mr. Siva Raj. I do not see anything else except that untouchability is a great handicap under which these people are groaning and it is a great blot upon the country. But I am glad that the conscience of the country has been roused and I assure my brethren that the times that are coming will be very bright for them. It is true that the Hindu community for some centuries has not treated them properly. But after the advent of the British the little cottage industries that they had have been completely destroyed on account of foreign competition. I assert that the British Government as a Christian Government have not moved their little finger to remove this ban of untouchability."

* The hon. the PRESIDENT:—"Order, order, the motion is not for the removal of untouchability but it is for the entertainment of the members of the depressed classes in the Government services. (Laughter.) The hon. Member will proceed to the next point."

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* **Mr. A. KALESWARA RAO** :—"In the services they have been handicapped on account of this difficulty. Therefore it is high time that the Government also give them some special facilities, some special protection and help for their amelioration and mix them up with the other people by giving them universal franchise and universal education. With these few words I support motion."

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* **Mr. D. THOMAS** :—"Mr. President, Sir, in support of the motion I have to offer a few remarks. We know well that in theory the depressed classes have all the rights that the other communities enjoy. But one cannot hide the fact that deep down in the minds of the masses of the upper class there is a large amount of prejudice which has to be broken down. I believe one of the departments of the services that comes into close contact with the masses and which necessarily commands the fear and respect of the masses is the Police department. The Government have, therefore, to devise ways and means by which this prejudice in the minds of the masses can gradually be overcome. I believe that if 50 per cent of the constables to be enrolled in future are taken from the depressed classes, and if a proportionate number of people of these communities are taken as head constables and sub-inspectors, it would be taking a practical step to overcome this prejudice which exists in the minds of the masses of the people. The policeman is entitled to arrest by touch any member of any community, be he a Brahman or a non-Brahman, and in his daily round he comes in contact with all classes of people. He is a man whom, nobody, however high may be his caste, community or office, can afford to despise. Once this prejudice is got rid of in this way, it would be easy for the depressed classes to assert their rights and take their proper place with all the other communities in the country."

The hon. Sir **NORMAN MARJORIBANKS** :—"Mr. President, the object of this motion is to urge upon the attention of Government the poor representation of the depressed classes in the services. I do not wish it to be thought that I consider that they are well represented, but I would ask those who have spoken on the subject to remember that after all we have to recruit to the service people who have some standard of literary education, and it is an unfortunate fact that the members of this class have not generally speaking been educated to the same extent as other members of the community. I do not mean that there is any reproach in this, but I suggest that the first necessary measure in the improvement of the depressed classes is to increase the opportunities for their education and give special opportunities for the promising ones amongst them to advance and get the benefit of higher and collegiate education. I do not know whether it is meant to suggest that Government are placing any obstacles in the way of the members of this community from entering the public services. There are certainly no rules to that effect and there is no spirit of opposition whatever. The figures show that in the lowest grade, the grade through which usually clerks enter service, the number in the Government service has risen from 1,000 to 1,800—an increase of 800 in the last four years. That is something. I do not say it is enough. It shows that Government have not been throwing obstacles in their way. No suggestion has however been made from either side of the House as to what we should do to get more members of this community into the service. Any suggestion of this kind would have been very welcome. Government proposes, when statutory rules of qualification for public service are made under the Devolution Rules, to require that a certain definite

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proportion of the recruitment shall be from the depressed classes. These rules, however, we cannot bring into force until a Public Services Commission is established and we hope that it will not be very long before that takes place."

The motion that the allotment of Rs. 53,200 for Charges of Administration be reduced by Rs. 100 was put to the House and carried.

* **Mr. C. GOPALA MENON** :—"I beg to move

'The allotment of Rs. 48,000 for pay of officers be reduced by Rs. 100.'

"I wish to ascertain why sufficient reduction in expenditure has not been effected on survey and settlement in view of the retrenchment effected on survey parties. I find from the budget that the revised estimate for 1927-28 is Rs. 23,78,000 while the budget estimate for 1928-29 is Rs. 27,43,800, an increase of about four lakhs of rupees. One party was abolished during the year and there was a proposal to abolish another party; but we find that that party has been retained and the original proposal of the abolition of two parties has not been carried out. Is it due to the fact that sufficient funds were forthcoming or is it due to any other reason? We should like to know from the Government the reason why there has been an increase of four lakhs under this head."

* The hon. Sir **NORMAN MARJORIBANKS** :—"Sir, I am sorry I do not quite catch where the hon. Member got the four lakhs from. The figure Rupees 48,000 is the allotment provided for the pay and leave allowances of the Director of Survey, two Assistant Directors and a photographic and printing expert. The retention or abolition of the survey parties would not affect the strength of the Central Survey office. I do not know what other figures the hon. Member refers to.

"Apparently he refers to settlement, and the explanation for that is to be found in the Budget Memorandum at page 22—

"The increase in the budget estimate for 1928-29 as compared with the revised estimate for 1927-28 is due partly to the change in classification by which recoveries from municipalities, unions, estates and private persons of expenditure on survey operations conducted by the Government staff are shown as receipt from 1928-29 instead of as deduction from charges under this head and partly to enhanced provision for resettlement work which is expected to be in progress over a larger area than in the current year. The increase is partly set off by smaller provision under "Survey Parties" due to the abolition of a party."

Mr. C. GOPALA MENON :—"I am not pressing the motion."

The motion was, by leave, withdrawn.

* **Mr. D. NARAYANA RAJU** :—"Mr. President, Sir, I move

'to reduce the allotment of Rs. 26,11,300 for Survey and Settlement by Rs. 100.'

"I desire to express disapproval of the proposals of the Special Settlement Officer contained in his resettlement scheme report for Kistna, West Godavari and East Godavari districts. The scheme report of the Special Settlement Officer who carried on resettlement operations in these districts was recently published. The proposals of the Special Settlement Officer are to enhance the present rates to the maximum possible extent allowed under the present policy of the Government uniformly for all lands irrespective of their fertility and irrespective of their irrigation and drainage facilities. My first complaint with regard to the proposals of the Special Settlement Officer is this: he conducted his enquiries in an one-sided manner. The people concerned were not given fair and adequate opportunities to make any

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representations with regard to the matters investigated by him. Of course the usual notification was published in the district gazettes concerned. But the notification was very vague and general. What he was going to make enquiries of and to investigate were not specified in that notification. When the Secretary of the Godavari District Association wrote to the Settlement Officer to know on what matters he was going to make enquiries, on what matters he was going to receive representations from the people, whether he was going to issue any questionnaire or at least specify the heads under which the enquiries would be classified; at first he replied that he would issue the questionnaire or let know the heads under which he was going to make enquiries. He subsequently under instructions from above, either from the Board of Revenue or the Government, declined to issue any questionnaire or specify the heads under which the enquiries would be carried on. Now from the report we find that he selected certain villages as representative villages. The names of those villages were not given in the report. The public know nothing of these villages. People were not in a position to make any representation with regard to the enquiries in these villages. The selection of the villages as representative villages and the enquiries the Settlement Officer made with regard to the economic condition of the people of these villages were carried on at the back of the people concerned. This enquiry without any reference to the people concerned landed the officer in very grave errors. I shall refer to one or two errors which he would have avoided if he had only taken care to consult the people concerned. For instance in carrying on his investigations into the economic condition of the people of the villages he based his judgment on the indebtedness of the people, on the number of mortgage bonds registered in the Sub-Registrars' offices and on the statistics of the co-operative societies in those villages. With regard to mortgages he gives the figures of all mortgages with or without possession registered in Sub-Registrars' offices for groups of selected villages in the years 1901 and 1924. Then come his conclusions from those figures. He remarks 'the most striking feature of the figures is that the number of transactions despite the increase in population, pattas and occupation has decreased by 16 per cent in the delta and 22 per cent in the uplands.' Thus he concludes that the indebtedness of the villagers has decreased instead of increasing despite the increase in population, pattas, occupation, etc. If he had consulted any persons who were conversant with the life of the rural and petty ryots he would not have come to this conclusion. The decrease is due to the fact that the money-lenders have, of late, begun not to take mortgage bonds. Since the income-tax rates were increased and since the income-tax officials began to have close watch over the transactions of the money-lenders, naturally the money-lenders wanted to avoid income-tax, and suppress all evidence of their money-lending business to that end. Therefore except in very rare cases and as a last resort they would not lend money to the ryots on mortgage bonds. The debtors also are generally disinclined to execute mortgage bonds. Once they mortgage their property, no other money-lender would lend moneys to them. The debtor would be a slave to the money-lender to whom his property was mortgaged. The agriculturists would therefore be unwilling to bind themselves by mortgaging their properties to any single money-lender. The money-lenders take mortgage bonds only in cases where the financial condition of the debtors has grown shaky. That this is so is borne out by a remark of the Special Settlement Officer himself in the scheme report. He says that the most

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common purpose of these transactions is to repay old debts. He also admits that the number of debtor agriculturists has apparently increased and that of creditor agriculturists has fallen. That fact he could not hide even from the limited scope of his enquiry. His theory that because there was decrease in the number of mortgage bonds there was no increase in the indebtedness of the villages is fallacious. No opportunity was given to the people of the villages which he chose to call representative villages to show what other debts they had incurred on pro-notes by pledging jewels and on running accounts with the money-lenders. The Settlement Officer never took care to inquire whether the ryots of the villages had got any debts on pro-notes, etc.

"The next point is that the Settlement Officer judged the indebtedness of the people from the transactions of the co-operative credit societies in the representative villages. With regard to co-operative credit societies it has been the experience of officials and non-officials who had anything to do with them that the societies are not in a position to cover the whole indebtedness of the villagers concerned. It is a fact that the indebtedness evidenced by the transactions of the co-operative societies is but only a fringe of the real indebtedness of the people of the village. There are several reasons for that. For instance, if a ryot wants occasionally to borrow Rs. 500 from a co-operative society he has to pay not less than Rs. 50 by way of share money in the co-operative societies. Even after the repayment of the loan of the Rs. 500 he would not be in a position to get back that sum of Rs. 50 of his share money. It will be locked up for all time to come. The ryots who want occasional loans cannot afford to have their share money locked up in co-operative societies. There are several other reasons. The co-operative societies also are not eager to give loans to the agriculturists to repay their old loans; they give only short term loans and it works a great hardship on the ryots if they took these short-term loans. So, the transactions of the co-operative societies do not really represent the whole indebtedness of the villagers."

* The hon. the PRESIDENT:—"The hon. Member may consider the desirability of giving an opportunity to hon. Members Messrs. Ramasamayajulu and K. V. R. Swami to speak on the motion because the whole demand is to be guillotined at 5 o'clock. The hon. Member may also have the advantage of hearing the Government Member if he adjusts the time."

* Mr. D. NARAYANA RAJU:—"I do not want to go into greater length than this. I would only like to refer to one remark made by the hon. the Revenue Member in the course of his reply on another subject this afternoon. He said that the scheme report of the Special Settlement Officer was published some months ago and that no criticism came forward till now. I shall just point out the facts. The report purports to have been published in December. But copies were not available for sale to the public. According to the notification in the *Fort St. George Gazette* this scheme report was placed at the disposal of the Press about 28th February. The public were not able to get copies. With regard to myself I applied for a copy of this report about the middle of January to the Government through the Secretary to the Legislative Council. I did not get a copy till now. Again, when the papers were available for sale according to the notification in the *Fort St. George Gazette* on the 28th February, I applied direct to the

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Superintendent, Government Press, to supply me with a copy. I did not get one till now. So it has not been found possible for the public to offer any criticism as yet."

* The hon. Sir NORMAN MARJORIBANKS:—"No orders have been passed on the report. The hon. Member mistook me if he thought that I said that no criticism had been received. There is plenty of time to receive criticisms."

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* Mr. D. NARAYANA RAJU:—"I want that time should be given to Members to study the report and would request Government to stay their hands and not pass any orders on the report. Several things in the report will have to be criticised after investigation as the report itself is absurd in several points. Sir, I will take another opportunity to criticise the report in detail."

* Mr. C. RAMASOMAYAJULU:—"Sir, I am glad for the chance which I have been able to obtain for I am very particular about this motion. Our chief grievance is this. The inquiry ought not to have been left to an officer who was naturally anxious to show increase in revenue. The conclusions that have been arrived at by the Settlement Officer are these, that the land value has increased from 2 to 5 times, the rentals from 2 to 3 times, that there is an increase in the material prosperity of the people, that communications have improved, that more money was spent on luxuries and that rural indebtedness is not acute. These are the conclusions that Mr. Holdsworth has come to and I will deal with them seriatim. With reference to his statement that land value has increased from 2 to 5 times, my point is this: it does not mean that the prosperity has increased or that the value of the land has really increased. I would point out to the members on the Treasury Benches that there is no other thing but land in which people can invest their money. Therefore, land being the only investment to which the ryots can possibly have recourse to, they must necessarily go in for it. Therefore it is the inflated and artificial value of the land and not the real value. With regard to the statement that the rental value has increased from 2 to 3 times, I would point out again that these people who are by tradition and their habits and customs habituated to only one kind of industry, namely, agriculture, necessarily have recourse to competition in taking lands on lease, even risking the absence of profit. As thus there will be a number of competitors, the rental value of the land has risen and inflated."

"With reference to the rural indebtedness, I want to make one or two observations. Rural indebtedness has increased from 7 to 13 lakhs (approximately) from 1901 to 1924, the number of debtors has increased from 1,181 to 1,515 and the number of creditors has decreased from 1,487 to 1,033. It will be seen from these that rural indebtedness has increased and not decreased as it is sought to be made out. As my friend Mr. Narayana Raju has pointed out, registered mortgages and co-operative societies cannot show the real indebtedness of the agriculturists. You will have to know something about the usurious interest payable to the sower. The percentage of indebtedness towards luxuries in 1901 and 1924 is the same. If we take all these into consideration, we will find that rural indebtedness has increased a great deal. With reference to the years that were taken as the standard, Sir, the Settlement Officer has taken 20 years from 1923 backwards. The report says that there were no famine years among these 20 years. Sir, this

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is an astounding statement. The years 1918-19 and 1919-20 were famine years although according to the Code they were not declared to be so. No man can deny it. With reference to cultivation expenses, the scheme report says the Samalkota farm shows the expenses to be Rs. 50 or 60 per year but awards only 36 rupees per year, and the conclusion is arrived that revenue ought to be raised to the maximum of 18½ per cent. My point is this, that there is hardly any use in increasing the rate to 18½ per cent, as this is sought to be realised from the people. One other strong grievance is that no attention was at all paid to the increased cost of living. This is a serious omission in the scheme report. If the Government is really anxious for the contentment of the people in the land, the scheme should be cancelled and Government should take proper steps to approach for information the people who have got the real capacity to give it."

* The hon. Sir NORMAN MARJORIBANKS:—"Sir, the scheme report has been published for criticism. Government have to consider the report yet, and then pass orders thereon. There is plenty of time for criticisms to be received by the Government, and what hon. Members have said will be taken into consideration."

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

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|--------------------------------------|---|
| 1. Mr. J. Bheemayya. | 17. Mr. B. S. Mallayya. |
| 2. " R. Nagan Gowda. | 18. " C. Marudavanam Pillai. |
| 3. " C. R. Parthasarathi Ayyangar. | 19. " M. Narayana Rao. |
| 4. " K. Chavadi, Subrahmanya Pillai. | 20. " A. Parasurama Rao Pantulu. |
| 5. " Sumi Venkatachalam Chetti. | 21. " C. Ramasomayajulu. |
| 6. " S. Satyamarti. | 22. Basheer Ahmad Sayeed Sahib Bahadur. |
| 7. " C. V. Venkataramana Ayyangar. | 23. Mr. P. Baktavatsulu Nayudu. |
| 8. " T. Adinarayana Chettiyar. | 24. " A. Kaleswara Rao. |
| 9. " P. Anjaneyulu. | 25. " R. Srinivasa Ayyangar. |
| 10. " J. A. Faldanha. | 26. " L. K. Tulaseiraw. |
| 11. " C. S. Govindaraja Mudaliyar. | 27. " K. R. Karant. |
| 12. " G. Hariarvottama Rao. | 28. " K. Madhavan Nayar. |
| 13. " C. N. Mathuranga Mudaliyar. | 29. " C. Venkatarangam Nayudu. |
| 14. Abdul Hamid Khan Sahib Bahadur. | 30. " S. Muthiah Mudaliyar. |
| 15. Mr. K. V. R. Swami. | 31. " P. Siva Rao. |
| 16. " D. Narayana Raju. | 32. Rao Bahadur B. Muniswami Nayudu. |

Noes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 14. The Zamindar of Seithur. |
| 2. " Khan Bahadar Muhammad Usman Sahib Bahadur. | 15. Mr. J. A. Davis. |
| 3. " Mr. T. E. Moir. | 16. Subadar Major S. A. Nanjappa Bahadur. |
| 4. " Mr. A. Y. G. Campbell. | 17. Mr. N. Siva Raj. |
| 5. " Dr. P. Subbarayan. | 18. " M. V. Gangadhara Siva. |
| 6. Dr. (Mrs.) Muthulakshmi Reddi. | 19. " V. I. Muniswami Pillai. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 20. " S. Subrahmanya Moopanar. |
| 8. Mr. H. A. Watson. | 21. " D. Thomas. |
| 9. " G. T. Boag. | 22. " K. Krishnan. |
| 10. " A. McG. O. Tampoe. | 23. " S. N. Dorai Raja. |
| 11. " S. H. Slater. | 24. Swami A. S. Sahajanandam. |
| 12. " O. B. Cotterell. | 25. Mr. R. Srinivasan. |
| 13. " P. J. Gnanavaram Pillai. | 26. Syed Tajudin Sahib Bahadur. |

Ayes 32. Noes 26.

The motion was carried.

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* Mr. K. R. KARANT:—"Sir, it is my misfortune that this has come at the last. I move

'to reduce the allotment of Rs. 26,11,300 for Survey and Settlement by Rs. 100' (To drop the resurvey in South Kanara except for the area covered by the old Kasaragod taluk.)

"Sir, there was no necessity for the resurvey which is being done now. For the area already covered now, which is about six hundred square miles, the public had to bear a cost of a lakh and thirty-five thousand rupees. If the whole district has to be resurveyed, it will cost about 5 lakhs to the people and it will be quite unnecessary as the last survey was good. I therefore request hon. Members to support this motion."

Mr. J. A. SALDANHA:—"Sir, I second the motion."

* The hon. Sir NORMAN MARJORIBANKS:—"Sir, this subject of the resurvey of the South Kanara district was one that has been receiving the attention of the Government for some time past. Hon. Members who come from South Kanara, I understood, promised to assist in a decision in this matter by looking into the matter themselves, and letting Government know whether they thought that the record was so defective and inaccurate that it would be detrimental to the ryots' interests not to replace it. I do not know whether any of them have done so. I do not know if the objection is raised on the ground that they examined the matter and found that the records are sufficiently good to form the basis for recording additional changes, or whether it is merely on the ground that it will cost money to prepare new records that they do not wish a resurvey be made. As the larger portion of the cost of any resurvey would have to be paid from public funds, Government are naturally not anxious to incur any expenditure if it can be avoided, but the only reports received so far go to show that the record is incorrect and it is difficult to make any record of further changes on it, and that the interests of the ryots will suffer if a correct record is not prepared. If, after a proper examination of the matter, it is found that the record is sufficiently good, Government have not the slightest desire to spend money on resurveying. I was told that, after my consultation with hon. Members from the South Kanara district they would make local enquiries and give me the result of their experience. It is for that reason that the matter has been kept pending and no decision yet come to as to whether we should take up for resurvey any area other than that already covered."

The motion was put and carried.

The hon. the PRESIDENT:—"It being now 5 o'clock, I shall put the demand to the vote of the House. The question is that Government be granted under Demand I—Land Revenue Department, a sum of Rs. 260 lakhs minus Rs. 600."

The motion was put and carried and the grant made.

* The hon. the PRESIDENT:—"The House will now adjourn and re-assemble to-morrow at 11 o'clock."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 1728 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 14th March 1928, page 86 supra.]

G.O. No. 328, Law (Education), dated 17th February 1928.

Read—the following paper:—

From the Director of Public Instruction, R.O. No. 2266-D/27,
dated 5th January 1928.

Order—No. 328, Law (Education), dated 17th February 1928.

In his letter read above, the Director of Public Instruction raises the following questions:—

(1) Whether the appointment of an L.M.P. in a secondary school as physical director and medical inspector is in order; and

(2) whether in case an L.M.P. entertained on the staff of a secondary school for teaching a technical subject like physiology discharges duties connected with the medical inspection of pupils, the teacher's pay may be reckoned for purposes of teaching grant, and if so, on what basis.

2. In regard to the first query, the Government observe that there is no objection to the appointment of an L.M.P. as a full-time member of the staff for the purposes indicated, provided the L.M.P. holds a physical training instructor's certificate, or his aptitude for undertaking the duties of physical director is certified to by the Advisor to Government on physical education.

The question of grant-in-aid when the L.M.P. conducts medical inspection of pupils in addition to the delivering of lectures on physiology and first aid will depend on the time devoted by the teacher for discharging these functions. Ordinarily conduct of medical inspection coupled with the teaching of physiology may not give full-time work to an assistant. In such cases it is open to the Director of Public Instruction to make a suitable deduction in the salary paid to the assistant while assessing the teaching grant to the institution.

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

P. SITABAMAYYA,
Secretary to Government.

To the Director of Public Instruction.
" Local Self-Government Department.

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APPENDIX II.

[Vide answer to question No. 1731 asked by the Raja of Ramnad at the meeting of the Legislative Council held on the 14th March 1928, page 88 supra.]

1

Letter R.O.C. No. 272-G of 1925, dated 26th July 1927, from the President, District Board, Madura.

[Madura District Board Office Buildings.]

I have the honour to submit herewith a copy of letter received from the District Board Engineer in the matter.

Copy of communication, R.O.C. No. 299-D of 1927, dated 15th July 1927, from the District Board Engineer, Madura, to the President, District Board, Madura.

The foundation work for the new District Board office building at Madura was started in April 1926. The building is about 200 feet by 52 feet. At the time of construction, it was considered necessary to shift the site of the building about 40 feet to the east. In the western portion, kankar soil was met with at a depth of 8 to 9 feet below ground level and in the eastern portion, compact sand was met with at a depth of 10 feet and kankar at a depth of 13 to 14 feet. Consequently, sand filling in the foundation had to be done for varying depths up to the level of bottom of concrete. The sand filling was done properly in layers of 1 foot, well watered and consolidated. The work was finished up to the top level of basement by the end of September 1926. On the 30th and 31st October 1926, there was very heavy rainfall of 8 inches in less than 48 hours. Two or three days after the rains, six cracks appeared in the masonry—five in the cross walls and one in the northern veranda retaining wall. The main walls all round and the other portions are quite intact.

The work was executed as carefully as possible, the materials used being all of good quality. The lime for the work was manufactured at the spot under proper supervision.

The cracks have been since minutely examined by opening the sub-soil up to the bottom of concrete. It was found that, only in two places fine hair cracks extend to the bottom of concrete. In the remaining four places, the cracks exist only in the masonry and extend only up to the top of concrete. Since November last, there has been no further development in the cracks.

The Chief Engineer and the Superintending Engineer have both inspected the building after the cracks appeared. As per orders of the Superintending Engineer some tests were conducted about the middle of the last month to find out if the settlement of the foundation was complete. Cement tell-tale pats were put on the lines of the cracks at vertical intervals of 1 foot and the whole of the sand filling was flooded with water equivalent to 8 inches of rainfall in 24 hours with the aid of a 4 inches centrifugal pump. Levels were taken at about 60 points on the top of basement, both before the flooding and also six days after the flooding. During this interval, there was also a heavy rainfall of 4 inches in 2 hours. The levels indicate that there has been no settlement whatever of the foundation as a result of the flooding nor was there any development in the cracks.

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The cracks are not due to any defect in the work. The position and the nature of the cracks in the five cross walls show, that the principal cause is due to the unbalanced hydraulic pressure of the water which fell within the walls during the heavy rains tending to push outwards the exterior walls which has caused cracks in the weakest portion in the masonry, the mortar in the interior not having properly set.

As the foundations for the eastern and western portions vary on account of the depth of the kankar soil below, the only precaution that has now to be undertaken is to make suitable arrangements for distributing the load uniformly over the entire area. The results of the tests arrived at have been reported to the Superintending Engineer and proposals submitted for rectifying the local defects in the cracked portions and for laying a ferro-concrete slab just below the floor level for distributing the load. The work will be resumed as soon as final orders are received on the proposals.

II

Letter from the President, District Board, Madura, dated 6th October 1927, R.O.C. No. 272-G. of 1925.

I have the honour to submit herewith copy of the District Board Engineer's report as to the present condition of the District Board office building.

Letter from the District Board Engineer, Madura, to the President, District Board, Madura, dated 28th September 1927, R.O.C. No. 868 of 1927.

I have the honour to state that I examined the District Board office building on the 24th instant. The cracks which originally appeared at the beginning of November 1926 have not since developed in the least. The cement tell-tale pats fixed at intervals of 1 foot along the line of the cracks are all quite in-tact. The total depth of rainfall from November 1926 to September 1927 (up to the date of my inspection) comes to 21.08 inches. The rainfall was heavy on the following dates, as noted below:—

22nd June 1927	...	...	...	4.15 inches.
1st August 1927	...	...	...	2.42 "
10th September 1927	...	...	...	1.18 "
21st September 1927	...	...	...	1.60 "

The foundations of the present office building which has got a first floor, have been carried only to a depth of 4½ feet below ground level and the building has been standing well for the last 40 years. The sub-soil in the building is not of a treacherous nature. In the western portion, kankar has been met with at 8 to 9 feet depth and in the eastern portion, compact sand has been met with at a depth of 10 feet and kankar at about 14 feet. In 4 out of 6 places the cracks do not extend at all in the concrete. It is only in two places, fine hair cracks can be traced in the concrete. As I have already submitted, the cracks are due partly to the hydraulic pressure of the water on the masonry during the exceptionally heavy rains, when the mortar in the masonry had not properly set, and partly to the natural consolidation of the sand filling under the concrete. The fact that there has been no further development in the cracks during the subsequent heavy rains shows that the sand in the foundations has thoroughly consolidated.

[14th March 1928]

A copy of my report R.O.C. No. 868/27, dated 22nd June 1927, sent to the Superintending Engineer, Trichinopoly Circle, submitting proposals for further procedure is herewith submitted. The work will be resumed as soon as final orders are received on the proposals.

Letter from the District Board Engineer, Madura, to the Superintending Engineer, Public Works Department, Trichinopoly Circle, dated 22nd June 1927, R.O.C. No. 868 of 1927.

I have the honour to state that as per instructions received in person at Kodaikanal, I conducted the following test recommended by Messrs. Jackson and Barker in the District Board Office building under construction :—

(i) Cement tell-tale pats $6'' \times 2'' \times \frac{1}{2}''$ thick were put on the lines of the cracks at vertical intervals of 1 foot.

(ii) An earthen bund 5 feet wide was placed around the exterior of the veranda walls to the full height of the basement and well consolidated. After the bund was formed and consolidated there was also rainfall on 2 consecutive days, nearly $\frac{1}{2}$ inch on each day which helped to further consolidate the bank.

(iii) Levels were taken at about 60 points on the top of basement.

(iv) The whole of the sand filling was flooded with water equal to 8 inches rainfall in 24 hours with a 4 inches centrifugal pump (45,180 gallons).

(v) The tell-tale pats were examined after 6 days and found to have no cracks. Levels were taken at all those 60 points. In almost all the cases, the difference does not exceed .01, thus showing that there has been no appreciable settlement of any portion of the structure after the flooding.

All the cracks were minutely examined by Mr. Barker by digging up to the bottom of the concrete. It is only in two places the fine hair cracks continue to the base of the concrete and in all other places, the concrete is quite intact.

There has been practically no load on the foundation bed. As remarked by Mr. Barker, the cracks should be due to the unbalanced hydraulic pressure of the water which fell on the basement during the heavy rain of 8 inches in 48 hours brought to bear on the exterior walls, causing cracks in the weakest portion of the masonry in the cross walls.

As regards the cracked portions, the following arrangement is suggested in Mr. Barker's report for strengthening the same :—

To encase the concrete foundations and walls for a length of 5 feet on each side of the crack with expanded metal $1\frac{1}{2}'' \times \frac{1}{4}'' \times 7\frac{1}{2}$ lb. per square yard, secured to the concrete and joints in the masonry with stout iron staples, the expanded metal to be plastered with cement mortar (1 : 2) 1 inch thick. The top course over the basement for a depth of 9 inches has now been removed leaving only the outstone plinth which covers a width of 9 inches over the veranda retaining walls. The masonry in the foundation consists of 3 layers each 1 foot high.

As the joints are nearly vertical in 2 or 3 places, and as the depth of the existing masonry is only $5\frac{1}{2}$ feet, I would suggest in lieu of the above proposal of Mr. Barker, the following arrangements :—

(i) The masonry on either side of the crack for a length of 3 feet to be demolished.

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(ii) Just over the concrete, a ferro-concrete slab 6 feet long and 1 inch thick to be laid to the full width of the concrete, reinforcement being of iron rails placed 9 inches apart.

(iii) The remaining courses to be rebuilt with suitable bond stones. The total cost of this work including the ferro-concrete slab over the concrete comes to Rs. 600. I solicit the favour of orders whether this alternative arrangement may be adopted.

Secondly, as the foundation for the eastern and western halves vary, it is highly essential that a ferro-concrete slab should be laid over the walls all through, so as to prevent any unequal settlement under the load. As the depth of the outstone plinth is 9'', the proposed slab with its top at the floor level will have to be laid to a thickness of 9''. In this connection, two alternative arrangements are proposed in Mr. Barker's report—

(i) To lay a continuous ferro-concrete slab over all the walls with its top at the floor level.

(ii) To lay and thoroughly consolidate 1'' gauge brick jelly about 2'' thick over the area hachured in red lines in the plan and to form a continuous ferro-concrete slab in the middle portion and also to cover the verandah retaining wall and main walls, the floor slab being kept $1\frac{1}{2}''$ below the portion over the walls which should be ultimately finished with granolithic paving $1\frac{1}{2}''$ thick.

The first proposal costs Rs. 3,400 and the second one an additional sum of Rs. 6,000. Taking the cost of re-building the masonry in the cracked portions, the total cost of the first proposal will come to Rs. 4,000 and that of the second proposal Rs. 10,000. From the results of the tests conducted, it will be quite enough, as per the suggestions of Mr. Barker, to carry out the first proposal. But, having regard to the heavy structure that is proposed to be built, the unequal nature of the foundations and the proximity of the river close by, I am of humble opinion that the second alternative proposal may be carried out. I consider it would be worth spending this additional sum of Rs. 6,000 which will secure the building against all possible dangers due to the disturbance of the foundation bed during high floods.

[14th March 1928]

APPENDIX III.

[Vide answer to question No. 1743 asked by Mr. R. Nagan Gowda at the meeting of the Legislative Council held on the 14th March 1928, page 95 supra.]

CLAUSE A.

List No. 1.

Villages in which land revenue was suspended or remitted in fasli 1333.

Bellary taluk.

Revenue for fasli 1333 suspended in 106 villages.

Names of villages.	Names of villages.	Names of villages.
MOKA FIRKA.	TEKKALAKOTA FIRKA—cont.	BELLARY FIRKA—cont.
Herihadagalli.	Hagalur.	Chandur.
Basarakodu.	Kuriganur.	Kammurchedu.
Gotur.	Motasugur.	
Kallukutikirahal.		KURUGODU FIRKA.
Masudipuram.	BELLARY FIRKA.	Nulludi.
Banapuram.	Aladahalli.	Yemmiganur.
Vanenur.	Honnahalli.	Guthiganur.
Karichedu.	Bolagal.	Patiruarugur.
Sindhavalam.	Mundrigi.	Orvoy.
Bennikal.	Haraganadana.	Chitikanah.
Yerragudi.	Janikunta.	H. Virapuram.
Moka Gonahal.	Kuppegalla.	Kyadigihal.
Bommanahal.	Jalilenohi.	Mushtigatta.
Jalihal.	B. Gonahal.	Karikeri.
Moka.	Andrahal.	Kallukbamtani.
Bhyradevanhalli.	Bisalaballi.	Kurugodu.
Konikallu.	Haddinagundu.	Genikihal.
Karekal Virapuram.	Bevinahalli.	Sindigori.
Sidiginamola.	Sankarabanda.	Bylur.
Chaganur.	Bobbakunta.	Dammurkagga.
Peramadevanhalli.	Ibharampuram.	Dammur.
Meenahalli.	Sirivaram.	Koher.
Joladarasi.	Sanganakal.	Somanundaram.
Chellagurki.	Kolegal.	Vaddihatti.
Yalpakagga.	Asundi.	Bademabatti.
Lingadevanhalli.	Mincheri.	Siddamanahalli.
Rayapuram.	Sanjeevarayankota.	Yellibenchi.
	Burranayakanahalli.	Thimarapuram.
	Sredaraghatta.	Kudatani.
TEKKALAKOTA FIRKA.	Bellary.	Veniveerapuram.
Darur.	Godehal.	Yerra Inagligi.
Sanavasapuram.	Amarapuram.	Sirigeri.
Budiguppa.	Kakkebevinahalli.	Hairnahal.
Karoor.	Tagginabuddihal.	Gundiganur.
Uttanur.	Halakundi.	Handihal.
Uloor.	Patrabudihal.	Channahal.
Hagalurhosahalli.	Tholamamidi.	Gudadur.
	Yethinabudihal.	Korlagundi.

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Revenue for fasli 1332 remitted in 32 villages.

Names of villages.	Names of villages.	Names of villages.
MOKA FIRKA.	MOKA FIRKA—cont.	BELLARY FIRKA.
Herihadagalli.	Karekal.	Honnahalli.
Gotur.	Karekal Veerapuram.	
Kallukutikanahal.	Joladarasi.	KURUGODU FIRKA.
Masudipuram.	Chellaguriki.	Guthiganur.
Banapuram.		Chitikanahal.
Vanenur.	TEKKALAKOTA FIRKA.	H. Virapuram.
Karichedu.	Budiguppa.	Mushtigatta.
Sindhavalam.	Uttanur.	Dammur.
Yerragudi.	Uloor.	Havinahal.
Moka Gonahal.	H. Hosahalli.	Gundiganur.
Bommanahal.	Hagalur.	Channahal.
Jalihal.	Kuriganur.	
	Motasugur.	

Revenue for fasli 1332 suspended in 18 villages.

Names of villages not available.

Rayadrug taluk

Revenue for fasli 1333 suspended in 41 villages.

Names of villages.	Names of villages.	Names of villages.
Bollanaguddam.	Bidarukontha.	Singanahalli.
Bommanahal.	Vyasapuram.	Sridaraghatta.
Govindawada.	Meenahalli.	Uddihal.
Kuruvalli.	Garudachedu.	Untakal.
Kolaganahalli.	Thumbigavur.	Polakurthi.
Kalludevanaahalli.	N. Hanumapuram.	Nagalapuram.
Doddaghatta.	Solapuram.	Elaniji.
Kudloor.	Rakatta.	Somapuram.
Kadalar.	Peddakowkuntla.	Ganigera.
Bennical.	Rauapuram.	Hiradahal.
Yerragunta.	Hanahanahal.	Harosamudram.
Kanekal.	Malyam.	Bandur.
Udegolam.	Kalekurthi.	Namakal.
Bhramasamudram.	Hulikera.	

Revenue for fasli 1333 remitted in 24 villages.

Names of villages.	Names of villages.	Names of villages.
23. Hulakal.	70. Ka'ugodu.	79. Rayadrug.
24. Muradi.	71. Belodu.	80. Virapuram.
61. Nagiredipalli.	72. Baginaikanahalli.	81. Pulakunta.
62. Junjurampalli.	73. Udegulam.	82. Gollapalli.
63. Avuladotla.	74. Kontanapalli.	83. Galagala.
65. Gramadotla.	75. Bonianakal.	84. Mangasamudram.
67. Vadra Honnur.	77. Mallapuram.	85. Talikera.
68. Bhupamudram.	78. Mecheri.	86. Gummagatta.

[14th March 1928]

Revenue for fasli 1332 suspended in two villages.

List No. 2.

Villages in which land revenue of previous faslis was suspended or remitted in fasli 1334.

Bellary taluk.

Revenue for fasli 1333 suspended in 87 villages.

Names of villages.	Names of villages.	Names of villages.
Karuru.	Chitikinabalu.	Kappagallu.
Kuriganuru.	H. Virapuram.	Jalibenohi.
H. Hadagalli.	Musttaghatta.	Gonahalu.
Basarakodu.	Karukodu.	Andrahalu.
Goturu.	Ganikehalu.	Bisalaballi.
Kallukutikinabalu.	Sindigeri.	Haddinagundu.
Masudipuram.	Bailuru.	Bevinahalli.
Banapuram.	D. Kaggalli.	Sankarabanda.
Vananuru.	Dammuru.	Bobbukunta.
Kafohedu.	Koluru.	Ibharapuram.
Sindhavulam.	Somasamudram.	Sirivaram.
Benekal.	Vaddehatti.	Sanganakalla.
Yerragudi.	Badanahatti.	Kolagallu.
Moka.	Siddammanahalli.	Asundi.
Bairadevanahalli.	Yalubenohi.	Mincheri.
Karakallu.	Timnapuram.	Sanjivirayankota.
K. Virapuram.	Kudatini.	Burranayakanahalli.
Sidiginamola.	V. Virayur.	Sidaragadda.
Chaganuru.	Yireongili.	Bellary.
Paramadevanahalli.	Handihalu.	Godehalu.
Minahalli.	Chanahalu.	Tagginbodehalu.
Joladarsi.	Gudaduru.	Amrapuram.
Chellagurki.	Korlagondi.	Kakkabevinahalli.
Rayapuram.	Aladahalli.	Ilalakundi.
Nalludi.	Honnahalli.	Patrabudihalu.
Yemmiganuru.	Belagallu.	Tolanamidi.
Guttiganur.	Mundrigi.	Ettinabudihalu.
Patnasaragu.	Haraganadonna.	Chanduru.
Voravayi.	Janikunta.	Kammaraedu.

Revenue for fasli 1332 suspended in nine villages.

Names of villages.	Names of villages.	Names of villages.
Gosahalu.	Kesavakeri.	Nanginahalu.
Bhairapuram.	Ibarampora.	Nannuru.
Talar.	Bogguru.	M. Sugur.

Half the revenue for fasli 1333 suspended in eight villages.

Names of villages.	Names of villages.	Names of villages.
Sanavasapuram.	Hagaluru.	Budguppa.
Daruru.	Uluru.	Motasuguru.
Uttanuru.	H. Hosnaballi.	

Half the revenue for fasli 1332 suspended in nine villages.

Names of villages.	Names of villages.	Names of villages.
Gujiginahal.	Bagavadi.	Mylopuram.
Arlinganur.	Upparahosahalli.	Chananakavur.
Karohiganur.	Bulakundi.	Nittur.

Half the revenue for fasli 1333 remitted in two villages

Name of village.	Name of village.
Badguppa.	Motasagum.

Half the revenue for fasli 1332 remitted in six villages.

Names of villages.	Names of villages.	Names of villages.
Bagavadi.	Bulakundi.	Chananakur.
Upparahosahalli.	Mylopuram.	Nittur.

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Rayadrug taluk.

Revenue for fasli 1333 suspended in two villages.

Name of village.	Name of village.
Hulikera.	Kalekurthi.

Half the revenue for fasli 1333 suspended in seventeen villages.

Names of villages.	Names of villages.	Names of villages.
Pulakurthi.	Meenahalli.	Ramapur.
Elanji.	Garudachedu.	Sollapur.
Udegollam.	Thumbiganur.	Malyam.
Brahmasamudram.	N. Hanumapur.	Hanakanshal.
Bidurukunta.	Bakatta.	Haresamudram.
Vyasapuram.	Kowkuntla.	

Half the revenue for fasli 1333 remitted in one village.

Name of village.

Rakatta.

List No. 3.

Villages in which the revenue for fasli 1336 was suspended.

Bellary taluk.

Revenue for fasli 1336 suspended in 145 villages.

Names of villages.	Outturn of crops in fasli 1337.	Names of villages.	Outturn of crops in fasli 1337.
Haddinagundu ..	between 6 and 7 annas.	Nalloodi ..	6 annas.
Sankarabandu ..	" 6 and 8 "	D. Kaggallu ..	6 "
Bislahalli ..	" 6 and 6 "	Bylur ..	7 "
Bevenahalli ..	" 6 and 7 "	Sindigiri ..	7 "
Bobbakunta ..	" 6 and 7 "	Karekeri ..	8 "
Ihampuram ..	" 6 and 7 "	Kallukambham ..	8 "
Kammerohedu ..	" 6 and 7 "	Channahalu ..	6 "
Chandur ..	" 6 and 7 "	Handihalu ..	6 "
Tholamamidi ..	" 6 and 7 "	Guduther ..	6 "
Sanganakalla ..	" 6 and 7 "	Orvagi ..	8 "
Sirivaranu ..	" 6 and 7 "	Havenahalu ..	9 "
G. Budihalu ..	" 6 and 7 "	Gudagemur ..	10 "
Burranayakanahalli ..	" 6 and 7 "	Mustaghatta ..	6 "
T. Budihalu ..	" 7 and 7 "	Kyadigahalu ..	6 "
Amrapuram ..	" 7 and 7 "	Gembahalu ..	6 "
K. Bevinahalli ..	" 6 and 6 "	Patnasarugu ..	6 "
Godehalu ..	" 6 and 6 "	Siddammanahalli ..	6 "
Asundi ..	" 5 and 6 "	H. Virapuram ..	6 "
Bhyrudevanahalli ..	5 annas.	Chitikenahalli ..	6 "
Chaganoor ..	6 "	Konohingeri ..	8 "
Y. Kaggal ..	6 "	Dasapuram ..	7 "
Lingadevanahalli ..	6 "	Siddapuram ..	7 "
Yalpi ..	6 "	Bagavadi ..	9 "
Buntanahalu ..	6 "	Kesarakeni ..	9 "
Rupanagudi ..	5 "	Gariganahalu ..	9 "
Rayapuram ..	5 "	Kenchigavoor ..	9 "
K. Virapuram ..	5 "	Chanakanoor ..	9 "
Byalaohinta ..	6 "	Bagguru ..	8 "
Golla Nagenahalli ..	6 "	Ibrampuram ..	8 "
Tambraballi ..	6 "	Seruguppa ..	9 "
D. Naganahalli ..	6 "	Arlinganur ..	9 "
Banapuram ..	6 "	Maiyanahalu ..	9 "
Magudepuram ..	6 "	Devalapuram ..	9 "
Kallukutikinahalu ..	6 "	Venahana Guddam ..	11 "
Gotur ..	6 "	Herakal ..	10 "
Moka ..	6 "	Halecota ..	9 "
Kudutani ..	6 "	Tekkacacota ..	9 "
Thuirmapur ..	6 "	Uppara Horaballi ..	9 "
Yalubenohi ..	6 "	Balakundi ..	7 "

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Bellary taluk—cont.

Revenue for fasli 1886 suspended in 145 villages—cont.

Names of villages.	Outturn of crops in fasli 1887.	Names of villages.	Outturn of crops in fasli 1887.
Malapuram ..	9 annas.	Sidiginamola ..	5 annas.
Budiguppa ..	8 "	Bommanahalu ..	4 "
Gosubalu ..	7 "	M. Gonahalu ..	4 "
Bhyrapuram ..	7 "	Gerragudi ..	4 "
Kuriganur ..	8 "	Hadagalli ..	4 "
Motasugur ..	7 "	Basarakoon ..	4 "
Uttaricor ..	7 "	Karichedu ..	4 "
Ulur ..	8 "	Kurugodu ..	4 "
Talur ..	6 "	Sirigai ..	5 "
H. Hosahalli ..	6 "	Veni Veerapur ..	4 "
Manur ..	6 "	Yerughigi ..	4 "
Sugoor ..	6 "	Guthiganur ..	4 "
Muddatakur ..	7 "	Kolur ..	4 "
Mallapuram ..	7 "	Korlagondi ..	4 "
Nadivi ..	7 "	Yemmiganur ..	4 "
Udegolam ..	7 "	Sanasamudram ..	4 "
Desanur ..	7 "	Sanavasapuram ..	5 "
Jalnunkunta ..	4 "	Darur ..	5 "
Aldahalli ..	4 "	Nittur ..	4 "
Honnahalli ..	4 "	Kappagal ..	5 "
Muedigi ..	4 "	Jalibonchi ..	5 "
Patrabudihalu ..	4 "	Paramadevanahalli ..	5 "
Andrahala ..	4 "	Meenahalli ..	5 "
B. Gonapalu ..	4 "	Chellagurki ..	5 "
Sidaragadda ..	4 "	Karekal ..	5 "
Bellary ..	4 "	Jalihalu ..	5 "
Halakendi ..	4 "	Bennikal ..	5 "
Mincheri ..	4 "	Sindhavalam ..	5 "
Sanjivarayanikota ..	4 "	Vanenur ..	5 "
Kolagal ..	4 "	Dammur ..	5 "
Haraganadona ..	4 "	Vaddebattu ..	5 "
Belagal ..	4 "	Badanahatu ..	5 "
Joladarasi ..	4 "	Hagalur ..	5 "
		Karur ..	5 "

Rayadrug taluk.

Revenue for fasli 1886 suspended in 42 villages.

Names of villages.	Outturn of crops in fasli 1887.	Names of villages.	Outturn of crops in fasli 1887.
Benikal ..	7 annas.	Pulukurthi ..	5 annas.
Honnur ..	8 "	Yelangi ..	5 "
Vysapuram ..	7 "	Doddaghatta ..	5 "
Bidrukuntha ..	7 "	Pakatta ..	5 "
Meenahalli ..	7 "	Peddakoukuntla ..	5 "
Garudachedu ..	7 "	Brshmasamudram ..	5 "
Thumbiganur ..	7 "	Yerragunta ..	5 "
N. Haranapuram ..	8 "	Hulikeri ..	6 "
Sollapuram ..	7 "	Namakal ..	6 "
Mylarampalli ..	8 "	Untakal ..	6 "
Rampapuram ..	8 "	Bommanahalu ..	6 "
Hanakanahalu ..	7 "	Siddarampalli ..	6 "
Kalekenteu ..	7 "	Haresamudram ..	6 "
Malyam ..	7 "	Uddebattu ..	6 "
Udegolam ..	8 "	Nagalapuram ..	6 "
Kurivalli ..	7 "	Somalapuram ..	6 "
Bollanagudda ..	8 "	Kolaganahalli ..	6 "
Kalludevanahalli ..	7 "	Sreedharaghatta ..	6 "
Bandur ..	7 "	Gaingera ..	6 "
Govindavada ..	7 "	Kadur ..	6 "
Singanahalli ..	7 "	Kadalur ..	6 "

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CLAUSE B.

List No. 4.

Villages in which suspended revenue of previous faslis was collected in fasli 1885.

Bellary taluk.

Suspended revenue of fasli 1883 collected in 87 villages.

Names of villages.	Names of villages.	Names of villages.
Karuru.	Chittikinhala.	Kappagallu.
Kuriganur.	H. Virapuram.	Jalibonchi.
H. Hadagalli.	Mushtaghatta.	Gonahalu.
Basarakodu.	Karukodu.	Andrahala.
Goturu.	Ganikahalu.	Bisalhalli.
Kallukutikinhala.	Sindigeri.	Haddinagundu.
Masudipuram.	Bailuru.	Bevinahalli.
Sanapuram.	D. Kaggalli.	Sankarabanda.
Vanenuru.	Dammuru.	Bobbukunta.
Karichedu.	Koluru.	Ibharapuram.
Sindhavalam.	Romasamudram.	Sirivaram.
Benekal.	Vaddebhatti.	Sanganakallu.
Yerragudi.	Badanahatti.	Kolagallu.
Moka.	Siddammanahalli.	Asundi.
Bairadevanahalli.	Yalubonchi.	Mincheri.
Karekallu.	Timmapuram.	Sanjivirayanikota.
K. Virapuram.	Kudatini.	Burranayakanahalli.
Sidiginamola.	V. Virayur.	Sidaragadda.
Chaganur.	Yirongilli.	Bellary.
Paramadevanahalli.	Handihalu.	Godehalu.
Minahalli.	Chanahalu.	Tagginbudehalu.
Joladarasi.	Gudaduru.	Amarapuram.
Chellagurki.	Korlagondi.	Kakkabevinahalli.
Rayapuram.	Aladahalli.	Halakundi.
Nalludi.	Honnahalli.	Patrabudihalu.
Yemmiganur.	Belugallu.	Tolamamidi.
Guttiganur.	Mundrigi.	Ettinabudihalu.
Patnasaragu.	Haraganadona.	Chanduru.
Voravayi.	Janikunta.	Kammarachedu.

Suspended revenue of fasli 1882 collected in nine villages.

Names of villages.	Names of villages.	Names of villages.
Gosahalu.	Kesavakeri.	Nanginahalu.
Bhairapuram.	Itarampura.	Nannuru.
Talur.	Bogguru.	M. Sugur.

Half the suspended revenue of fasli 1883 collected in eight villages.

Names of villages.	Names of villages.	Names of villages.
Sanavasapuram.	Hagaluru.	Budguppa.
Daruru.	Uluru.	Motasuguru.
Uttanuru.	H. Hosahalli.	

Half the suspended revenue of fasli 1882 collected in nine villages.

Names of villages.	Names of villages.	Names of villages.
Gajjiginahal.	Bagavadi.	Mylapuram.
Aranganur.	Uppurahosahalli.	Chanakavur.
Karekhal.	Bulukundi.	Nittur.

[14th March 1928]

Rayadrug taluk.

Suspended revenue of fasli 1333 collected in two villages.

Name of village.	Name of village.
Kilikera.	Kalekurthi.

Half the suspended revenue of fasli 1333 collected in 17 villages.

Names of villages.	Names of villages.	Names of villages.
Haresamudram.	Vyasapuram.	Baketla.
Pulukurthi.	Meenahalli.	Pedde-Kowkuntla.
Elanji.	Garudachedu.	Ramapuram.
Udegolam.	Thumbigapur.	Hanakanahal.
Brahmasamudram.	N. Hanumapuram.	Malyam.
Bidurukontha.	Sollapuram.	

CLAUSE (E).

Villages in which suspended revenue of fasli 1336 was further suspended in fasli 1337.

Bellary taluk.

Revenue for fasli 1336 suspended in 55 villages.

Names of villages.	Names of villages.	Names of villages.
Bhyradevanahalli.	Hagaloor.	Kolagal.
Chaganuru.	Karoor.	Haraganadana.
Rupanagudi.	Sidiginamala.	Belagal.
Rayapuram.	Singigeri.	Joladarasi.
K. Virapuram.	Sanavasapuram.	Bommanahalu.
Kappagal.	Daroor.	M. Gonahalu.
Jabbenohi.	Janikunta.	Yerragudi.
Paramadevanahalli.	Aldahalli.	Hadagalli.
Minahalli.	Honnahalli.	Basarakodu.
Chellagurki.	Mundrigi.	Kariohedu.
Karekal.	Patrabudihala.	Kurugodu.
Jalihala.	Andrahala.	Venivirapuram.
Bennikallu.	B. Gonahalu.	Yeringhigi.
Sindhavalam.	Sidaragadda.	Guttiganuru.
Vanenuru.	Bellary.	Koluru.
Dammuru.	Halakundi.	Korlagondi.
Vaddehatti.	Minoheri.	Yemmiganur.
Badanahatti.	Saujivarayanikota.	Somasamudram.
		Nitturu.

Half the revenue for fasli 1336 was suspended in 63 villages.

Names of villages.	Names of villages.	Names of villages.
Sankanahandu.	Chandur.	Gotur.
T. Badihalu.	Sanganakallu.	Moka.
Bylur.	Serivaram.	Kudutani.
Sindigiri.	Ybudihalu.	Thimmapur.
Darapuram.	Barrunayakanahalli.	Yelubenchu.
Siddapuram.	Bielahalli.	Nanoodi.
Balakundi.	Tholamanidi.	D. Kaggallu.
Gosabalu.	Amarapuram.	Channahalu.
Bhyrapuram.	K. Bevinahalli.	Hundiham.
Motasugoor.	Godebala.	Guduthur.
Uttaroor.	Y. Kaggal.	Mustaghatta.
Muddatanur.	Lingadevanahalli.	Kyadigabalu.
Mallapuram.	Yalpi.	Gembahalu.
Nadivi.	Kuntanahalu.	Siddannanahalli.
Udegolam.	Bulachinta.	H. Virapuram.
Desanoor.	Golla Nagenahalu.	Chittikinhala.
Haddinagunda.	Tambrahalli.	Taloor.
Bevinahalli.	D. Nagenahalli.	H. Hosahalli.
Bobbukunta.	Banapuram.	Manoor.
Ibrampuram.	Masudipuram.	Sugoor.
Kammerachedu.	Kallukutikinhala.	Asundi.

[14th March 1928]

Rayadrug taluk.

Revenue for fasli 1336 suspended in five villages.

Names of villages.	Names of villages.	Names of villages.
Uddihalu.	Yelangi.	Bakatta.
Pulukurthi.	Koddaghatta.	

Half the revenue for fasli 1336 suspended in 31 villages.

Names of villages.	Names of villages.	Names of villages.
Bennikal.	Kalludevanahalli.	Bommanahalu.
Vyasapuram.	Bandoor.	Siddarampalli.
Bidurajunta.	Govindavada.	Haresamudram.
Meenahalli.	Singanahalli.	Nagalapuram.
Garudachedu.	Peddagenkuntla.	Somalapuram.
Thumbiganur.	Brahmasamudram.	Kolaganahalli.
Sollapuram.	Yerragunta.	Fridharaghatta.
Hanakanahalli.	Hulikera.	Ganigera.
Kalekurthi.	Nemakal.	Kudloor.
Malyam.	Untakal.	Kadalur.
Kuravalli.		

APPENDIX IV.

[Vide answer to question No. 1747 asked by Swami A. S. Sahajanandam at the meeting of the Legislative Council held on the 14th March 1928, page 98 supra.]

I

List of members of the depressed classes on the district boards in the Presidency.

Name of the district.	Name of the member.	Community to which the member belongs.
Anantapur ...	M.R.Ry. G. Babanna Garu ...	Adi-Andhra.
Arcot, North ...	" A. Ramalingam Avargal.	Adi-Dravida.
Arcot, South ...	" A. S. Sahajanandam	Do.
	Avargal, M.L.C.	
Chingleput ...	" O. Chengan Avargal ...	Do.
Do. ...	" L. C. Guruswami Avargal,	Arundateya.
	M.L.C.	
Chittoor ...	" Sibbala Nagayya Garu ...	Adi-Andhra.
Coimbatore ...	" Muniva Maistri alias	Adi-Dravida.
	Pakkali Maistri Avar-	
	gal.	
Cuddapah ...	" M. V. Gangadhara Siva	Do.
	Avargal, M.L.C.	
Godavari, West ...	" P. Subbarayudu Garu ...	Adi-Andhra.
Kanara, South ...	" Puddu Avargal, son of	Adi-Dravida.
	Nongra.	
Kistna ...	" Sundru Venkayya Garu,	Adi-Andhra.
	M.L.C.	
Do. ...	" Veerla Pullayya Garu ...	Do.
Madura ...	" P. Ramalinga Samban	Adi-Dravida.
	Avargal.	

[14th March 1928]

List of members of the depressed classes on the district boards in the Presidency—cont.

Name of the district.	Name of the member.	Community to which the member belongs.
Kurnool ...	M.R.Ry. Maladari Nagappa Garu.	Mala.
Do. ...	" Madiga Ramanna Garu.	Madiga.
Nellore ...	" Dasari Adivayya Garu ...	Adi-Andhra.
The Nilgiris ...	" V. I. Muniswami Pillai	Adi-Dravida.
	Avargal, M.L.C.	
Ramnad ...	" S. Arunachala Kudumban	Do.
	Avargal.	
Salem ...	" R. Arumuga Vel Avargal.	Do.
Tanjore ...	" Ramaswami Kaladi Shan-	Do.
	mugham Kaladi Avar-	
	gal.	
Tinnevelly ...	" Gnaniar Gnaniar Avar-	Do.
	gal.	
Trichinopoly ...	" S. Subrahmanya Mooppan.	Do.
Visagapatam ...	" Guddivada Bangarayya	Adi-Andhra.
	Garu.	

II

List of members belonging to depressed classes on municipal councils.

Name of the municipal council.	Name of the councillor.	Community.
Hindupur ...	M.R.Ry D. Kadireppa Garu ...	Adi-Andhra.
Gudiyattam ...	" Solan Chinnapien	Adi-Dravida.
	Avargal.	
Tiruppattur ...	" S. M. Muniswami Pillai	Do.
	Avargal.	
Tiruvannamalai ...	" R. Thangavelu Pillai ...	Do.
Vellore ...	" I. Ganapathi Pillai ...	Do.
Adoni ...	" Kinneri Muneppa ...	Madiga.
Bellary ...	" Madiga Ramappa ...	Adi-Andhra.
Hospet ...	" Mochi Parasappa Garu ...	Mochi.
Chingleput ...	" N. Kanthan Avargal ...	Adi-Dravida.
Saidapet ...	" S. V. Narayanaswami Das	Do.
	Avargal.	
Coimbatore ...	" Chinna Maruthachallam	Depressed class.
	Avargal (elected).	
Proddatur ...	" R. Veerian Avargal ...	Adi-Dravida.
Cocanada ...	" Midda Subbayya Garu ...	Adi-Andhra.
Rajahmundry ...	" B. Sattayya Garu ...	Do.
	Billa Narasimlu Garu ...	Do.
	Soriyala Appalaswami	Madiga.
	Garu.	
Guntur ...	" Nallamuthu Subbayya	Adi-Dravida.
	Garu.	
	" Kolangani Lakshmodu	Adi-Andhra.
	Garu (elected).	

[14th March 1928]

List of members belonging to depressed classes on municipal councils—cont.

Name of the municipal council.	Name of the councillor.	Community.
Mangalore ...	M.R.Ry. J. Gunira Avargal ...	Adi-Dravida.
Bezwada ...	" R. Venkataswami Garu ..	Do.
Masulipatam ...	" O. Ramayya Garu ...	Adi-Andhra.
Kurnool ...	" Salkapuram Maranna	Do.
	Garu.	
Madura ...	" Tholasinga Appaswami	Adi-Dravida.
	Avargal.	
Palni ...	" V. Irula Kudumban ...	Do.
Periyakulam ...	" M. Andi Kudumban ...	Do.
Calicut ...	" C. Nagan Avargal (there	Do.
	are seven Tiyas in the	
	council).	
Cannanore ...	" Aramban Gopalan	Cheruma.
	Avargal (there are four	
	Tiyas in the council).	
Palghat ...	" P. K. Neelakandan	Adi-Dravida.
	Avargal.	
Tellicherry ...	There are seven Tiyas in the council.	
Nellore ...	M.R.Ry. Byrapogu Subbayya	Adi-Dravida.
	Garu.	
Coonoor ...	" R. T. Manikkam ...	Do.
	" Vellore Ayyaswami	Do.
	Pillai.	
Ootacamund ...	" Muniswami Pillai Avar-	Do.
	gal (elected).	
Srivilliputtur ...	" Maya Kudumban ...	Do.
	" Sinnappan ...	Do.
Virudhunagar ...	" Sangam Avargal	Do.
	(elected).	
Salem ...	" Vardan Avargal ...	Do.
Kumbakonam ...	" K. Guruswami Avargal.	Chuckler.
Mannargudi ...	" A. Krishnan Samban ...	Adi-Dravida.
Negapatam ...	" A. Sivaramaswami Pillai.	Do.
Tuticorin ...	" V. Madaswami ...	Do.
Srirangam ...	" C. Ammavasi Mooppanar.	Do.
Anakapalle ...	" Joda Jagannadham Garu.	Adi-Andhra.
Bimilipatam ...	" D. Y. Sadananda Rao	Do.
	Garu.	
Visagapatam ...	" Chenna Dharma Rao	Adi-Dravida.
	Garu.	
Visianagram ...	" Koyanna Ramaswami	Do.
	Garu.	

[14th March 1928]

APPENDIX V.

[Vide item III "Communications to the Council" on page 101 supra.]

With reference to the answer to supplementary question to question No. 1448 given at the meeting of the Legislative Council held on the 25th January 1928, the original question regarding the appointment of Oriyas in the Civil Courts of Ganjam district and the answer thereto are laid on the table—

1448 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to state—

(a) the total strength of

(1) the regular establishment, including copyists, and

(2) the number of amins separately in each of the Civil Courts of Ganjam district;

(b) the number of Oriyas in each of the two sections separately in each court;

(c) the number of clerks who can read and write Oriya documents;

(d) the number of Oriya clerks who are in the superior subordinate service, i.e., from Rs. 60 and Rs. 80 upwards respectively?

(e) the number of posts both temporary and permanent that fell vacant in each of the two sections separately in the years 1925, 1926 and 1927;

(f) the number of persons promoted to each of the two sections in the arrangements made in the above three years;

(g) the number of Oriyas promoted in the two sections in the above three years;

(h) the number of Oriyas who applied for appointments and the number of Oriyas appointed in the two sections in the above three years; and

(i) the steps taken to carry out the instructions of the High Court contained in its R.O.C. No. 8252/20, dated the 25th November 1920?

A.—(a), (b) & (c) A statement ^a is appended.

(d) One.

				Regular establishment.	Amins.
(e) Permanent	...	...	...	6	7
Temporary	...	...	...	6	Nil
(f) Permanent	...	...	...	4	7
Temporary	...	...	...	1	Nil
(g) Regular establishment	...	...	...	...	1
Amins	...	...	...	...	2

(h) Fifteen and one respectively.

(i) The instructions are kept in view when new appointments are made.

^a Vide statement on page 165 infra.

14th March 1928]

Statement referred to in answer to clauses (a) to (c)—page 164 supra.

Name of court.	Strength.		Number of Oriyas.		Number of non-Brahman Hindus and Muhammadans other than Oriyas.		Number of clerks, etc., other than amins who can read and write Oriya documents.
	Regular establishment including copyists and nazir.	Amins.	Regular establishment including copyists and nazir.	Amins.	Regular establishment including copyists and nazir.	Amins.	
District and Sessions Court	24	20	4	7	7	10	16
Subordinate Judge's Court, Berhampur.	9	..	4	..	1	..	8
District Munsif's Court, Aska	11	11	4	7	..	7	11
Do. Berhampur.	8	..	3	..	1	..	5
Do. Sompeta.	11	15	2	3	..	7	6
Do. Chicacole.	11	14	3	..	..	12	4

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 15th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

- | | |
|--|---|
| Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman. | Muthiah Mudaliyar, Mr. S. |
| Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad | Muthulakshmi Reddi, Dr. (Mrs.). |
| Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.B.E., I.C.S., The hon. Mr. A. Y. G. | Muthuranga Mudaliyar, Mr. C. N. |
| Subbarayan, The hon. Dr. P. | Nagan Gowda, Mr. B. |
| Abdul Razaq Sahib Bahadur, Khan Bahadur S. K. | Nanjappa Bahadur, Subadar-Major S. A. |
| Adinarayana Chettiyar, Mr. T. | Narayana Raju, Mr. D. |
| Anantakrishna Ayyar, Rao Bahadur C. V. | Narayana Rao, Mr. Mothay. |
| Anjaneyulu, Mr. P. | Narayanan Chettiyar, Mr. Al. Ar. |
| Appavu Chettiyar, Mr. C. D. | Narayanan Nambudripad, Rao Bahadur O. M. |
| Arogyaswami Mudaliyar, Diwan Bahadur B. N. | Narayanaswami Pillai, Mr. T. M. |
| Arpudaswami Udayar, Mr. S. | Parasurama Rao Pantulu, Mr. A. |
| Basheer Ahmad Sayeed Sahib Bahadur. | Petro, Kt., Rao Bahadur Sir A. P. |
| Bhaktavatsulu Nayudu, Mr. P. | Premayya, Mr. G. R. |
| Bheemayya, Mr. J. | Raja of Panagal, K.C.I.E. |
| Biewanath Das Mahasayo, Sriman. | Raja of Ramnad. |
| Boag, C.I.E., I.C.S., Mr. G. T. | Rajan, Mr. P. T. |
| Chidambaranatha Mudaliyar, Mr. T. K. | Ramachandra Padayachi, Mr. K. |
| Congreve, Mr. C. R. T. | Ramanath Goenka, Mr. |
| Otterell, C.I.E., I.C.S., Mr. C. B. | Ramasomayajulu, Mr. C. |
| Davis, Mr. J. A. | Ramjee Rao, Mr. V. |
| Dorai Raja, Mr. S. N. | Ranganatha Mudaliyar, Mr. A. |
| Ellappa Chettiyar, Rao Bahadur S. | Ratnasabapathi Mudaliyar, Rao Bahadur C. S. |
| Ethirajulu Nayudu, Diwan Bahadur P. C. | Sabajanandam, Swami A. S. |
| Evans, C.S.I., I.C.S., Mr. F. B. | Saldanha, Mr. J. A. |
| Foulkes, Mr. R. | Sami Venkatachalam Chetti, Mr. |
| Gangadhara Siva, Mr. M. V. | Satyamurti, Mr. S. |
| Gnanavaram Pillai, Mr. P. J. | Seturtnam Ayyar, Mr. M. R. |
| Gopala Menon, Mr. C. | Shetty, Mr. A. B. |
| Govindaraja Mudaliyar, Mr. C. S. | Simpson, Kt., Sir James. |
| Guruswami, Rao Sahib L. C. | Sitarama Reddi, Rao Bahadur K. |
| Hamid Khan Sahib Bahadur, Abdul. | Siva Raj, Mr. N. |
| Harisarvottama Rao, Mr. G. | Siva Rao, Mr. P. |
| John, Mr. V. Ch. | Slater, C.I.E., I.C.S., Mr. S. H. |
| Kaleswara Rao, Mr. A. | Soundarapandia Nadar, Mr. W. P. A. |
| Karant, Mr. K. R. | Srinivasa Ayyangar, Mr. R. |
| Kay, Mr. Kenneth. | Srinivasa Ayyangar, Mr. T. C. |
| Kesava Pillai, C.I.E., Diwan Bahadur P. | Srinivasan, Rao Sahib R. |
| Khadir Mobidin Sahib Bahadur, Muhammad. | Subrahmanya Moopanar, Mr. S. |
| Koti Reddi, Mr. K. | Subrahmanya Pillai, Mr. Chavadi K. |
| Krishnan, Mr. K. | Swami, Mr. K. V. R. |
| Krishnan Nayar, Diwan Bahadur M. | Syed Ibrahim Sahib Bahadur, Nattam |
| Kumaraswami Reddiyar, Diwan Bahadur S. | Dubash Kadir Sahib. |
| Luker, Mr. A. T. | Tajudin Sahib Bahadur, Syed. |
| Madhavan Nayar, Mr. K. | Tampoe, I.C.S., Mr. A. Moji. C. |
| Mallayya, Dr. B. S. | Thomas, Mr. Daniel. |
| Manikkavelu Nayakar, Mr. M. A. | Tulasiram, Mr. L. K. |
| Marudavanam Pillai, Mr. C. | Vanavudaiya Gounder, Mr. S. V. |
| Meera Ravuttar Bahadur, K. P. V. S. Muhammad. | Venkatarama Ayyar, Mr. K. R. |
| Moidoo Sahib Bahadur, T. M. | Venkataramana Ayyangar, Mr. C. V. |
| Muniswami Nayudu, Rao Bahadur B. | Venkatarangam Nayudu, Mr. C. |
| Muniswami Pillai, Mr. V. I. | Venkayya, Mr. S. |
| Murugappa Chettiyar, Diwan Bahadur A. M. M. | Watson, I.C.S., Mr. H. A. |
| | Wright, Mr. W. O. |
| | Zamindar of Gollapalli. |
| | Zamindar of Mirsapuram. |
| | Zamindar of Seithur. |

[15th March 1928]

I
QUESTIONS AND ANSWERS

STARRED QUESTIONS**Land Assignment**

Assignment of lands in Kundah firka of the Nilgiris for tea cultivation.

* 1749 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in reference to the answer to supplementary questions to Question No. 1038 regarding assignments of lands in the Kundah firka of the Nilgiris for tea cultivation answered on 1st November 1927—

(a) whether any report was submitted by any official concerned as a result of the inquiry referred to therein;

(b) if a report was submitted whether the hon. Member is prepared to place it on the table of the House; and

(c) if the report cannot be published, what the essential points dealt with in it are?

A.—The relevant portion of the Collector's report^a, dated 6th January 1928, is laid on the table.

Revenue Establishments

Alleged collection of money for feeding the pilgrims by the Tahsildar of Avanigadda, Kistna district.

* 1750 Q.—Mr. V. RAMJEE RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Tahsildar of Avanigadda, Kistna district, collected money for "Santarparalu", namely, feeding the pilgrims from the people of his taluk this year;

(b) whether any action has been taken by the Collector in the matter; and

(c) if no action has been taken by the Collector, whether the Government will be pleased to direct the Collector of the district to inquire into the matter and take disciplinary action against the Tahsildar?

A.—(a) & (b) The Government have not received any complaint or information in the matter.

(c) The Government have no reason to suppose that the Collector has failed or will fail to take appropriate action if duly apprised of the matter on reliable information.

Mr. V. RAMJEE RAO:—"Sir, may I know with reference to the answer to (a) to (c), whether the Government are aware that there was a public agitation in the local vernacular press?"

The hon. Sir NORMAN MARJORIBANKS:—"Government will make the necessary enquiry and communicate the result to the hon. Member."

^a Printed as Appendix on page 224 infra.

15th March 1928]

Education

Government elementary and secondary schools for girls in Bellary district.

* 1751 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of Government elementary and secondary schools for girls in the district of Bellary; and

(b) the number of men-teachers in these schools and their percentage to the total number of teachers therein?

A.—(a) The number of Government elementary schools for girls in the Bellary district is two. There is no Government Secondary School for girls in that district at present.

(b) None.

Village Panchayats

Alleged defects in the Village Panchayat Act.

* 1752 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Registrar-General of Village Panchayats has drawn the attention of Government to a number of defects in the existing Panchayat Act and, if so, when;

(b) whether the Government propose to make the required amendments in the Act;

(c) whether the Government have considered the question of increasing the clerical establishment at the central office and creating an executive staff in the districts for the work connected with panchayats; and

(d) what steps they propose to take in the matter?

A.—(a) Yes; in May 1924.

(b) The amendments to be made in the Act are under consideration.

(c) & (d) The Government have sanctioned from time to time additional clerical staff for the Registrar-General's office and propose to strengthen it further by the employment of a manager and four clerks from 1st April 1928.

The Government have allowed local boards in several instances to employ an executive staff for panchayats. The necessity for an executive staff in the districts, paid by the Government, has not yet been accepted.

Mr. V. I. MUNISWAMI PILLAI:—"With reference to clause (b), will the Government be pleased to consult the members of the depressed classes before making the required amendments to the Village Panchayat Act?"

The hon. Dr. P. SUBBARAYAN:—"I will take that into consideration."

Industries

[15th March 1928]

Action taken on the recommendations made in the report on the Survey of Cottage Industries.

* 1753 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state, in view of the answer to question No. 961 answered on 31st October 1927, regarding the survey of cottage industries, that action on individual reports will not be delayed, what action has been taken on the observations and recommendations made by the Special Officer in his two reports relating to Cuddapah and Bellary, more especially to the following recommendations:—

- (i) The introduction of spinning in elementary schools and other recommendations made on pages 6-7 of the Cuddapah report;
- (ii) recommendations made with regard to weaving at pages 11, 12 and 13 of the Cuddapah report repeated partly at page 8 of the Bellary report;
- (iii) recommendation made at page 16 of the Cuddapah report about charcoal fuel and at page 17 of the same of a metal factory with a trades school attached;
- (iv) recommendations made at bottom of page 22 and top of page 23, Cuddapah report, in regard to the dyeing industry.
- (v) recommendation made at page 27, Cuddapah report, in regard to palmyra industries;
- (vi) the recommendation made at page 9, Bellary report, regarding school of dyeing;
- (vii) the recommendations made in regard to cumbly-weaving made at page 19 of the Bellary report; and
- (viii) the recommendations made in regard to coconut fibre industry and sericulture at pages 23 and 24 of the Bellary report.

A.—Action is being taken on the special officer's recommendations in his reports on the survey of Cuddapah and Bellary districts which have special reference to these districts, but such recommendations as are of a general character can be considered only when the survey is completed and the final report for the Presidency has been drawn up.

- (i) Government have no objection to the introduction of spinning in conjunction with weaving in elementary schools if district boards and municipalities wish to include it in the curriculum.

As regards the recommendations made by the special officer on pages 6 and 7 of his report of the Cuddapah district the following information is given:—

- (i) Technical research in European countries has not succeeded in rendering the spinning wheel more efficient, as the regularity of the thread spun on the wheel depends entirely upon the uniformity of the cotton shiver fed to the wheel. The charkas now on the market are not capable of producing yarn sufficiently even and fine to compete with mill-made yarn, and unless and until it is possible to devise a more efficient spinning wheel, and

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more efficient apparatus for bowing, carding, and mixing shivers it is not reasonable to expect more than a limited market for hand-spun yarn. Experiments have been conducted in the Textile Institute on an improved Bengal spinning wheel but the results as regards the regularity of the yarn and the outturn obtained from it are not encouraging. The Textile Expert and the Industrial Engineer have been asked to collaborate with a view to the evolution of an improved charka but the problem is a very difficult one and success is not in sight.

- (ii) & (iii) The recommendations of the special officer are receiving consideration.
- (iv) A model hand-ginning machine has been obtained from a leading firm of manufacturers and is on show in the Textile Institute. The machine is very simple in character but its cost is beyond the purchasing power of individual spinners. It is proposed to take up the question of constructing a cheap machine on the principle of the English roller gin but mostly made of wood which could profitably be installed by a group of spinners. The question of evolving a carding machine to replace the hand-carding bow at present in use is also engaging attention.
- (v) The standardization of counts and hanks is not practicable without the use of elaborate machinery.
- (vi) The Government are not prepared to give any undertaking to make all their cloth purchases in khaddar at cost price.
- (ii) The Director of Industries has reported that he would prefer the establishment of peripatetic weaving schools on the lines of the present departmental weaving parties to be maintained and managed by local bodies, inspected by officers of the Industries department and assisted by grants-in-aid. The special officer's suggestion that the number of weaving parties should be increased will receive consideration when the necessary co-operative organization has been established to assist the weavers in disposing of the products of their looms as also to provide means for advancing loans to weavers for the purchase of comparatively costly improved appliances.
- (iii) The question of cheapening the price of charcoal fuel required by the metal industry at Vonipenta was discussed by the Director of Industries with the Conservator of Forests, Bellary, but it was found that even a considerable reduction in the present price of charcoal would

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not improve the position of the industry to any great extent. A co-operative society of the Vonipenta bell metal workers was registered in July last, but it is too early to judge whether it will prove effective in ameliorating the condition of the workers. It has not been found practicable to open a trade school but feasibility of giving training to suitable lads of the workers is being examined.

- (iv) As regards the dyeing and printing industry at Jammalamadugu the Textile Expert had already made some investigations with a view to simplifying the laborious processes involved in the indigenous method of block printing, and a practical dyer was deputed to Jammalamadugu to demonstrate such simplified methods for the benefit of the dyers. The practical dyer carried out some useful work and his advice was appreciated by the workers.
- (v) The question whether there is likely to be a good demand for palmyra brushes, mats, etc., if produced locally, is under investigation by the Director of Industries.
- (vi) A dyeing section has recently been opened at the Madras Textile Institute and Government do not consider that there is sufficient scope in the Bellary district for a school of dyeing. A practical dyer has been deputed to the centres referred to in the special officer's report and is now carrying on work there which appears to be appreciated by the dyers.
- (vii) The question of affording grazing facilities is under consideration. It has been found by experience that hand spun woollen yarns do not stand the strain of the fly shuttle slay. The development of the cumbly weaving industry is dependent on the preparation of suitable wasp yarns, which can only be produced by power driven spinning plant. The Director is in consultation with the Registrar of Co-operative Societies in regard to the question of starting co-operative societies for the purpose of installing willow and carding machines.
- (viii) The question of introducing improved retting methods is at present engaging the attention of the Director of Industries and if the experiments shortly to be initiated lead to practical results, the question of developing the industry in districts where coconut is grown on a large scale will be taken up.

The Sericultural Assistant visited Kudligi and supplied mulberry cuttings to the village munsif and other ryots, but for want of timely rains, the plants did not thrive. It is proposed to make a further attempt to popularize the industry in these parts.

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UNSTARRED QUESTION

General

Action taken on certain resolutions passed by the Setti Balija Association.

1754 Q.—Mr. J. BHEEMAYYA: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the resolutions passed at the seventh annual meeting of the Setti Balija Association of the East and West Godavari and Kistna districts; and

(b) if the answer to clause (a) be in the affirmative, what action the Government have taken or propose to take with regard to resolutions Nos. 9 and 22?

A.—(a) Yes.

(b) No action has been taken on Resolution No. 9 as the Statutory Commission did not propose to take any evidence during their first visit to India. No action has been taken on Resolution No. 22. The appointments of subordinates are within the discretion of the Commissioner of Excise.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

NOMINATIONS TO THE MADRAS AND SOUTHERN MAHRATTA RAILWAY ADVISORY COMMITTEE, PUBLIC ACCOUNTS COMMITTEE AND FINANCE COMMITTEE.

* The hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Madras and Southern Mahratta Railway Advisory Committee:—

- (1) Mr. Abdul Hamid Khan.
- (2) " O. D. Appavoo Chettiyar.
- (3) " P. Siva Rao.
- (4) Khadir Moideen Sahib.
- (5) Mr. V. Ch. John.
- (6) D. K. Syed Ibrahim Sahib.
- (7) Mr. M. V. Gangadhara Siva.
- (8) " Ramanath Goenka.
- (9) " L. C. Guruswami.
- (10) Diwan Bahadur P. C. Ethirajulu Nayudu.

"As the number of candidates exceeds the number of vacancies, namely, two, an election will, as already announced, be held to-day by the ordinary method, between 1-30 and 2-30 p.m.

"I have also to announce that the following candidates have been duly nominated for election to the Public Accounts Committee and the Finance Committee, respectively:—

Public Accounts Committee.

- | | |
|-----------------------------------|---------------------------------|
| 1. Mr. Sami Venkatachalam Chetti. | 7. Khadir Moideen Sahib. |
| 2. Sriman Biswanath Das Mahasayo. | 8. Mr. C. Gopala Menon. |
| 3. Mr. D. Narayana Raju. | 9. " V. Ch. John. |
| 4. " P. Bhaktavatsulu Nayudu. | 10. D. K. Syed Ibrahim Sahib. |
| 5. " M. A. Manikkavelu Nayakar. | 11. Mr. V. I. Maniswami Pillai. |
| 6. " Ch. K. Subramania Pillai. | 12. " S. Venkayya. |

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Finance Committee.

- | | |
|-------------------------------|--------------------------------|
| 1. Mr. K. R. Karant. | 7. Mr. V. Ch. John. |
| 2. " Basheer Ahmad Sayeed. | 8. Rao Sahib R. Srinivasan. |
| 3. " K. V. B. Swami. | 9. T. M. Moidoo Sahib. |
| 4. " K. R. Venkatarama Ayyar. | 10. Mr. R. Nagan Gowda. |
| 5. " Ch. Subramania Pillai. | 11. " D. Thomas. |
| 6. " P. Siva Rao. | 12. Rajkumar S. N. Dorai Raja. |

"As the number of candidates exceeds the number of vacancies, viz., seven and six, respectively, in each case, there will be elections by means of the single transferable vote. Hon. Members may receive from the Secretary, ballot papers containing a list of the nominated candidates between 1-30 and 2-80 p.m. to-morrow (16th instant). Hon. Members are at liberty to mark their preferences and deposit the marked ballot papers in the ballot boxes, placed in the Secretary's room before 3 p.m. to-morrow."

III

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND II—EXCISE.

The hon. Dr. P. SUBBARAYAN :—"On the recommendation of His Excellency the Governor, I move

'that a sum not exceeding Rs. 87.71 lakhs be granted under "Demand II—Excise".'

* Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, I move

'that the allotment of Rs. 1,86,400 for Superintendence be reduced by Rs. 100, to record disapproval of the excise policy of the Government.'

"It is an unfortunate and unpleasant necessity that year after year we are obliged to urge upon the Government the necessity of revising its excise policy so as to approximate itself as far as possible to the wishes of the people concerned. I am also surprised that my hon. Friend, the Sole Minister, has taken upon himself the responsibility of moving this demand. If the gentleman who was in charge of the portfolio had at least by word of mouth expressed his agreement with regard to the policy of the Government in regard to prohibition, I know, Sir, both by word of mouth and by actual action my hon. Friend, the Sole Minister, differs entirely from his predecessor. It therefore becomes all the more necessary for the House to express its unequivocal disapproval of the Government's indifference. Our tenderness or solicitude to this Minister or that Minister, ought not to stand in our way of voting directly for the amendment and also voting down the whole grant. I do not propose to enter into the question of the merits of the policy of prohibition. That is a question upon which there can possibly be no two opinions at all. Even my hon. Friends of the European community have by their last vote indicated their agreement for the goal of the Government being prohibition but that should be worked out within a period of twenty years. I should like to know whether any beginning has been made towards that policy so as to be able at least at the completion of the 20th year to say that there was no drink. Mr. President, I cannot repress tears in my eyes when I consider the question how the Government have been very sedulously increasing the drink in this country. As a matter of fact, the Government reports reveal that they are having an increased revenue with increase in consumption. The Government are

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never tired of expressing sympathy with the depressed classes and the depressed classes are never tired of throwing the whole blame for the condition on us unfortunate men who are unable to do anything for them. Now, I ask those hon. Members representing the depressed classes whether they are satisfied with the policy of the Government in regard to this drink problem, whether they think that the Government are doing the only right thing by locating all shops if possible in the midst of the very cheries in which these poor unfortunate men live. Their vote on this question must be the answer to the Government—whether they approve of the location of these shops in the midst of these cheries or whether they do not approve of it. If they do not approve, no other reason can stand in their way of voting in favour of the amendment which I have the honour to move. If they wholly approve of the Government policy, by all means I invite them to vote with the Government and let them share with satisfaction the responsibility of having increased the poverty of their own brethren. Mr. President, upon this question rests, I am aware, the very existence of the sole Minister as such in our midst. I do not want, however, that consideration should weigh with those gentlemen who have already expressed disapproval of the Government's policy in regard to this question. They must completely divorce this question from the continuity of the sole Minister as a Minister or not. Whether Dr. Subbarayan or Diwan Bahadur Arogyaswami Mudaliyar is in charge of it, it ought not to weigh with us in giving our vote directly. It is upon the prohibition question that we are called upon to give our vote. It is not on the contingency that if we vote for the motion Dr. Subbarayan will have to vacate. If we have to be tender and affectionate towards Dr. Subbarayan by all means let us be by showing personal courtesy and personal obligation (A voice : Outside, not here), not by jeopardising the interests of the country or by going behind our pledge or our own decision in regard to this question. I am appealing to all those gentlemen with whom I am afraid these considerations are weighing, not to swerve from the right path that has already been taken during the last occasion by voting upon this with us. I know, Sir, that Dr. P. Subbarayan is not unaware of the intensity of feeling of the non-official public and the non-official members of this Council. I am not at all afraid of what the result is going to be on this amendment. I am almost sure that the amendment will be carried. (Hear, hear.) I only want in this connexion that I may be permitted to state, Sir, that it is with feeling of despair that I am appealing to the Government. Government are not at all straightforward in their dealings. They are straightforward only in the sense of not doing anything in regard to minimising the drink evil. Otherwise I am quite sure the hon. the Finance Member must have been able to find some money towards the deficit for at least partial prohibition. But the manner in which all the monies that are available have been appropriated or—to say more correctly—misappropriated clearly indicates that the Government do not want any introduction of prohibition in the country however much we may protest. I only appeal to hon. Members who on the last occasion expressed their opinions so unequivocally on this question to support this motion. I move this."

* Mr. BASHEER AHMAD SAYEED :—"Mr. President, Sir, the Government in this country is either responsible or irresponsible. We, Congressmen, have always contended that this bureaucratic Government is irresponsible; but the Government and its members have often told us that they are responsible to public opinion, to this Council, and also to the vote of this House. Whatever

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a.m.

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that may be, events have proved to the contrary. Under this reformed constitution which we are working it is said the Ministers are responsible to the Council. But even there, the Ministers hitherto have not shown any responsibility towards this Council. They have not, in spite of eight years' office, one set after another, in spite of professed sympathy for the depressed classes who are affected mostly by the drink evil—the late Ministers and the present Minister all these have been non-Brahmans—they have not raised their little finger to put an end to this evil of drink, nor have they done anything even to minimise the evils of drink. On the other hand, time and again, this House has called upon them almost unanimously to take substantial steps towards the reduction of drink and also to minimise the evils resulting therefrom. They have no doubt given undertakings so often and so profusely to bring in a policy of total prohibition and to give effect to it by progressive moderation, but nothing seems to have been done so far. The ex-Minister once made us understand that he would bring in a total prohibition Bill, but that has never seen the light of day and we are yet to know what had happened to any Bill that was proposed or drafted within the Cabinet or outside it. Members of this Council gave notice of Bills for local option; the Government summarily rejected these Bills without even giving reasons; and when I called for reasons for the rejection of a moderate measure like local option, no reasons were forthcoming. The correspondence was supposed to be confidential. If this is the way in which Ministers are to behave under the present Reform scheme which is supposed to have given responsibility to a large extent to the popular representatives, we say we shall have nothing to do with such reforms. So it is we have often tried and are still trying—ultimately we shall succeed—to expose this sham of responsibility, this sham of popular Government. Municipalities, especially the City Corporation, have approached the Government by unanimous resolutions asking for full discretion in the matter of allowing or not allowing toddy shops and arrack shops within the city limits and the Government have never acceded to these requests; and yet we are told that the Ministers are responsible to this House. The licensing boards are a big scandal, to say the least of it. They are never guided by the non-officials who are there; their opinion is flouted, and instances are not wanting to show that the recommendations of the licensing boards have not been given any heed to at all on several occasions. The case of the Madras Licensing Board is in point. I know the several members of the licensing board, if they were here, would have borne me out as to how the licensing board is really made to act. Prohibition, they say, has been declared to be the policy of the Government; yet the Government, the ministerialist party as such, have not taken steps to see that prohibition is brought home and brought nearer to the people. They have always stood on the so-called reasons that the revenues of the country will suffer; but they have not realized that what the Government may suffer temporarily by the reduction of consumption by the abolition of arrack and toddy shops, they will stand to gain in the long run, in the course of a few years, not more than a decade, double and treble the amount that they may lose by such a policy of immediate total prohibition. Other countries have adopted total prohibition; and there may be a difference of opinion as to whether it had been a success or failure. With regard to prohibition in America, I am led to believe—I think I am right and I stand among those who believe—that prohibition has immensely succeeded in America, and their income, their sources of profit, their health and their economic conditions have improved much more than was expected. In this

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country, no arguments are necessary to show that if only the evil of drink is put an end to, this country will stand to gain a good deal from every point of view. Mortality will be reduced, families of labourers and other workers will live in happiness and healthy conditions of life will prevail. There may be some temporary loss of revenue to the Government, but that loss the Government is there to bear for the well-being of those whom they are said to govern. If the Government fears that there is a likelihood of its revenues being lost, it is up to it to find out fresh sources of revenue to make up the loss that might be incurred by the policy of total immediate prohibition. The Government have failed to explore fresh avenues or sources of income, but have always been sitting tight over the revenues, the immoral revenues, that they are deriving from their policy of excise. This policy has been condemned, and condemned more than once. Either the Government wants to be here or they do not want to be here. If the Government wants to be here, let them accede to the request of the people. The national aspiration has always been towards total prohibition. And there have been times in the past when people have taken drastic steps to embarrass this Government and the day will not be far off when a fresh campaign will be launched—thanks to God, Mahatmaji is still alive and he may come back to the political life to-morrow or the day after, we do not know when, and when once again he is in the thick of the fight, the Government may have to lose this country very soon. If they want to be here in their own welfare, for settling their affairs in a calm and collected manner, let them adopt this policy of total prohibition here and now and let them justify their having been in this country for so many years and for the welfare of the people over whom they govern. It is no use that they should show such callousness in spite of the vote of this House on several occasions. At least from now, I hope the Government will adopt a policy which will satisfy the demands of the people, which will relieve them of the greatest drain that they are experiencing, and will bring about national welfare and national well-being. I therefore support this motion."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, this House is at a loss to know what the exact policy of the Government is in the matter of excise, whether it is total prohibition or any prohibition, whether it is temperance or encouragement of intemperance. As a matter of fact, their policy tends towards the last, i.e., encouragement of intemperance. The figures are in support of this theory. The consumption and revenue have been shown to increase, and in the coming year the revenue is expected to give four lakhs more. The methods employed by the Government also to a great extent tend to encourage intemperance. Another feature is that they tend to increased importation and increase in consumption of European liquors. It appears the policy is inspired and dictated by the Government of India, because this tendency for increase in consumption of European liquors is noticed also in the Bombay Presidency as in this Presidency. It appears as if the whole principle that underlies the policy of Government is to encourage the importation and consumption of English liquors or Scotch whiskies. I shall demonstrate this by one instance. There are five taluks in this Presidency in which there is total prohibition of arrack. I have been asking almost at every session of the Council whether in these taluks importation of and traffic in European liquors is allowed. During the regime of my hon. Friend Sir Patro there was a gradual decrease from six to one shop. During the regime of my hon. Friend Mr. Arogyaswami Mudaliyar . . ."

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* The hon. the PRESIDENT :—" We have got to deal with the temporary regime of Dr. Subbarayan."

* Mr. J. A. SALDANHA :—" These shops have begun to increase. Sir Patro promised to abolish all the European liquor shops, but during the regime of my hon. Friend, Mr. Arogyaswami Mudaliyar, they have begun to increase. And when a question was asked at the last session why this increase was allowed, he could give no reason except that it was considered necessary to have licensed European liquor shops. In these five taluks there are scarcely any Europeans and yet European liquors are allowed. It shows that this policy of Government is not at all conducive to checking intemperance, and there is no such policy as temperance policy. At least results do not show that there has been any such policy at all."

11-30 a.m. "When Mr. Arogyaswami Mudaliyar happened to come to Mangalore as Excise Minister I myself placed before him the views of the Kanara Indian Christian Civic League of which I am a member, the views of the majority of the Indian Christians echoing those of an eminent Catholic writer: 'Total prohibition, we believe, will never take universal hold; but there is a chance that prohibition of distilled spirits of all kinds might have a chance, so long as the more innocent kinds of wines and beers were tolerated. With the prohibition of spirits not all drunkenness would be removed; but the drink evil would lose its gigantic proportions, and the monster of alcoholism would be practically decapitated.' (Fr. Hull's Drink Problem.) This is the policy of a class of politicians in America just now, and it is in fact one of the tickets on which a candidate seeks election for the presidency. It is called wines and beer policy. Here in India I may call it toddy policy. So far as distilled liquors are concerned, I think the universal opinion is that there should be total prohibition of arrack, at the same time total prohibition of European liquors. If Government do not prohibit both, and prohibit only arrack, there will be encouragement for drinking European liquors like whisky. I myself brought a Bill before the Government with a view to discourage importation and sale of foreign liquors. That Bill was intended to place all clubs on a par with liquor shops as to the duties and rates payable by them. That Bill ran the gauntlet of the Government of India and later on it was sent to the Local Government and has long been pending the sanction of that Government. Though the Government of Bombay two years ago passed a similar Bill by which they are getting a revenue of three or four lakhs, yet it is very strange that my Bill does not yet find acceptance at the hands of the Madras Government. This fact along with a host of other facts shows what the policy of Government is. In fact, their policy is to offer every inducement to encourage intemperance. For instance, liquor shops are placed as close as possible to the roads. In more than one case I brought to the notice of the authorities that the position of the shops was one which attracts people to drinking, but they say that they could not have the shops in any other place. As a member of the local Licensing Advisory Board I have had to suggest but in vain that the location of one of the shops should be far away from the road so as not to attract people to come and drink. I might also mention a number of other instances which go to prove that Government is not at all honestly earnest about the encouragement of temperance. As to total prohibition they are also absolutely against it. My hon. Friend Mr. Arogyaswami Mudaliyar preached from the house-tops his policy of prohibition or at least he wanted to introduce it in two districts. I believe he also prepared amendments to the Abkari

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Act in order to make the necessary changes, but my hon. Friend Dr. Subbarayan, at a meeting of the European Association, gave away the whole case for prohibition by saying that it was impossible to introduce it. This announcement was applauded by the European Association and in very glowing terms by the *Madras Mail*. I believe my hon. Friend the late Excise Minister was earnest at heart, but, if I guess rightly, the Government in the Reserved Half was and is against the prohibition policy. I know that Dr. Subbarayan supported the Reserved Half against that policy though he has never taken the Excise portfolio."

* The hon. the PRESIDENT :—" The hon. gentleman will know that he is to-day responsible for it."

* Mr. J. A. SALDANHA :—" But he is responsible for his action in the past and he has taken the sole responsibility as Chief Minister to be against total prohibition or, in fact, against any temperance policy. His policy is to encourage importation of European liquors and to encourage European industry. If I may be allowed to add one more point, I would like to say this: When Mr. Arogyaswami Mudaliyar was at Mangalore, my league laid stress upon the encouragement of the production of power alcohol which has been introduced in Java and in other places. In reply to certain questions I put, he held out promises that he would carefully consider the question in regard to the production of power alcohol in this country. We must get men trained in India and Europe for the production of power alcohol in India. We have got all the necessary materials in India to produce power alcohol of a superior character which will be equal to petrol and which can be used for driving power. With the policy of discouragement that is given to any Indian industry it must follow that Government cannot encourage the production of power alcohol. They must discourage this because it is a monopoly of certain European firms. If India is allowed her own way in the production of spirits, surely there would be a time when in every district we could produce liquor of the best quality. But the policy of producing it in one place or two places has ruined practically the industry. In Scotland there is free production of liquor and any firm can produce liquor subject to payment of high licensing fees. Why should that not be allowed in India? And why should there be monopoly for any one firm. Would they allow this kind of monopoly in England or Scotland? They would not. Our Friends might laugh at it, but it is not a laughing matter for us. Though many people in Scotland do not drink liquor, yet they make it a point to produce whisky. I therefore appeal to all my Friends that they should support the policy of total prohibition and also provide facilities for the production of our own liquor and power alcohol, that is, the industrialization by Indians of Indian liquor. But as long as the anti-Indian policy runs supreme and the Ministers are hopelessly helpless and impotent (cheers) we cannot get that. Therefore I appeal to the Members of this House to pass this vote. Never mind the Ministers; they may come, and they may go, but we don't go, and here is the policy of the Government which we should most heartily condemn and condemn with all vehemence for it is ruinous to our health, wealth, prosperity and our morality."

Mr. J. A. DAVIS :—" Mr. President, Sir, it is mainly on the economic side of the prohibition question that I stand to speak. It was during the Justice Ministry that we in the Nilgiris got partial prohibition, the main ground

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being they thought that something ought to be done for them. We are thankful to the Justice Ministry for what they have done for the hill tribes of the Nilgiris by giving them partial prohibition. There is no denying the fact that there is great difficulty in working this partial prohibition and it will be remembered that during the Justice Ministry this Council resolved to have prohibition in 20 years. When the Justice Ministry went out of office and the next Ministry came in, the same resolution was again passed, viz., prohibition in 20 years which should be only 17 years as three years had already passed since the original declaration. We don't want a resolution that we want prohibition in 20 years, year by year, but we want prohibition in 20 stages. It is most unfortunate that the late Exoisc Minister is not in office to-day, for, if he had been here to-day, he would have joined us in that policy and given us at least another stage of prohibition—partial prohibition on the Nilgiris, due to the fact that we have placed before him the great difficulty of working the present system. He was standing, I know, for completely stopping the sale of arrack on the Nilgiris.

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a.m.

"It is all very well, Sir, to talk of prohibition, but we have on the other side to face the economic aspect of the question. Perhaps many of the Members of this House do know where to stop, but there are certain people like the depressed classes and the hill tribes who cannot do so. If they get half-a-rupee a day, they will spend that on drink and thus we have to look at the economic side of the question also. But, there is also the revenue to be considered. We have always been met with the statement that if we wanted to have prohibition, where was the revenue to come from. It is for that reason that I propose that we go stage by stage for 20 years. It would be quite an easy matter for this House if the Exoisc Minister were to declare to-day that he is prepared to accept the policy and give effect to one-twentieth of the Exoisc Policy that has been accepted by the House. If the Minister will give out something like this at this stage, I think the whole House will be satisfied and I think the Exoisc Minister can make some such definite statement, that he will go stage by stage and not wait for 20 years. I am sure if this assurance is given, a compromise can be effected on this question."

* **Rajkumar S. N. DORAI RAJA** :—"Mr. President, Sir, I am one of those people that do not want any pressure to be put on the revenues. I am one of those who do not find any salve to the conscience by legislation. With all that, I have the greatest sympathy with the mover of this out motion. I know that most of the agriculturists, in the Tanjore district especially, are badly in the grip of this vice. But what about the 5 crores of revenue that we get? That is the problem that stares us in the face, and that would stare in the face of any thinking man. Sir, the Government cannot be carried on and it cannot live on air. Government is a business proposition and not a philanthropic institution. Pudukottah is a little State that I come from. We tried our very best to introduce prohibition, but found so many difficulties in our way. So, also, I am perfectly sure that my hon. Friend, Diwan Bahadur M. Krishnan Nayar, a reputed Statesman, tried that in Travancore also. Responsibility is one thing and irresponsibility is another. There is the Government of India to think about and the Government of Madras are in a difficult situation and are trying their best to minimise the vice. Instead of thanks they get kicks. Well, Sir, I should be glad if to-morrow most of the Members of this Council go to their electorates without their fear of future elections looming large and tell them that drink is an evil and should foot the bill. If

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they do, I know in about 20 years' time they will be 100 per cent better off. Otherwise, I am very sorry, I have to vote against this motion because it is a case of where to find the revenues from."

* **MR. R. SRINIVASA AYYANGAR** :—"Mr. President, Sir, the hon. Member from Pudukkottah, who has just sat down has assumed the role of an apologist. In him the Government would always find one of the strongest and the stoutest defenders of their policy. But that is by the way.

"Coming to the subject on hand, I wish to make a few observations. It is really a sorry and melancholy spectacle to find an Indian Minister in charge of Exoisc finding himself unable to do or doing practically nothing in the direction of total prohibition. I regard this revenue under Exoisc as a loot; it is a loot. I find it impossible to find any other expression to characterize this heart-rending attitude on the part of the Government. What is it, if not looting the economic conditions of the people, taking advantage of their weaknesses? Now, Sir, on turning to the Budget, you will find that year after year the revenue under this head has shown a tendency to increase. But the Government may very well congratulate itself on this reflection, that in the weakness of the drinking class or in the ranks of drinking classes they have a large number of willing co-operators, who are determined to co-operate with the Government to the extent of augmenting the Exoisc revenue.

"What is it that the Government have done? Is it open to the Government to continue this policy which has had the indubitable effect of emasculating the nation? Can any Government sacrifice the prosperity and contentment of the people for the sake of revenue? It has been said by one Member that the revenue under this head comes to a little over five crores and he asked 'How are you going to find ways and means by which you can tackle the problem with a view to replace the loss of revenue?' If that is the standard which one has to set before himself, the Government may very well go and plunder and say, 'We are short of funds and therefore we are going to plunder you.' No other argument is possible under the circumstances.

"Now, Sir, this House has committed itself already to a policy of total prohibition by successive stages. Revenue under Exoisc amounting to five crores means a consumption of the value of fifteen crores a year, or, in other words, year in year out, fifteen crores of rupees are made to evaporate, that is to say, people are deprived every year of money to the extent of fifteen crores of rupees. Is that a desirable or satisfactory state of things? Can the Government afford to look at this with stoic indifference having its eye more upon the revenue than upon the people whose well-being and interests are in their hands? I do realize as I must recognize the practical difficulties in the way of bringing total prohibition in a day. It will be almost an impossible task. There are difficulties too numerous to mention, for it may not be quite possible to replace immediately the loss of revenue or expenditure of such a large amount of money. But, it would be possible for the Government to make a serious beginning, to try an experiment in two or three districts every year, so that in the short space of time, say, within a period of about 12 or 15 years, it would be possible to make the Province dry. But, nothing in that connexion appears to have been done in this matter. And so it was that I was obliged to say much against my will and characterise the attitude of the Government as absolutely heart-rending.

[Mr. R. Srinivasa Ayyangar] [15th March 1928]

"These seven years this question has been before the House. And during every budget time, the question of the Excise policy was mooted but with absolutely no result. A year or two ago the Government of Madras set up what is known as the Excise Licensing Board, but what are their powers, what are their functions and under what restrictions have they been placed? So far as these boards are concerned, they can only reduce the number of shops by one-fifth or, in other words, in localities or municipalities where you have six shops, they can cut it down to five, or reduce it by one. So far as their ultimate powers are concerned, the utmost extent to which they can reduce is one-third and they should not do further. That is the kind of constitution under which these Excise Licensing Boards are functioning. Is it reasonable to suppose that under these limitations any Licensing Board can function satisfactorily? And, there is yet another difficulty. It is regarded that the money drawn from the people under Excise is tainted money. It is a tax on the vices of the people! No man has a right to take advantage of the vice of the people, virtually emasculating them. There is revenue on the one side and the manhood of the nation on the other, and it is up to the Government to prefer the latter to the former. But the Government have been pursuing a most inhuman and short-sighted policy. It is up to the Minister to introduce the change, but if he goes on in this indifferent fashion, as long as the Ministry continues, whatever its colour, nature, complexion or constitution may be, we shall repeat the attack and shall not rest content until we get what we want."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I have tabled a motion, but I have taken care to state that it is only to discuss the policy by suggesting the lines along which temperance reform may be carried."

* The hon. the PRESIDENT :—"This is a motion to disapprove the policy of the Government. But if the hon. Member wants to speak on his motion, he will have to wait."

Mr. S. ARPUDASWAMI UDAYAR :—"Yes, Sir, I will wait."

* Mr. V. I. MUNISWAMI PILLAI :—"Mr. President, Sir, I am sorry to find that the present policy of the Government, as far as the matter of Excise is concerned, is not a satisfactory one (hear, hear) from the depressed classes' point of view. It has been stated on the floor of this House that the economic condition of the depressed classes is very bad and some steps must be taken to remedy matters. To my great surprise, I find that very little has been done as one could expect. The unemployment question and the consequent poverty-stricken state of the depressed classes has crippled them to be bankrupts. I know, Sir, instances in the rural parts where the people who do not earn more than two annas a day were engaging themselves in the taverns and toddy shops to get a decent drink in the evening by borrowing money at the rate of two annas per Rs. 10 per week. It has been stated by several of the conferences over which I presided, that if there were to be any reform, it must be in the eradication of the drink evil, which has crippled the community and reduced it to a state of bankruptcy. Besides that, Sir, the depressed classes are not given free access even to enter the premises of toddy shops, and to those of the literate section of the depressed classes, it is greatly wounding to see such a state of affairs existing at a time when we have got so much confidence in the Government."

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* "Moreover, Sir, the stated hours of the opening and closing of the shops are not strictly adhered to. In Malabar where I had been to study the conditions of the depressed classes, I saw these taverns kept open at about 6 o'clock before the agricultural labourer could go to the fields. I think the time has come when the Government must see that prohibition is introduced by successive stages so that total prohibition may be reached at least within the next nineteen years. There is another important factor which I should like to place before this House and it is that it is a well-known fact that an advisory committee for excise has been constituted a year before. I do not think that this committee ever met and discussed anything on this important question. Sir, it may be that I may have to vote with the Government on this very important question, for many reasons, but I may say from my heart of hearts that total prohibition is the real thing that is wanted by the community and in order to ameliorate their condition this is the vital thing which has to be taken into consideration immediately by the Government."

* Mr. T. ADINARAYANA CHETTIYAR :—"Sir, if the topic of prohibition is an annual one, it is because the flow of Government drink is perennial. Sir, one is rather dissuaded from speaking on this topic, seeing how my hon. Friend Mr. Muniswami Pillai belonging, as he does, to a community perhaps worst affected by this evil, tangibly and visibly affected by this evil, and coming as he does from the Nilgiris where if at all there is a demand anywhere for prohibition from drink there is the greatest demand among the hill tribes when that good friend of mine—for I have very great esteem for him—says that after all is said and done his vote will be with the Government, and says that in advance, even before listening to the all-round all in all Minister on this question, when we see this sort of attitude on the part of people from whom we expect very much better, one is, as I said, dissuaded from making a speech on this occasion. Sir, the Simon Commission has come but not gone. The task which they have placed before us is that each one of us should sit at his desk and write essays on self-government, and I am sure there will be people enough to write a cart-load of such essays to be placed before them. But whatever may be the ultimate result of that shower of essays which they have invited, we have no illusions, at least we on this side of the House have no illusions. Whatever may be the difference of opinion between the Government and ourselves about the form of Government, prohibition is a topic on which we are apparently agreed; for the Government, from time immemorial, if I may say so, have been saying that their object is to have total prohibition—just as their object is also swaraj—but by successive stages. So also in the matter of prohibition, the methods they have pursued are methods which will take us not towards prohibition, either total or partial, but towards the other place which I would rather like not to mention in any decent place. The Government, whenever this inconvenient topic crops up, give us either committees or reports. The last report, Sir, was dated 1925, and it is still fresh in our memory. That report was the result, as the Government said, of a very careful enquiry into the methods of introducing prohibition in Southern India. A very expensive committee on this question went, not abroad, but to other provinces, and after an elaborate dissertation on the Bengal system, the Bombay system, the surcharge system and every other system in the world, came to the conclusion that there is no place like home, i.e., that the method which they have been following, was the best. The Government policy is already there; they are restricting the

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number of shops, they are increasing the price and the tree tax has also gone up. What more do you want? The millennium will come—only the people's patience must last long enough to survive till that millennium.

"Then, Sir, there is another perennial answer, namely, that of revenue, about which my hon. Friend Mr. Dorai Raja is so very touchy. He seems to be more anxious about the finances of the Government than the hon. Mr. Moir himself. Still, I would like to know from the hon. Mr. Dorai Raja how in other countries which are supposed to be a little more civilized than ours, say in America, they are getting on with this question of prohibition. The drink habit must be naturally greater there and the income must also be greater to the Government there. If the greatest republic in the world can get on without that tangible portion of its revenue from drink, I cannot see why we in this country cannot get on without that revenue. I know the hon. Mr. Moir will take up cudgels against such a proposition. But where on earth can there be any reason for not attempting prohibition at least on a partial scale? Sir, governments come and governments go, Ministers come and Ministers go; but the fate of the ryots before whom the temptation of drink is so shamelessly placed seems to be absolutely hopeless. The previous Minister came to the conclusion about three years back that total prohibition in twenty years was the ideal to be kept in mind. If drink has to disappear in twenty years, even ordinary people with ordinary intelligence would ask at the end of the first year, 'Has five per cent of it gone' and at the end of the second year 'Has another five per cent gone' and at the end of the third year 'Has yet another five per cent of it gone'? Arithmetic seems to be not an exact science so far as the Government are concerned.

"Sir, again, there is the bogey of illicit distillation. May I ask, Sir, whether in America where they have attempted to solve this question, almost to the admiration of the whole world, the people do not know what this question is? How have they combated it? If it is possible in America, should it not be possible in this country where even to protect the Simon seven we had some troops in this Madras City itself and where people are so docile and law-fearing? I do not think that any of these arguments will apply for a moment to this question of at least partial prohibition. Sir, as I said, the avowed policy of the late Ministry was prohibition in twenty years, but unfortunately for it, this House had an opportunity of testing the honesty of its professions. Within 72 hours of the passing of that resolution almost unanimously, I moved the adjournment of the business of the House, and wanted an assurance from Sir Patro that at least three shops in the Madras City would be closed as recommended by the City Excise Committee. But how vehemently he then opposed it and thus gave us an idea of the sincerity of his party in the matter of total prohibition! But let bygones be bygones. Mr. Arogyaswami Mudaliyar with his high sense of duty (A voice: 'Consistency!')—yes, but I hope to-day he will vote with us—the hon. Mr. Arogyaswami Mudaliyar with his high ideals to which he gave expression only the day before yesterday, when he came to office, fed us with the hope of having total prohibition, at least partial prohibition. We who could not peep into the working of the Government but had to be content with some of the side-lights which escaped through the chinks of the door of the Cabinet room, we could hear of the great fight that was going on

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between him and the hon. Mr. Moir who, I am glad, is present here now. When he gave an explanation of the circumstances under which he had to lay down his high and responsible office of Minister, the House expected to hear something of that struggle, of the war which he was waging all these one and a half years with the hon. Mr. Moir on this question of total or partial prohibition. But we were denied that knowledge. Therefore, Sir, under the happy family of the late Ministry—or under the unhappy family of the late or rather the just retired Ministry—the fate of the ryot seemed to be no better. Apart from the question of prohibition, even as regards the present ordinary humdrum life, we do not know whether anything has been done which is worth our while to examine. For instance, as regards the location of toddy shops, it is a standing scandal. When Members of this Council who are supposed to represent millions, at least hundreds of thousands, of voters come and move the Government by humble petitions and otherwise for the removal of certain shops from places where our countrymen feel that they are a source of irritation to decent people, the Ministers express themselves unable to do so. Sir, in the district of North Arcot, there has been a toddy shop located at the junction of the four main roads next to the high school, adjacent to two mills and very near the railway station. Both students, mill-hands and agricultural labourers have to pass that place compulsorily at least four times a day. The Tahsildar wrote against it. Even the Abkari officers were not very insistent about having it there. The people petitioned against it again and again; but the word of the Collector prevailed, and he said that it was the proper place for its location. I am sorry to tell you, Sir, that from 1923 all our efforts to remove it have failed and even this day it is waxing and flourishing there in the same locality. In Ambur, another place in North Arcot district, at a place which is on the high-road, in the most congested part of the poor peoples' quarters, an arrack shop and a toddy shop—as if one evil is not enough—were located. For the arrack shop, there was no suitable building. That was the report about to be made by the Excise officer, but the people were not to be denied the use of that luxury called arrack. Therefore, within 48 hours a big pucca building was built by the contractor, and it has been licensed. The poor people of Ambur in the district of North Arcot—which has attained a record for emigration in the whole Province—are given the advantage of having not only a toddy shop but an arrack shop also in their midst. When I complained about it to my hon. Friend Mr. Arogyaswami Mudaliyar, he said, 'Sir, to tell you the truth, I am unable to interfere. Unless I go to Ambur and say that the locality is to my knowledge objectionable, there is no use. If I go by the records, all my subordinates, as if by a conspiracy, seem to go against the people in this matter'. Sir, if such is the misfortune of the people, and if the Government go on telling us year after year that they are for total prohibition, that they are making every honest endeavour, that there is the bogey of finance, this, that and everything else, how are we to believe them? Sir, that eminent friend of India, Mr. Fenner Brookway who is leaving us to-day, gave us yesterday in one sentence his impression of rural India. He said that wherever one goes people wanted only two things, i.e., roads for carting their produce and getting their manures from distant places to the fields, and the removal of the toddy shop. If it strikes a stray visitor, a sympathetic visitor though he may be, during a short stay in India, that the greatest cry of the poor people in the country is the removal of the toddy shops, and if in this

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House resolution after resolution has been passed and 'cut' after 'cut' has been adopted only to be wiped away by the Government, if that is the scant courtesy with which this House is to be treated after years of agitation, I must cry in despair, how are we going to get on in this country? Of course it is preached to us in season and out of season that people could set up counter attractions to these shops and that more tea shops and clubs should be opened. Because the Government are creating a big attraction by locating toddy shops in the main roads and refusing to remove them though the united demand of the agricultural labourers is that they should be removed—not only that, they keep those shops open at all sorts of hours—it comes with ill-grace from them when they say so. As a matter of fact, my Friend Mr. Muniswami Pillai said that toddy shops are kept open even from 6 a.m. in Malabar and I also personally know that in the Madras City shops are closed outwardly at the prescribed time, but that there are always side-doors in every toddy shop from which toddy is being sold, perhaps at a higher rate, but it is available at all hours of the day or night. And not only under the very nose of the police these toddy shop contractors tom-tom reduction of prices openly in the streets, but they place beautiful pictures in front of the shops to attract people, they put up gas-lights."

Dr. B. S. MALLAYYA :—"Playing of bands also."

* Mr. T. ADINARAYANA CHETTIYAR :—"And playing of bands also, as my hon. Friend Dr. B. S. Mallayya speaks from his unique experience of Madras. It is also a most pitiful sight to see the toddy contractors as members of the Advisory Committee and the hollowness of the scheme was ably exposed by my hon. Friend Mr. Arogyaswami Mudaliyar. I advise Government to be honest in their attempts and not to shilly-shally with the people. We have tried several means of informing Government of the opinion of the country and having failed in those attempts we have now pitched upon the only and effective recourse of voting unanimously and strongly against the grant asked for and thus bringing pressure upon the Government so that they may become conscious of the real resentment of the people at the Government's hypocritical policy of promising total prohibition while actually placing more temptations in the path of the defenceless ryot."

* Mr. N. SIVA RAJ :—"Mr. President, Sir, I think it was my hon. Friend the learned Member for the University who, once quoting the late Mr. C. R. Das, said that one should not take the advice of a political opponent. I mean to follow that dictum to-day and oppose this motion coming as it does."

Dr. B. S. MALLAYYA :—"Depressed classes!"

Mr. N. SIVA RAJ :—"I will come to that later on. I said, coming as it does from an Opposition which has committed itself to a policy of wilful obstruction and so far as I am aware, is incapable of any helpful criticism."

(A voice : "What is your criticism?")

"I have no doubt in my mind that the hon. Mover of this resolution had the best of motives in this matter, and I am not going to suggest for a moment that, in his appeal to the depressed classes, he had anything but their interests at heart. Nor am I going to suggest that drink has not got injurious effect. I want to say however, that whatever may be the effect of this evil habit upon their economic prosperity, I know most of the depressed classes

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take toddy and they say they take it as a solace for the ills and sufferings they undergo, at the hands of the castemen and the capitalists, and in their present surroundings.

Somehow or other members of the Opposition have developed a happy knack of talking on every subject in complete and convenient isolation. They moved token motions to reduce court-fees, land tax, etc."

(Voices from the Swarajist bench :—"The House voted it in spite of it.")

* The hon. the PRESIDENT :—"The hon. Member may be allowed to have his say undisturbed."

* Mr. N. SIVA RAJ :—"The Members of the Opposition advocate the policy of prohibition closing their eyes to the fact that such a policy besides depriving Government of one of its important sources of revenue involves extra expenditure. Personally I have been asking for various benefits to be conferred upon the depressed classes and those demands involve considerable amount of expenditure. I will never be a party to following a policy of blowing hot and cold in the same breath. I cannot vote for a motion which means loss of revenue to the Government. There is also a proper time to ask Government to launch upon a policy of prohibition. When the Government enters upon huge schemes of irrigation which take away a major portion of the revenue how can we in justice ask the Government to abolish excise revenue totally when they are in dire need of more money? Hence I oppose this motion."

Mr. ABDUL HAMID KHAN :—"I do take it as a pleasure to follow the arguments of my hon. Friend Mr. Siva Raj. Whenever he comes forward with arguments like these I know he does not mean what he says (Laughter). For I am certain from my knowledge of him for the last twenty or twenty-five years, because we have been class-mates even from our boyhood, that his heart and mine are one. It is not his real mind that is responsible for his speech but the unfortunate position that he occupies to-day as the nominated member (hear, hear) that is responsible for making a speech which is not his own. Further the very fact that a brother Member who is sitting along with him and who belongs to his own community and who has spoken previous to him and who has spoken in the most clear language shows that his heart is on this side of this House whereas his allegiance is to the party to which he belongs or to the Government to whom he owes his nomination and hence he is responsible to them for his vote, which he may be compelled to give. He has already shown to us that as an Adi-Dravida he is absolutely with us on this subject."

"Sir, the policy of the Government has been referred to by the previous speakers with regard to prohibition and it has been condemned in most unmistakable language possible. It cannot be condemned any more strongly. If the Government wish to uplift the people of the country, if the Government want to be a benevolent one and if it does not wish to be false to the country then it ought to keep in mind always the material and moral upliftment of the people. But I do not for a moment question the policy of a foreign Government, as its policy can never be conducive to the material and moral upliftment of the people of the country. It is therefore in consonance with the policy that they have been following, this most wretched and most wicked policy that such a large amount of revenue is got at the cost of the poor people."

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"Sir, the hon. Member from Pudukkottah is always ready to come forward asking us to support the Government in season and out of season. I can understand his supporting the Government when the question is one of retention of the administration of the country which he loves so much, but I can never understand how any Indian who loves his people can come forward and say that we should support the liquor policy of the Government and should vote against and speak against the policy of prohibition. He did not believe that it was a moral question. He did not think that there was any ethics behind it. Mr. President, if we realize that by allowing the Government to carry on such a policy for years and years to come what infinite harm it will work on the people and if we realize also how it is already responsible for the economic deterioration of the people, then we would realize that this policy is not a safe and sound financial policy. We know that poverty increases in the country day by day very largely on account of this drink evil that is perpetuated by the Government. The poor labourer who earns a pittance every day by toiling from dawn to dark spends a major portion of his earning on drink. If he is kept out of the temptation by abolishing the toddy and liquor shops he will spend it usefully on his hungry family. I have known cases of poor labourers earning not more than eight or ten annas a day and giving their family only three or four annas. If this is the condition of the poor labourer is it not the duty of the Government to come to his help? On the other hand, Government does not see any advantage in freeing the labourer from this temptation of drink. My hon. Friend Mr. Siva Raj said that the poor labourers resort to drink as a solace from the hard labour that they do during the day. But why does he go to the toddy shop? Because it is kept open for him and it is located specially in places to which he resorts."

Mr. N. SIVA RAJ :—"Coffee hotels."

Mr. ABDUL HAMID KHAN :—"Coffee hotels are quite as bad as toddy shops. (Cries of 'No, no.')

It is deplorable to see the way in which these toddy shops are located in the City. The Excise Licensing Board is supposed to have control over these shops; but we know what a farce it is. The representatives of the Madras Corporation on the Board have resigned as a protest and one of the illustrious examples of such a resignation was that of the hon. the Home Member himself. I am sure that as a Member of the Government he will prosecute the same policy and not be a party to in any way perpetuating the evil of drink.

"Mr. President, one argument against the adoption of prohibition immediately is that we would not be able to find the revenue of five crores that will be abolished by adopting that policy. This no doubt is a specious argument. For it is only when the Government makes up its mind to put an end to this evil that it can think of ways and means to find revenue to make up the loss either by new taxation or retrenchment of unnecessary expenditure. If Government adopts the policy of total prohibition in five or ten years, I am sure it will bring additional revenue from other sources besides reducing expenditure on various other departments of Government, such as the Police and Military. If the Government which is responsible for the administration of this Province is not able to find out ways and means to cover up the loss of revenue, it does not deserve our support. Mr. President, we all know that ever since the inauguration of the Reforms, the expenditure has risen up by five crores. This amount is equal to our drink revenue. If we had not

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increased our expenditure I am sure we could have easily foregone this revenue. I do not say for a moment that the revenue should be foregone all at once. But if the Government realizes the moral turpitude that is involved in this evil they can certainly chalk out a programme of gradual eradication of it in such a way that the revenue will not be affected suddenly. Therefore I hope that no member in this House, even the Adi-Dravida Members and the nominated Members, will go against their conscience and vote against this motion, which is intended to put an end to the drink evil so that we can uplift our countrymen from their poverty and moral degradation."

* Rao Bahadur B. MUNISWAMI NAYUDU :—"Mr. President, Sir, speaking on this motion I must own to a certain feeling of unreality in the debate. This motion is intended to express the dissatisfaction of the House at the attitude of the Government towards the excise policy. This motion would have its significance if my hon. Friend, Mr. Arogyaswami Mudaliyar, had been in his place to explain his policy. Unfortunately, Sir, he has gone out of his own accord and is no longer a Minister. If we pass the vote of censure it will be a vote against the Minister who is no longer in office. I do not know whether there is any point in censuring a Minister who is no longer in office. During the last budget debate the Leader of the Opposition tabled a similar reduction motion under this grant and pointed out that it was more a vote against the previous Justice Ministry for its excise policy than against the then Independent Ministry. If that is also the understanding to-day, I give my vote in favour of the motion to reduce the demand."

"Sir, there is one other thing. We were treated to a curious statement that there was nothing like collective responsibility at all among the Ministers and that each Minister was independent of the other as regards his policy. The Leader of the Opposition also tabled a motion of no-confidence in a single Minister while all the three were there. Under the circumstances, since the Minister who was responsible for this policy is not now there, I think there is a touch of unreality in the motion that is put before the House. (A voice: No.)

"Sir, it was expected that when the financial condition of the province improved, at least by the reduction of the iniquitous impost, better times will come. During the debate on the motion against the policy of the Justice Ministry we maintained that we had done all we could with the finances at our disposal and that there were many difficulties in the way. But the mover of the motion maintained that it was not the case. Let me quote one passage from the speech of my hon. Friend Mr. Satyamurti:

'Then, Sir, so far as the statement of policy of the hon. the Minister for Excise is concerned, I recognize that it marks some advance on the barrenness of the policy of Sir Patro. Prohibition is not kept out, as it was, in this Government Order, the parting gift of Sir Patro of the Madras Government. The present Ministry accepts prohibition. They accept progressive and definite stages should be taken in that direction. But I want to tell my hon. Friend the Excise Minister that on this side of the House there is a very keen, very earnest and very sincere feeling that we must get total prohibition as early as possible. I recognize the practical difficulties in the way, viz., the difficulty of finding alternative sources of revenue, the difficulty of having adequate detective staff to prevent illicit manufacture and sale, and also time for the interests concerned to adjust themselves. I said this when Sir Patro was Minister for Excise; I am not saying it only to-day. Therefore I am willing to recognize the difficulties.'

"Therefore with regard to the administration of this department, the hon. Member realised the difficulties. We said that much could not be done and to promise much was to court disappointment. The Ministers promised much and after a year of trial the Swaraj party is not satisfied with the results. For

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myself, Sir, speaking with responsibility and a certain amount of feeling in the matter, I say it was possible for the Minister to have taken a step in the direction of ultimate prohibition in twenty years or twenty stages as Mr. Davis himself put it. In that case it would have meant an extinction of revenue of about 25 lakhs of rupees annually. But in the budget presented to us now which was prepared while the Ministers were in office, we do not find any provision made for carrying out the scheme. I also ask what the Finance Committee in which the Swarajists are so well represented, did in order to find out the ways and means to cover the loss of revenue. I ask what action they have taken, what proposals they have put forward to meet the difficulties in the way of adopting the policy.

12-45 p.m. "If they were not put before them it is not our fault. It is the fault of those who were the Members of the Finance Committee and who are still its Members. (A voice: 'It is the fault of the system.') If it is the fault of the system it existed even when the Justice Ministry was functioning, and why did you find fault with that Ministry. Sir, I ask and hope that the late Minister for Excise would stand up at least now and say what prevented him from fulfilling the promise which his party and he gave. I hope he will be able to give a satisfactory account. Then I shall reconsider my position. Until then, to the proposition that is placed before the House I give my vote."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, Sir, I thought that any long discussion in this matter would be unnecessary for several reasons. The gentleman who was responsible for the policy till two days ago is now in the back benches and I hope he will explain the circumstances under which he was not able to respond to the call made by the hon. Member Mr. Muniswami Nayudu. We do not expect much from the vote which I hope will be given in favour of the proposition. The hon. Minister who represented or pretended to represent the department yesterday is not there to-day and the gentleman who is there to-day will not be here to-morrow or the day after to-morrow. Therefore all that the Minister may say is only a repetition of what the Revenue Secretary may say to him.

"The discussion to-day is very important on account of the revelations made by one of the hon. Members on the other side. I hope the Associated Press will take note of it and flash out the information throughout the whole country because they are supposed to give out true facts and not the Free Press. He explained the various difficulties caused by the department and showed how the rules were being tampered with and not followed. He stated how the rules about the hours of sale were broken. He stated also how the great community which he represents was suffering very much under the system. At last he said that 'although my heart and my conscience'—I am paraphrasing what he said—'are with you, for several reasons my vote unfortunately will be with the Government'. What more is necessary for the Government to see that every vote given by such nominated Members in their favour means two for the other side. The hon. Member, Mr. Dorai Raja, coming from a small State, said that that State also was suffering under similar circumstances. He began by saying 'my fullest sympathy is with the mover of the proposition'. He went on to assert that the ryots of this province were suffering a good deal on account of this drink question. At last he said that his vote would be against the cut. Is anything more necessary to show that the vote of some hon. Members of this House do not

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represent either their own conscience or the wishes of the community they represent? The speech of the hon. Member, Mr. Siva Raj, was only from the lips; there was a struggle between his heart and his lips. He said 'it is very bad for our community itself'. At the end of his speech he said that he wanted more money for some other reform for his community and that therefore he opposed the motion. His idea is that his community will be able to get more benefits if more money is available for being used for those purposes. But we know that a major portion of the income from the drink evil, viz., five crores of rupees, comes out of that unfortunate community. Yet he says that the system should continue because he expects the Government to spend some money for the improvement of his community. Therefore he said 'I am going to give my vote against the cut'. As I said, this discussion has at least shown to the world what weight is to be given to the votes of some nominated Members. I hope that the Commission in Lahore will look into this matter and understand exactly what weight should be attached to the show of the depressed classes saying that they are in favour of the Simon Commission.

"Coming to the question in issue, I do not think that there can be any defence by anybody so far as the Government policy is concerned. The hon. Member Mr. Muniswami Nayudu has evidently made a mistake by reading the word 'Minister' in this motion instead of 'the Government'. There are a number of other motions specifically stating want of confidence in the Minister. This particular motion says that we have no confidence in the policy of the Government. Sir Patro was Minister some time back; Diwan Bahadur Arogyaswami Mudaliyar was Minister till two days back; Dr. Subbarayan is the Minister now. To-morrow anybody may be Minister in charge of the department. But the Government, as a Government, is against any reform. As Ministers who were against the Simon Commission were asked to go away, any Minister who says anything against the present Government policy will be asked to go away. Therefore we are attacking now the policy of the Government. The policy of the bureaucracy is enunciated by the Member of the Revenue Board who is the head of the department and who is, as a whole, in favour of this drink evil. We were asked last year as to what should be done if there was a reduction of 50 lakhs from this source. What do the figures show? The revised estimate on the budget of 1927-28 shows that there has been an addition of Rs. 21 lakhs in income over the original budget estimate. Every year the revised estimate figure increases over the budget figure. If the figure is 10 lakhs in one year, in the next year it is 15 lakhs. At the end of that year it actually is 25 lakhs. Though there was an addition of 21 lakhs of rupees the Government were not satisfied. They have added 4 lakhs of rupees more in the budget for 1928-29. That is the way in which the reform by way of prohibition or by way of reduction of the drink evil is given effect to. That is the way in which the income of the Government goes on increasing. Will the present Minister or the ex-Ministers, or the Secretary of the Revenue Department or the hon. Mr. Campbell who was in charge of this department as Excise Commissioner for a long time rise up and say whether they have done anything to reform the department except increasing taxation? Will any of them say whether the rules have been followed? There is a toddy shop close to the Coimbatore Mills in which 5,000 hands are employed. Myself and one of my European friends went by that side and we saw a lot of people coming out of that shop near the mills early on a morning.

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"There is another question to which I have repeatedly called attention in this House, viz., the number of toddy or arrack shops by the side of the public roads or near *shandies*. I asked the Collector of my district whether he could give the number of such shops. His reply was that the number was so great that he could not give the number. Every toddy and arrack shop that belongs to a village near the road is located openly with the permission of the Excise Commissioner on the road itself. For every water-shed that existed on the roadside, there is now about half a dozen of toddy shops. In a village, Vallalur, which is four miles from Coimbatore, there are toddy and arrack shops located close to the *shandy*. Such examples need not be repeated. I only wish to point out how the rules are disobeyed in every respect. Therefore unless there is a change in the conscience of the Government, whose policy we are attacking, there is absolutely no use in having an Excise Minister. By way of commending this proposition may I appeal to the ex-Minister or the present Minister or any other Cabinet Member to take us into their confidence and explain what the hon. Minister Diwan Bahadur Arogyaswami Mudaliyar meant when he stated at the time of the general discussion of the budgets that he had prepared various schemes, that they had been placed before the Government and that the Government were expecting to pass final orders on them. May we have the satisfaction of knowing what elaborate schemes have been propounded by him, whether those schemes have been considered by the Government or whether they have already been thrown into the gilded waste-paper basket of His Excellency and his Council? I would be very glad if the ex-Minister who is not under the shackles of his office—unless he is bound by the nature of confidence in the matter—would say what those schemes are. May I appeal to the present Members of the Cabinet to let us know the fate of those schemes? Some information on that point may make this discussion a little more useful than it would otherwise be.

"Whatever may be the reasons of some of my hon. Friends who are nominated members on the Ministerial side, I appeal to them to be at least neutral and not to vote against this motion. I know their difficulties. The hon. Member, Mr. Muniswami Pillai, has made the matter clear. We cannot blame him if he is compelled for any reason to vote against us. But I appeal to him and others like him to be at least neutral to satisfy their conscience.

"As regards the remarks of the hon. Member, Mr. Muniswami Nayudu, I say that we want the votes of his party. We want to show to the Government that, so far as this Council is concerned, we are against the policy of the Government as it has been acted upon from year to year, from decade to decade and from century to century. With these few words I strongly support the motion. I appeal to hon. Members to carry this motion unanimously so far as non-official Members at least are concerned."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, in view of the speech made by my hon. Friend, Mr. Muniswami Nayudu, it is unnecessary for me to go into the details of the discussion. The proposition before the House is to record the disapproval of the excise policy of the Government. In discussing this matter last year my hon. Friend, Mr. Muniswami Nayudu, stated that the Ministry then in existence was a Swaraj Ministry or semi-Swaraj Ministry.

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"This was not challenged at the time. That has since been supported 1 p.m. by the esteemed ex-President of the Indian National Congress. He said that the Ministry has been brought into existence and supported or tolerated by the vote, nay, by the positive support of the Congress Party. In addition to this clear statement of the ex-President of the Indian National Congress, we have also the statement of the hon. Member representing the registered graduates of the University in unmistakable terms that they (the Swarajists) were receiving any amount of odium and condemnation because they had been supporting the Ministry. Therefore, I say, it is not the policy of the Government that is now under discussion but it is the policy of the Swarajya Party who have brought the Ministry into existence and allowed them to continue, till the other day. It is the policy of that Swarajya Party, the Congress Party, their active support or neutral vote, that is responsible for all the acts and deeds of the Ministers. Sir, if this is the policy which we are now discussing, I would ask hon. Members in all seriousness to say whether there is any reality in the motion that has been made. Sir, in criticising me last year, the hon. Member representing the University in a vehement speech which is characteristic of him asked: 'What has that gentleman who has his seat below the gangway done all these six years about prohibition?' Sir, I am not capable of being vehement or theatrical like him, but I can afford to be more reasonable and just. In February 1926, when the question of this excise policy was discussed before this House, this House passed a resolution saying that prohibition should be worked up to gradually in the course of years and that the Finance Committee should find ways and means for carrying out that policy. The Finance Committee during the last two years consisted of the majority of the elected Members of the majority party, namely, the Congress Party. It was open to them to investigate and exploit the sources available for the purpose of bringing prohibition nearer. It was their duty, their right and privilege to work out a scheme in order that prohibition might be made practicable. As businessmen we have to face the realities of the situation. What was the policy that was accepted by the Congress Party when the hon. Mr. Arogyaswami Mudaliyar last year read a type-written page expressing this policy—the paragraph was evidently inspired by the Congress Party—and when they supported him or did not vote against him? Again what was it that the Congress Party did when the no-confidence motion was discussed? The hon. Member representing the University said that they (the Ministers) were honest folk attempting to carry on excise reform and temperance. Therefore it is not the policy of the Government we are now discussing but the policy of those who supported the Ministry—that is the policy of the Swarajists that we are now discussing. Here is the policy that was enunciated by the hon. Member in charge of Excise in March last year. Mr. Arogyaswami Mudaliyar then stated, perhaps with the consent or in consultation with the Members of the Congress Party, that 'prohibition will be the goal of our excise policy. The idea of a dry Presidency will be accepted and worked up to. For the future, our policy will be further reduction of shops and consumption by extension of the prohibition areas by such increase of duty on spirits and of tree-tax as is found suitable, by the reduction of the limits of private possession wherever necessary, and other methods as may be found suitable.' This was the policy that was enunciated before this House and this was the policy that was accepted by the majority party. If this is the policy, I ask, is it honest that we should speak of prohibition within a fixed period of 20 or 10 years? Sir, the hon. Member representing

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the University then said: 'I like Swaraj. I like prohibition. But, I like one thing more than Swaraj and prohibition and that is honesty in public life.' Sir, I emphasise honesty in public life. We are discussing this question as businessmen representing the real interests of the country, the people, the agriculturists to know what is capable of being done in the matter of temperance reform. This question we are to consider not as theorists but as practical men to assist the agriculturist and the labourer. The hon. Member for the University said that I had no policy or programme when I was in power and wound up merely saying that we then talked of prohibition and wanted to play the dirty game of defeating the Ministry just because the Ministers or a particular person was against the party and the motion was brought to send them away. I am surprised at the change he referred to in his speech."

* The hon. the PRESIDENT:—"I would request the hon. Member to bring his remarks to a close as the Minister and the ex-Minister Mr. Arogyaswami Mudaliyar will have to be given an opportunity for replying."

* Rao Bahadur Sir A. P. PATRO:—"Sir, it is said that the subject of prohibition is not kept out. In his previous speech relating to the previous Ministry the hon. Member for the University said that prohibition was not kept out and therefore he would accept the policy. He urged that progressive and definite steps should be taken in that direction. What are the steps and stages laid down in that speech of the hon. the Minister for Excise? He said that he would reduce tree-tax and also shops. This is the whole policy of progressive stages. There must be some limit to public speeches, that is, honesty in public life. I say there is no reality in the discussion now before the House. This is done more by way of theatrical demonstration and not in sincerity and for the benefit of the public. The policy that we are criticising is the policy of the Swarajists, and the motion is not based on real political principles."

* The hon. Dr. P. SUBBARAYAN:—"Sir, I think it was Mr. Venkataramana Ayyangar who said that I would probably read a speech prepared by the Secretary in the Excise Department. It may be that I have got to go to the Secretary of the Revenue Department. Sir, the administration of Government will be impossible unless you have Secretaries who will remain there whether Ministers come or Ministers go. I think that hon. Members behind me and opposite to me will agree that they are a necessity in all administrations."

"Sir, I will content myself with briefly referring to the salient points concerning the excise policy of the Government of Madras. The general excise policy of the Government has been 'to minimise temptation to those who do not drink and to discourage excess among those who do and to the furtherance of this policy all considerations of revenue must be absolutely subordinated.' The more important of the steps generally taken to give effect to this policy have been the reduction of the strength at which liquor might be sold, reduction of the number of shops, reduction of limit of private possession, raising of duties so that liquor might become more costly to the consumer and restrictions in connexion with the hours between which shops could be kept open. In 1921 with reference to a resolution passed by the Legislative Council, an Excise Advisory Committee of Members of the Legislative Council was appointed to investigate and suggest means of improving

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the excise administration in the Presidency. After a detailed investigation and consideration of the several schemes tried in various areas from time to time for the promotion of temperance, e.g., local option, rationing, surcharge system, etc., the Committee did not recommend any departure from the existing policy of the Government. The Committee made proposals for the formation of Excise Licensing Boards with non-official majorities in municipalities with a population of above 50,000 and in Madras and Excise Advisory Committees with non-official majorities for rural areas including the smaller municipalities. These proposals were accepted by the Government. New licensing boards in accordance with these proposals have been formed in Madras and in all the fifteen municipalities in the Presidency which have a population of over 50,000 and Excise Advisory Committees in most revenue divisional areas. On 16th March 1927 in the course of the discussion on the voting of the Excise grant for the year 1927-28, the late Excise Minister made the following declaration of policy:

'Prohibition will be the goal of our excise policy. The idea of a dry Presidency will be accepted and worked up to. For the future, our policy will be the further reduction of shops and consumption by extension of the prohibition areas, by such increase of duty on spirits and of tree-tax as is found suitable, by the reduction of the limits of private possession wherever necessary and by such other methods as may be found suitable.'

"It was not until the late Excise Minister formulated his personal proposals for the adoption of a policy of total prohibition throughout the Presidency that the full constitutional implications of such a policy were examined in detail. As a result of this examination, it has now become a question whether the subject of total prohibition is a matter which should be dealt with by a Minister at all. The Transferred subject of 'Excise' is defined in the Devolution Rules at page 142 of the Madras Legislative Council Manual, 1926, Volume I, as 'The control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or in relation to such articles, but excluding in the case of opium control of cultivation, manufacture and sale for export.' It is to be noted that the administration of the Madras Abkari Act is not specifically included in the definition of the transferred subject 'Excise'."

"In so far as this Act embodies clauses constituting offences and procedure for the detection and investigation of those offences the Act pertains to the Reserved Central subject 'Criminal Law including Criminal Procedure' and pertains to the Transferred subject 'Excise' only in so far as the punishment and the procedure prescribed by it are necessary for the proper administration of that subject as defined in the Devolution Rules. (A voice: 'Who speaks? Excise Minister or the Law Member?') To introduce a policy of total prohibition all that is necessary is the addition to the substantive Criminal Law of India of an Act comprising a single penal clause to the effect that whoever imports, exports, transports, manufactures, sells, procures or possesses liquor containing more than a certain percentage of alcohol or intoxicating drug containing more than a certain percentage of specified intoxicants shall on conviction before a magistrate be punished in some specified manner. Such an addition to the Criminal Law of the land is not in any way necessary for the administration of any portion of the Transferred subject 'Excise' as defined in the Devolution Rules. It is in fact the negation of all excise as therein defined. Total prohibition would therefore appear to be not only a

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Reserved subject but also a Central subject. (Voices: 'Hear, hear. Very late discovery.') Similarly, the procedure necessary for the enforcement of the policy would be criminal procedure pure and simple and therefore likewise a Reserved Central subject. Whether the position set out above is or is not exactly correct has to be examined and until such examination is completed and decision arrived at it is inexpedient for any Minister to commit himself at present to any promise that he will take any particular step to give effect to any resolution of the Legislative Council on the subject of total prohibition. It seems that the utmost that he can say whether the question of total prohibition is one primarily if not entirely for consideration by the Governor in Council or Governor acting with his Ministers has to be examined though a policy of temperance as distinguished from total prohibition is a subject to be dealt with primarily by the Governor acting with his Ministers."

Diwan Bahadur R. N. Arogyaswami Mudaliyar rose to speak.

* The hon. the PRESIDENT :—"I will suggest to the hon. Member to bring his speech to a close as early as possible so that Mr. Satyamurti may have a chance to explain himself before the guillotine is applied at 1-30."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"When I came this morning here, I did not intend taking part in this debate. Since coming here I have received many surprises and I feel that a word of explanation from me is necessary. In this debate unfortunately personalities have been brought in. My name has been frequently mentioned by Members from all sections of the House. So far as my policy is concerned, Sir, it was not very long ago that I made a repetition of what I said last year during the budget concerning my policy on prohibition. After the pronouncement I made on the floor of this House during the budget of last year, that policy was accepted by my hon. Colleagues then and by the Government. Recently during the budget discussion I made a statement and I repeat the same again. But to-day I find the present Minister in charge of Excise has completely reversed my policy. (Hear, hear.) For that reason I feel bound to offer to this House a word of explanation. The policy that I followed unflinchingly during the months I was in charge of the Excise department was, as has been read out by my hon. Friend Sir Patro, viz., to accept total prohibition as the goal of excise policy, and to secure this object it was the intention of Government as it was then constituted to extend the prohibition areas, to increase the duty on arrack, to increase the tree-tax, to limit the extent of private possession and to adopt other excise measures. Leaving minor matters altogether I may say I have already given effect to my promise in this matter. The duty on arrack has been increased in several districts, the tree-tax has been put up in several districts, the limits of private possession have been reduced as steps towards the goal of prohibition. The hon. Minister just read out, from the Government of India Act I suppose, the words in which the transfer of excise is indicated. It is somewhat as follows: control, manufacture, possession, sale, transport, etc., of liquor and intoxicants. Control means that the Minister has got powers transferred of reducing manufacture, of reducing possession, of reducing transport, etc., and it is impossible to lay a limit on such control. Can he reduce by 70 per cent? Can he reduce by 99.99 per cent? Would that be control, Sir? Then, why not the .0001 per cent? It seems to me that apart from the quibbling, and apart from the fact that it is a subject in which the

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Reserved side has a voice, it cannot be argued that control must stop short of prohibition. I think it is not necessary to refer to the various other matters of detail referred to by hon. Members in this House or to the questions of personality generally raised. The question is one for all parties and it is certainly not a party question. So far as I am concerned, I have scrupulously stuck myself to the policy set forth in the House so long as I was a Minister. Apparently my policy has been reversed; and it is for the hon. Minister and the present Government to explain why and how the change has taken place."

* Mr. S. SATYAMURTI :—"Mr. President, Sir, I first of all want to point out very respectfully to my hon. Friend, Sir Patro, the wrong spirit in which he quoted me. I then said these words, 'But we are not satisfied with that. We agree that there ought to be a time-limit, because only then will the marches be regular.' I had intended, Sir, to answer him in his own way, but the bomb-shell thrown on this House by my hon. Friend the Sole Minister has lifted the controversy out of all the ordinary amenities of debate. My hon. Friend has now laid down a position which transcends all parties and which merely challenges the House to enforce even moderate prohibition. This particular statement which he has made makes one pause, even under the farce of diarchy. He has put forward a statement which no Minister, not even Sir Patro, dared to lay down when he dealt with this question of total prohibition. My hon. Friend, the Sole Minister, says that this is not a Transferred subject, except for the purpose of carrying on the policy of unlimited sales. (At this stage the hon. Dr. P. Subbarayan rose to interrupt.) I have no time and I cannot yield to explanations. I therefore want to appeal to Sir Patro. I acknowledge that he never raised this fallacious plea of the Devolution Rules. The Government of India Act has transferred this subject and in relation to Transferred subjects, Government is bound by Parliamentary statutes to accept the advice of the Minister. What is all this tom-foolery of our Friend the Sole Minister getting up and saying that he is administering excise, that he can poison the people, make them drink, but cannot reduce drink. It is an insult to the self-respect of the House. Even the Justice Party in its own way sought to introduce temperance reform, and ultimately accepted prohibition as its goal within 20 years. They did not put forward this as an excuse at all. The party of which my hon. Friend the Minister claims to be the chief put forward this policy last year and he now solemnly tells us as a great Doctor of Civil Law of the University of Oxford that he made himself responsible for the position that they accepted prohibition without examining the constitutional implications of the position. A Minister who makes that statement does not deserve to be a Minister at all. It is not fair to himself or to the party, much less as a future possible Law Member, or to His Excellency the Governor. The constitutional Minister who sat still over this policy for 12 months with the consent of the Governor now gets up and says: 'I have now examined and find that it cannot be agreed to. I do not want to go into the merits of the question.' I think we are all agreed on this matter. I ask all the sections of the House to tell this sole autocrat who is selling the soul of the Transferred subjects such as it is that he ought not to have done that. It is for the House to let him clear out. If he will not, let us send him out. Let him learn something of the A B C of the constitution before he tries to insult the whole House by laying down a position which Secretaries have laid down for him."

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The motion was put and declared lost.

A poll was demanded and the House divided thus :

Ayes.

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| 1. Mr. Sami Venkatachalam Chetti. | 18. Mr. C. Ramasamyajulu. |
| 2. " S. Satyamurti. | 19. Basheer Ahmad Sayeed Sahib Bahadur. |
| 3. " C. V. Venkataramana Ayyangar. | 20. Mr. P. Bhaktavatsulu Nayudu. |
| 4. " T. Adinayana Chettiyar. | 21. Sriman Biswanath Das Mahasayo. |
| 5. " P. Anjneyalu. | 22. Mr. A. Kaleswara Rao. |
| 6. " J. A. Saldanha. | 23. " K. Srinivasa Ayyangar. |
| 7. " C. S. Govindaraja Mudaliyar. | 24. " K. Koti Reddi. |
| 8. " G. Harisvottama Rao. | 25. " L. K. Tuladram. |
| 9. " C. N. Muthuranga Mudaliyar. | 26. " K. R. Karant. |
| 10. Abdul Humid Khan Sahib Bahadur. | 27. " K. Madhavan Nayar. |
| 11. Mr. K. V. R. Swami. | 28. " C. Venkatarangam Nayudu. |
| 12. " K. P. V. S. Muhammad Meera Ravuttar. | 29. " P. Siva Rao. |
| 13. " D. Narayana Raju. | 30. " M. A. Manikkavelu Nayar. |
| 14. Dr. B. S. Mallyaya. | 31. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 15. Mr. C. Miruthivanam Pillai. | 32. " B. Muniswami Nayudu. |
| 16. " Narayana Rao, Mothay. | 33. " K. Sitarama Reddi. |
| 17. " A. Parasurama Rao Pantulu. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 23. Mr. V. I. Muniswami Pillai. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 24. " W. P. A. Soundarapandia Nadar. |
| 3. " Mr. T. E. Moir. | 25. " S. Subramania Mooppanar. |
| 4. " Mr. A. Y. G. Campbell. | 26. " D. Thomas. |
| 5. " Dr. P. Subbarayan. | 27. " S. V. Vanavudaya Goundar. |
| 6. Rao Bahadur C. V. Anantakrishna Ayyar. | 28. " K. Krishnan. |
| 7. Mr. F. B. Evans. | 29. Sir James Simpson. |
| 8. " H. A. Watson. | 30. Mr. Kenneth Kay. |
| 9. " G. T. Boag. | 31. " W. O. Wright. |
| 10. " A. M. G. C. Tampoe. | 32. " C. R. T. Congreve. |
| 11. " S. H. Slater. | 33. " A. T. Luker. |
| 12. " C. B. Cotterell. | 34. Rajkumar S. N. Dorai Raja. |
| 13. " P. J. Gnanavaram Pillai. | 35. Mr. S. Arpudawami Udiyar. |
| 14. " A. B. Shetty. | 36. " K. Ramachandra Padayachi. |
| 15. " J. Bheemayya. | 37. " G. R. Premtyya. |
| 16. " J. A. Davis. | 38. Swami A. S. Sahajamundam. |
| 17. Subadar-Major S. A. Nanjappa Bahadur. | 39. Rao Sahib R. Srinivasan. |
| 18. Mr. Al. Ar. Narayanan Chettiyar. | 40. Syed Tajuddin Sahib Bahadur. |
| 19. " T. M. Narayanaswami Pillai. | 41. The Raja of Ramnad. |
| 20. " N. Siva Raj. | 42. The Raja of Panagal. |
| 21. " M. V. Gangadhara Siva. | 43. Rao Bahadur Sir A. P. Patro. |
| 22. Rao Sahib L. C. Guruswami. | 44. Mr. P. T. Rajan. |
| | 45. Diwan Bahadur A. M. M. Murugappa Chettiyar. |

Neutral.

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| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 11. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 2. Diwan Bahadur P. Kesava Pillai. | 12. Mr. S. Muthiah Mudaliyar. |
| 3. The Zamindar of Seithur. | 13. Diwan Bahadur M. Krishnan Nayar. |
| 4. Mr. R. Nagan Gowda. | 14. Mr. T. K. Chidambaramatha Mudaliyar. |
| 5. " Ramnath Goenka. | 15. Rao Bahadur S. Ellappa Chettiyar. |
| 6. " T. C. Srinivasa Ayyangar. | 16. Khan Bahadur S. K. Abdul Rasool Sahib Bahadur. |
| 7. " Chavadi K. Subramania Pillai. | 17. T. M. Moidoo Sahib Bahadur. |
| 8. " K. R. Venkatarama Ayyar. | 18. The Zamindar of Mirzapuram. |
| 9. The Zamindar of Gollapalli. | |
| 10. Mr. A. Ranganatha Mudaliyar. | |

Ayes 33 ; *Noes* 45 ; and *Neutral* 18. The motion was lost.

Demand II—Excise—for Rs. 37.71 lakhs was then put and carried and the grant made.

The House then rose for lunch.

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After Lunch (2-30 p.m.).

DEMAND III—STAMPS.

The hon. Mr. A. Y. G. CAMPBELL :—" Sir, on the recommendation of His Excellency the Governor, I beg to move

'that the Government be granted a sum not exceeding Rs. 5.71 lakhs under the head "Stamps".'

* Mr. S. SATYAMURTI :—" I move to reduce the allotment of Rs. 2,87,800 for stamps by Rs. 100, to censure the Government for not giving effect to the repeated undertakings to reduce court and stamp fees.

" Sir, to give any argument in favour of this proposition will be but flogging a dead horse. I think, Sir, when the Stamp Act was first amended, I believe, shortly after the introduction of the first Reformed Legislative Council, the Government gave an undertaking that the rise was only temporary to meet the unforeseen budget deficits, and that as soon as the finances of the Province improved they would take steps to reduce the raised stamp fees. I think that on that understanding the Justice party, then the predominant party in the Council, agreed to this Act being so amended, and I believe it was so specifically said in the speeches of their leaders. Ever since, year after year, we have been trying to press upon the Government the need for reducing the stamp duties, and to-day is particularly auspicious, because the provincial contribution of nearly three and half crores has been permanently wiped out; and it is up to the Government therefore to make their distribution of this three and half crores in such a manner as first to relieve the burden of extra taxation on the tax-payer. As has been said by all writers on Public Finance, the first charge on any anticipated revenue surpluses should be the reduction of taxation, especially as it has been raised in this case for a specific purpose for a temporary period. But I see no prospect of any stamp fees being reduced. So, in order to press upon the Government the duty of their readjusting the stamp duties and giving the much needed relief to the tax-payer, I press this motion; and since it does not involve a ministerial crisis or a distribution of appointments, I hope all sections of the House will vote for this cut."

Mr. P. ANJANEYULU :—" I formally second it."

* Sriman BISWANATH DAS Mahasayo :—" I beg to support the motion, for which I have also given notice, and moved by my hon. Friend the Deputy Leader of the Swarajist party. Sir, we have been from 1924, a year after its imposition of this fee, requesting the Government to bring it back to the old level. In 1925 we had a full dress debate on this question."

(At this stage Mr. Venkataramana Ayyangar entered the hall by the left side of the President and took his seat. Thereon the hon. the President said: "I think it is desirable that members should not cross between the speaker and the President." and Mr. Venkataramana Ayyangar apologised to the President.)

* Sriman BISWANATH DAS Mahasayo :—" In replying to the debate, the hon. Sir C. P. Ramaswami Ayyar made the following remarks: 'Reduction as I have said is necessary from the utilitarian and financial point of view, and I consider that the restoration of the old court fees might even lead to the increase of revenues.' The hon. Mr. Graham, then Finance Member to the Government of Madras, also made the following speech: 'After the remission

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of the provincial contributions, the suggestion that a portion of that should be expended on the introduction of some measure of prohibition or reduction of court fees and stamp duties will be considered.' And these statements were repeated by the members on the Treasury Bench year after year without any reserve. In August last 1927, a number of supplementary grants were brought by Government. The whole question was referred to the Finance Committee and the report of the Committee was submitted wherein the Committee said (at page 7 of the Report): 'It considers that the Government programme of remunerative measures will be continued but at the same time it is of opinion that it is necessary to investigate how far the increase of stamp duties imposed in 1922 may be reduced, and how soon effect may be given to any reduction that may be made. The Committee proposes to start investigation at once.'

"Sir, now eight or nine months have elapsed and no sign of any reduction has been seen. Then, Sir, the Taxation Committee, at page 162 of their Report, make certain suggestions: 'A sort of relief may be given to the litigant public in the shape of instalments'. That is, the litigant public may pay a portion of the fees just on filing a suit and another just about the time of hearing or settling of issues. That is also an important question to be considered by the Government. Looking into the financial prosperity of the Government of Madras, we have this year an opening balance of about two crores. Looking into the Budget memorandum presented by the hon. the Finance Secretary, we see that except for four years from 1900, we have never had such prosperous years. It is therefore futile to say that there is no money. The Government cannot now put forward that plea. Now, as has been remarked by my hon. Friend, the Member for the University, we have remission of provincial contribution, and I think the Government are bound to bring down these fees to the level that obtained in 1922 and thus relieve the tax-payers of their burden."

* Mr. K. V. R. SWAMI :—"Mr. President, so far as this matter is concerned, I think the Government committed a breach of faith in not giving the relief they promised at the time this increment was made. It was believed on all hands that since the circumstances changed, as soon as moneys were available these duties would be reduced to their original level. But it has not been done. I do not know why. It is always believed by the people that once a tax is imposed or increased this Government would never abate it again. That has been the impression even among the illiterate. This Government have a record for it for a long time. Now, when the tax itself was imposed, hon. Members of the Justice party consented to this measure on the understanding, as I was told, that relief would be given as soon as circumstances changed. Now, so much money has been released by the Central Government, and so much money has been spent in various ways but the Government persist in keeping on the enhanced duties. Though it was expected that this tax would fetch about Rs. 70 lakhs it was admitted on behalf of the Government that only 35 lakhs were realized on account of the increment. Now it was also admitted that in many suits the increase of fees led to denial of justice."

"With regard to sales of stamps, I am told now that people have begun to misrepresent matters and always give a low figure on account of the high stamp duties demanded: A Registrar friend of mine was telling me the other day that what was purchased for Rs. 600 was sold in six months for Rs. 6,000."

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The higher the stamp duty, the greater the temptation for people to try to cheat the revenue. They do these things more successfully in America. Our people are learning these tricks just now on account of high duties.

"One thing more. Even the Government, strongly established as it is, should realize, even though they do not care for the opinion of the people, that it is honesty that pays in the long run. When a Government makes a solemn promise that as soon as moneys are available they will reduce the fees and keep them at the old level, and then go back on such promise, they lose the confidence of the Council. Every Government has its good days as well as bad. Supposing there is a pressure for money to-day, if some tax is to be increased, would the House agree to it and vote the money, knowing as they do know the assurances of the Government are not kept. So under these circumstances, it is high time for the Government to fulfil their promise at least now, though it is late, and put back the stamp duty to the level that obtained in 1920-21."

* Mr. K. MADHAVAN NAYAR :—"Sir, in supporting this motion I want to bring to the attention of this House what the hon. the Home Member said last year when he made the demand for Stamps. It was Khan Bahadur Usman Sahib who made that demand and he then stated regarding the reduction of stamp duties. 'We are only waiting for an opportunity to reduce them. We have not got from the Government of India orders to the effect that the provincial contribution has been remitted. When the amount has been released the Government will consider the question of reducing the stamp duties.' I hear the Government benches crying out 'Considers'. It was always a question of consideration and that consideration never assumed any practical form. That is what we have experienced not only in the case of stamps but in every other matter. When in 1922, the value of court-fee stamps as well as other stamps was increased, it was said that the Government will avail of the earliest possible opportunity to reduce the stamp duties to the former level. In the subsequent years also the promise was repeated by the Government and people naturally thought that the Government was honest in making promises and that they would act up to the promises made, but we have waited for six years and the provincial contribution of over 3 crores has been fully remitted and now you say 'We shall yet consider.' 'When will that "consideration" end' is what I humbly ask the Government. I know, Sir, that the answer might be coming from the Government side that it is not possible for them to reduce the taxation so long as we have been demanding the remission of the land revenue, the introduction of prohibition and so forth and that it would not be possible for them to accede to all the demands that the Legislative Council has been making. But may I ask them whether they have, in one single important instance, acted up to the wishes of this Legislative Council? If as a matter of fact they had reduced the excise revenue or the land revenue of this country we would certainly have accepted their professions to be honest and would not have pressed this demand on the Government. As a matter of fact they don't do anything beneficial to the people and they spend all the money available upon brick and mortar. That is why I say, Sir, this is a case of gross breach of faith and this is a matter in which they ought to feel that they should redeem their plighted word at the earliest opportunity. I therefore appeal to the Government that it is high time, now that the provincial contribution has been completely remitted, that they redeem their plighted word and reduce the high duties on stamps, judicial as well as non-judicial."

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* **Diwan Bahadur M. KRISHNAN NAYAR** :—" I support this motion, Sir. As my Friend, Mr. Madhavan Nayar, said, this perpetual consideration of the Government must have an end. They are always shifting and changing their grounds and want to avoid fulfilling their specific and express promise. The first express promise was made in this House at the time of the imposition of the duties in 1922 and the promise was that when the financial pressure was at an end they would remit these duties to their former level. That promise has been practically made year after year for the last five years and as was referred to there was a distinct promise last year by my hon. Friend there, the hon. Khan Bahadur Usman Sahib. He made a distinct promise that when the remission of provincial contribution was made the Government would consider this question. They must redeem their promise which stands unredeemed. Even Governments must act according to their promise (hear, hear) and respect the opinion of the Council which was unanimously expressed."

* **MR. R. SRINIVASA AYYANGAR** :—" Mr. President, Sir, it is rather unfortunate that, on account of the extraordinary position taken up by the Government in this matter, we on this side of the House should feel impelled to give out motions year after year during the time of the budget. It is again an old story. In the year 1921-22—that is the year of deficit—for the purpose of enabling this Government to tide over the deficit and to afford temporary relief to this Government we assented to the proposal brought forward by Government to enhance the court fees and stamp duties. In 1921-22 the income under this head was 189.85 and in the first year of the enhancement it stood at 219.84, in 1924-25 it was 241.51, in 1925-26 it was 245.08 and in 1926-27 it was 252.30. In 1928-29 provision has been made for 253.26 lakhs. Now the House will be aware of the fact that during the past six years the difference comes to nearly 70 lakhs. We were then told that this increase would be of a temporary character and that when the finances of the country became normal, steps would be taken to have them reduced to the old level. But, however, in 1926 when the second instalment of the contributions was remitted, Mr. Moir on the 6th of March 1926, referring to the various schemes put forward for the utilization of the resources made available by the remission of the contributions and in particular to suggestions that some portion of them should be expended on the introduction of some measure of prohibition or in reduction of court fees and stamp duties, stated: 'That of course is a possible policy, but its acceptance would mean not only that all the additional schemes on which the Government propose to spend Rs. 72 lakhs in the coming year should go by the board but also that the existing expenditure should be curtailed.' I doubt if either side of the House would really endorse the results of that policy."

"But in March 1927 the hon. Muhammad Usman Sahib, the Home Member, said as follows: 'What I wish to tell hon. Members of this House is that when we actually get the amount of money released or wiped out of the provincial contribution, Government will consider the question of reducing the stamp duties'."

* **The hon. the PRESIDENT** :—" I am afraid the hon. Member is repeating the arguments of Mr. Madhavan Nayar. It does not require a second reading in the Council."

* **MR. R. SRINIVASA AYYANGAR** :—" It may be said—in fact I heard it said some time ago by my hon. Friend Sir Patro—that we were in a majority in the Finance Committee and did nothing, but that is not a fact. I would only say

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that we were only three there out of nine. If you go through the report of the Finance Committee you will find on page 7, 'that the Committee was of opinion that it was necessary to investigate how far the increased stamp duties might or should be reduced and how soon effect might be given to any reduction which might be found desirable.' But in my dissenting minute I emphasized this point and the Government put off the consideration of this simple question, specially in view of the fact that facts and figures admitting of restoration were not immediately available to be placed before the Finance Committee. The Government would not budge an inch, and notwithstanding the fact that in this year the whole amount of the contribution has been wiped out, there is no use sticking up to the old policy and saying we want money to convert them into buildings and so on and so forth, and it seems to me that the Government have no right to get any profit out of justice and utilize it for any other purpose. I wish only to read to the House what I said in my dissenting minute: 'I fear that further investigation of this question with a view to determine the extent of reduction is unnecessary as there are sufficient materials to justify immediate action being taken. The Government must without further loss of time introduce legislation or issue executive orders restoring the fees and duties to the old level.' Where there is a will there is a way, but in this case the will of the Madras Government manifests itself in a determination to maintain these duties at the present level. If there is any disposition on the part of the Members in charge of these things, I would ask them instead of giving expression to some lip sympathy, to make any direct move or take any direct initiative in the matter. I think it is time that they reconsider their attitude and instead of merely being content with professions of sympathy translate their sympathy into practical action and give us exactly what we want."

* **MR. C. GOPALA MENON** :—" I want to bring to the notice of the Government and to the Members of this House the memorandum which was submitted to the Members of this House with regard to the utilization of the remission of the provincial contribution by the Finance Committee. In that memorandum suggestions were made for the reduction of the registration fees, court fees and the judicial and non-judicial stamp fees. There was a recommendation made in the matter and I should like to know why effect was not given for the reduction in the matter of judicial and non-judicial stamps and court-fee stamps. I merely wish to find out from the Government why effect was not given to this suggestion made in the memorandum circulated."

* **MR. L. K. TULASIRAM** :—" Mr. President, Sir, taking the Budget 3 p.m. Memorandum for 1928-29, I find a budget estimate of Rs. 148.13 lakhs as revenue from the sale of judicial stamps and copy papers. Taking the cost of administration of justice, it is Rs. 100.20 lakhs and the income from the revenue under administration of justice is Rs. 12.88 lakhs. So there is a profit of Rs. 87.82 lakhs in the administration of civil justice. Taking it or deducting it from Rs. 148.13 lakhs, we have a net saving of about Rs. 60 lakhs. Now, Sir, their own accounts as kept by the Government of Madras clearly prove that the Government make a profit of about Rs. 60 lakhs from the administration of justice. Sir, when we place before you facts and figures, is it not your duty to give us a reason why you insist on having all the profits, even from the administration of justice? There are, Sir, cases where the court fees can be remitted, e.g., in cases which are withdrawn, or settled out of Court, or compromised or suits decided before the framing of issues,

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Really, you will be doing a lot of good to the people. It will be putting an end to litigation if the clients and the litigants are informed that at an early stage of the case, if they honestly confess judgment and retire without litigation, or if they compromise the suit or withdraw it, or if they do not contest it, they will get at least half the moiety of the court fees. Sir, when you increased the rates of stamp duties; you gave us an undertaking—I do not want to repeat the arguments advanced by the hon. Members on this side of the House. But I believe, Sir, you have no right to make a profit of about Rs. 60 lakhs from the administration of justice, unless you show reasons, valid reasons, why you delay to give the reform. Mere consideration may be a whitewash, I mean, an eye-wash. I say you should consider it at the earliest moment and come to the rescue of the people and not make a pie of profit from the administration of justice. I therefore support the motion for the cut proposed."

* Mr. J. A. SALDANHA :—"Sir, I do not want to reiterate the arguments urged by my hon. Friends. I may refer to the figures which were mentioned by my hon. Friend Mr. Tulasiram. When I brought forward this very argument of Mr. Tulasiram at the last budget debate or the previous one, the hon. the Member in charge at that time, I think it was the Home Member, said that we should take into consideration also the figures of jails, for jails were connected with judicial administration. Or it may have been some other item. I shall assume that the jails are connected with the judicial administration and I have got figures in addition to this. Now, the jails show an expenditure of Rs. 33,63,000, from which deducting a revenue of about Rs. 10,81,700, the total expenditure on jails comes to Rs. 16,81,300. Now adding these figures to the judicial administration, we have got one crore of rupees of expenditure for judicial administration. Still there is a profit of about 49 lakhs of rupees on account of the judicial stamps. Now it is a point to be borne in mind that on the continent of Europe as well as in England there is no such thing as court fees at all. It is only in India that there is any mention of court fees in connexion with the judicial administration. Let us assume that it is sound finance that we should tax litigation. Well, assuming that we can do that, should Government profiteer out of that? Why this profit by levying such heavy court fees? I do not think the condition of the people permits that. Being in intimate touch with the people, one should see their difficulties in going to court to settle their rights and how much they are deterred from having justice because of the high court fees. Now, these high court fees affect not only the plaintiffs but the poor defendants also. In this connexion, I wonder why neither this Government nor the Government of India have taken action of the recommendations of the Taxation Committee. We have got so many Commissions appointed, who do their work at an exorbitant expenditure but then, the recommendations of these Committees are never even thought of. The recommendations of the Taxation Committee have been thrown into some lumber-room and entirely neglected. I hope the local Government will move the Government of India to take urgent measures to carry out the recommendation of the Taxation Committee in connexion with the amendment of the Court Fees Act and the Stamp Act. Some of the recommendations are very judicious and will at least benefit the poorer classes and tax the richer classes and the incidence of taxation will be more equitably distributed. It is a wonder to us that this point has been raised year after year as to the recommendation of the Taxation Committee and yet no action

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has been taken either by this Government or the Government of India. This indifference is one which deserves to be very much condemned by all classes of people, who suffer very much from the exorbitant taxation.

"I need not dwell on all the promises that were given but let Government at least take heed of the recommendations of their own committees in this connexion and stop profiteering. The maxim of the Magna Charta that 'We shall not sell nor delay Justice' is entirely defeated in the way in which judicial administration is carried on at such an extravagant expenditure in this presidency as well as in others. I hope this cry coming from all poorer classes will be listened to and steps will be taken to reduce this enormous profiteering that this Government is making at the cost of the poor litigants."

* Mr. K. R. KARANT :—"Sir, I do not wish to take much of the time of the House at all. But, I wish only to bring to the notice of the hon. the Law Member that his predecessor gave us a promise last year that a committee would be appointed to consider in what cases the court fees could be levelled up and in what cases they could be levelled down. I refer just to the wording of his speech :

'In these cases,' said the hon. Sir C. P. Ramaswami Ayyar, 'the best solution is what has been indicated in the closing remarks of the Member from Madras, that Government should have the opinion of a committee and lay down definitely the rules by which the levelling up and the levelling down of the court fees shall take place. I shall bear that in mind and with the concurrence of my Colleagues, inaugurate a committee for the purpose.'

"I wish, Sir, to ask why this committee has not been appointed and when this is going to be appointed."

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, the object of this motion for a reduction of Rs. 100, is to draw the attention of the Government to the desirability of reducing the rates of judicial and non-judicial stamp fees. As hon. Members have said, this matter has been referred to on previous occasions and as far as I can find, there has been no definite promise on the part of the Government that there would be a reduction in the rates in any specified circumstances. Hon. Members have referred to the promise that was made last year that this matter would be considered when the Provincial contributions to the Government of India were remitted. Hon. Members have referred to the report made by the Finance Committee last October to this House regarding the utilization of the amounts released by the remission of the Provincial contributions from 1925-26. That report was made, of course, before the permanent remission had been made of the whole of the contributions. In that report, as has been quoted, the committee recommended that it was necessary to investigate how far the increased stamp duties in judicial and non-judicial stamps introduced by the Act of 1922 might or should be reduced and how soon effect may be given to any reduction which might be found desirable.

"My hon. friend, Mr. R. Srinivasa Ayyangar, in his minute of dissent referred to the answer to a question given on the 18th October to the effect that the Government had decided that it was not advisable to reduce the stamp duties at present. Since that date, there has been a change in the position by the permanent remission of the contributions payable by the Provincial Governments to the Government of India. But this matter is now under the consideration of the Finance Committee. The Finance Committee took it into consideration and called for certain information; that information

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has now been supplied to the Finance Committee and no doubt the Finance Committee will take it into its earliest consideration. I would, in these circumstances, suggest that it is not desirable that this House should in any way prejudice the Finance Committee by expressing any final opinion without hearing what the Finance Committee may have to say."

Mr. T. ADINARAYANA CHETTIYAR :—" Will not that strengthen the hands of the committee ? "

* The hon. Mr. A. Y. G. CAMPBELL :—" My hon. Friend, Mr. Swami, brought forward certain arguments for the reduction of the duties and no doubt the Finance Committee will take them into consideration. Two hon. Members, Mr. Tulasiram and Mr. Saldanha, referred to the expenditure on the administration of justice and charged the Government with making a profit out of it, even when the upkeep of the jails is regarded as part of the administration of justice. I do not wish to go into the merits of this question, which is rather a wide one, but I would point out that the figures given in the budget as the demand under the particular head, Administration of Justice, does not cover the whole cost of administering justice. There are certain items which are omitted from that head such as pensions and the construction and maintenance of buildings and stationery, not to mention the payments of the cost of Magistrates' courts which are included under another head. It is, therefore, difficult to say definitely whether we are really making a profit out of the administration of justice, taking it as a whole, out of the court fees."

Mr. P. ANJANEYALU :—" Have not Government worked it out ? "

* The hon. Mr. A. Y. G. CAMPBELL :—" I was not aware, Sir, that this has been done. Sir, my hon. Friend, Mr. Biswanath Das, raised a further question which I did not expect to be brought up this afternoon and that was whether it would not be possible to allow the fees in certain cases to be paid by instalments and my hon. Friend, Tulasiram, also raised the question whether the fees could not be refunded in certain cases where the cases were compounded or withdrawn before the action became a trial. Well, those matters may be considered by the Finance Committee when they are considering the general question whether any reduction of these fees can or should be made at the present time. I may assure

Sriman Biswanath Das Mahasayo :—" May I have just some information from the hon. the Law Member, Sir ? "

* The hon. the PRESIDENT :—" This is not the time for furnishing information."

* The hon. Mr. A. Y. G. CAMPBELL :—" I am sure, Sir, that the Members of the Finance Committee will pay very careful attention to the words which have fallen from the hon. Members this afternoon and I once more hope that this motion will not be pressed to a division, so that it might not appear that this House would not wait for the considered opinion of the Finance Committee before coming to a conclusion."

* The hon. the PRESIDENT :—" I take it that the House is ready for a vote on this motion."

The motion was put to the House and carried.

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* Mr. K. R. KARANT moved—

'to reduce the allotment of Rs. 1,40,100 for Stamps—Judicial by Rs. 100.'
(To sell court-fee stamps up to Rs. 100 through vendors and to express dissatisfaction at the trouble and delay caused to parties in obtaining stamps for over Rs. 50.)

" Sir, I do not wish to take much of the time of this House ; but it is rather an important question, because we cannot wait indefinitely till the court-fees are reduced. Meanwhile, in the mufassal especially, we are feeling great difficulty in obtaining court-fee stamps of the value of over Rs. 50. Hon. Members are aware that up to Rs. 50 stamps are sold by vendors, but for stamps over and above that value, we have to put in applications to the Taluk office where the amount should be paid by 1 o'clock and we cannot get stamps till 5-30 or 6 in the evening. This question was placed before the Collector of our district by the Mangalore bar about a year ago, and yet nothing has been done. When the Government are making considerable money out of these stamps, it is only proper that stamps up to Rs. 100 at least should be sold by the vendors. I am aware, Sir, that there may be some more charges to be paid for the sale of such stamps ; but when the Government are selling these stamps, they ought also to look to the convenience of the people from whom they are taking the money. I may also bring to the notice of hon. Members that valuation of suits has gone up in almost all kinds of suits by at least one and a half times. In the case of property suits, the valuation has been doubled, as it is ten times the assessment and the court-fee is thrice the old fee. In the case of ordinary suits which we have to file almost daily in the courts, the stamps required are generally of more than Rs. 50, and a good deal of trouble is being experienced by the client population and also by the bar in the whole Presidency. I therefore request the Government to allow the stamp-vendors to sell stamps at least up to the value of Rs. 100 and to save us from this trouble of going to the Taluk office and waiting there for five hours and more to get them."

* Mr. C. RAMASOMAYAJULU :—" Sir, as one of the persons who experience this difficulty almost every day of our lives, I wish to second this motion moved by Mr. Karant. As has been pointed out by the proposer, the increase of court-fees has necessitated the use of higher value stamps even for suits for small amounts ; and in regard to such suits, we have very often to go in for stamps of more than Rs. 50. In order to obtain stamps for more than Rs. 50, we have to go to the treasury. There is an unfortunate tendency in the client population, in that they wait till the last day to see whether the money can be recovered by them without the necessity of going to court, and on the last day they come to us saying that the suit should be filed. When they so come to us on the last day, the difficulty is rendered all the greater because before the close of the day the suit has to be filed. This inconvenience can be easily avoided by increasing the value of the stamps sold by the vendors. I would put the value at a higher figure than Mr. Karant has put. I would put it at Rs. 800 ; because the Munsif's Court's jurisdiction is up to Rs. 3,000, and therefore stamps up to the value of Rs. 800 may be made available with the vendors. I may say that this does not involve the Government in any financial commitments to any appreciable degree. It is only a matter of convenience, and I am sure the Government will see their way to accept this motion."

* Mr. K. V. R. SWAMI :—" Sir, so far as this motion is concerned, there is no loss of revenue to the Government at all. Perhaps it is the other way ; they may very likely get more money by making higher value stamps more

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easily available. What is now happening is this: At 11 o'clock the people must go and pay the money at the treasury and then wait sometimes till even 10 p.m. before getting the necessary stamps. Perhaps in the revenue offices they have got too much business to attend to. It will facilitate the purchase of the stamps if, wherever there are banks, the banks are allowed to sell those stamps; I am sure in that case the people will get the stamps more easily. Now some days of the week are fixed for the sale of such stamps; and if the people come on any other day, they have to file an affidavit with a petition and pay Rs. 12 extra. Even then, it is considered as a sort of concession and not the rule. After all, it is the clerk who does this business and therefore the stamps may be made available every day. Wherever it is possible, the stamps may also be made available in the banks. In some places, the bank is much nearer than the treasury and the bank people are always more ready to oblige the people if they get their commission. I think the anxiety of the Government to sell the stamps themselves is due to the fact that they want to save the commission with regard to stamps of higher value. In case of stamps of lower value, I suggest that a lower percentage of commission may be given, so that the vendors may be more ready to sell stamps of higher value, so as to give the maximum convenience to the litigants in getting any stamps from them. As pointed out by Mr. Ramasomayajulu, sometimes the clients feel very great inconvenience in getting the stamps they want and they undergo much anxiety. So, in this matter, arrangement may be made to allow the stamp-vendors to sell higher value stamps; and probably the Government also may get more money by making the stamps available in more places than one."

* Mr. L. K. TULASIRAM:—"Mr. President, Sir, perhaps the Government are not aware of the inconvenience caused to the litigants who have to file heavy money suits. The more the value of the suit, the longer the time they have to wait at the taluk outcherry for getting the stamps. If I want a Rs. 1,000 stamp, I would only get it at about 5-30 or 6 in the evening; meanwhile I have to carry on negotiations with the clerk concerned and have to pay him some baksheesh. And then only the double-lock system will be opened. I have myself experienced this difficulty and I am quite prepared to give evidence to prove that statement. Sir, this is only a business proposition that we are putting before you. Why not entrust the sale of stamps to the banks say up to Rs. 500, and of stamps over and above that to the District Sarishtadars? If you do not want the stamp-vendors to profit by the sale of stamps, at least as people who are running the administration of the Government, you must sell these stamps at any time. If I go to a low-paid clerk and ask him to give me a thousand-rupee stamp, he naturally expects something to be given for his trouble. Even for these small things, if you make us put in reduction motions and out motions, I think there will be no time at all for you to run the administration. In such matters, you must at once stand up and say 'We accept it' at least for the convenient administration of justice. Then there may not be many speeches here and a lot of time of this hon. House may be saved."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, several proposals have been put forward by my hon. Friends on the other side of the House. Mr. Karant proposed that stamps up to the value of Rs. 100 should be sold by stamp-vendors; my hon. Friend Mr. Ramasomayajulu suggested Rs. 800 while Mr. Tulasiram wanted to raise it, as far as I can understand, to Rs. 500 or even to Rs. 1,000. There may be some difficulty in carrying out

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the suggestions, because vendors, as a rule, have to borrow money in order to purchase their stock of stamps, and of course they have to pay interest on the money they borrow. Consequently, it is possible that stamp-vendors may not be willing in many cases to stock these stamps of higher value. The proposal will also involve some further payments by the Government, because at the present time, we pay no discount on the sale of stamps exceeding Rs. 50. My friend Mr. Swami is optimistic that any loss which we may incur in that respect will be more than covered by the increased sale of stamps.

"With reference to Mr. Tulasiram's visit to the Taluk office, I hope that he will bring to the notice of the Collector of the district any difficulties that he might have experienced. I am sure that in cases in which difficulties of that sort arise and in which baksheesh is demanded by the revenue subordinates, the Collector will be only too ready to take action, if such cases are brought to his notice.

"However, Sir, I shall be glad to take into consideration the suggestions which have been made to-day. I cannot give a definite promise to carry them out, but I hope hon. Members will accept the fact that they will be very carefully considered by the Government and if we find that there is a real demand for the enhancement of the value of stamps to be kept by stamp-vendors, we shall be glad to pass orders accordingly."

* The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 1,40,100 for Stamps—Judicial, by Rs. 100."

The motion was put to the House and declared lost. A poll was demanded by Mr. Karant, which was taken with the following result:—

Ayes 85.

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| 1. Mr. T. M. Narayanaswami Pillai. | 18. Mr. C. Marudavanam Pillai. |
| 2. " Ramanath Goenka. | 19. " M. Narayana Rao. |
| 3. " Chavadi K. Subrahmanya Pillai. | 20. " A. Parasurama Rao. |
| 4. " V. Ramjee Rao. | 21. " P. Buktavatsulu Nayudu. |
| 5. " S. Vanavudaya Goundar. | 22. " C. Ramasomayajulu. |
| 6. " D. Thomas. | 23. Sriman Biswanath Das Mahasayo. |
| 7. " Sami Venkatachalam Chetti. | 24. Mr. A. Kuleswara Rao. |
| 8. " S. Satyamurti. | 25. " R. Srinivasa Ayyangar. |
| 9. " C. V. Venkataramana Ayyangar. | 26. " K. Koti Reddi. |
| 10. " T. Adinarayana Chettiar. | 27. " L. K. Tulasiram. |
| 11. " P. Anjaneyulu. | 28. " K. R. Karant. |
| 12. " J. A. Saldanha. | 29. " K. Madhavan Nayar. |
| 13. " C. S. Govindaraja Mudaliyar. | 30. " P. Siva Rao. |
| 14. " G. Harisarvottama Rao. | 31. Diwan Bahadur M. Krishnan Nayar. |
| 15. " C. N. Muthuranga Mudaliyar. | 32. Mr. T. K. Chidambaramatha Mudaliyar. |
| 16. " K. V. R. Swami. | 33. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 17. " D. Narayana Raju. | 34. Rao Bahadur B. Muniswami Nayudu. |
| | 35. " K. Sitarama Reddi. |

Noes 26.

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| 1. The hon. Sir Norman Macjoribanks. | 13. Mr. P. J. Gnanavaram Pillai. |
| 2. " Khan Bahadur Muhammad | 14. " R. Foulkes. |
| Usman Sahib Bahadur. | 15. " C. D. Appavu Chettiar. |
| 3. " Mr. T. E. Moir. | 16. " J. A. Davis. |
| 4. " Mr. A. Y. G. Campbell. | 17. " V. Ch. John. |
| 5. " Dr. P. Subbarayan. | 18. Subadar-Major S. A. Nanjappa Bahadur. |
| 6. Mr. C. V. Anantakrishna Ayyar. | 19. Mr. N. Siva Raj. |
| 7. " F. B. Evans. | 20. " V. Gangadhar Siva. |
| 8. " H. A. Watson. | 21. Rao Sahib L. C. Guruswami. |
| 9. " G. T. Boag. | 22. Mr. V. I. Muniswami Pillai. |
| 10. " A. McG. C. Tampoe. | 23. " W. P. A. Soundarapandya Nadar. |
| 11. " S. H. Slater. | 24. " K. Krishnan. |
| 12. " C. B. Cotterell. | 25. Rajkumar S. N. Dorai Raja. |
| | 26. Swami A. S. Sahajanandam. |

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Neutral 14.

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| 1. Mr. A. B. Shetty. | 8. Mr. A. Ranganatha Mudaliyar. |
| 2. Dr. (Mrs.) S. Muthulakshmi Reddi. | 9. The Raja of Panagal. |
| 3. The Zamindar of Seithur. | 10. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 4. Mr. J. Bheemayya. | 11. Mr. P. T. Rajan. |
| 5. S. Venkayya. | 12. Rao Bahadur S. Ellappa Chettiyar. |
| 6. The Zamindar of Gollapalli. | 13. " C. S. Ratnasabapathi |
| 7. Diwan Bahadur R. N. Arogyaswami | Mudaliyar. |
| Mudaliyar. | 14. The Zamindar of Mirzapuram. |

Ayes 35. Noes 26. Neutral 14. The motion was carried.

3-30
p.m.

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I beg to move
'that the allotment Rs. 4,900 for charges for sale of stamps be reduced
by Rs. 100'.

"This token motion is connected with the motion that was moved by Mr. Karant in this way, namely, that the stamp-vendors are given a very low percentage of discount. The fact is that the stamp-vendors are debarred from purchasing stamps for more than Rs. 50. I am sure there is one thing standing in their way, that is this bar. Further the great deal of the inconvenience which the public have to put up with at present, can be avoided if stamps to a larger amount are sold to the stamp-vendors. The hon. the Law Member said that the difficulty with the stamp-vendors is that they can't afford to purchase for any amount above Rs. 50 as they had to borrow money from elsewhere on interest. I suggest that this can be removed by giving them a liberal rate of discount; and I do not think it difficult in view of the fact that the charges for sale of stamps of the value of over 2½ crores are only about Rs. 5 lakhs. At present the condition of these stamp-vendors is miserable and I hope Government will be generous enough to give them higher rates of discount."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, I believe the rate of discount is considered from time to time. Usually we obtain a report once in five years, and the next report is due in 1931. So far no complaint has been received from the stamp-vendors and in the absence of any, I hardly think it necessary to go into the matter."

Mr. J. A. SALDANHA :—" I withdraw the motion."

* The hon. the PRESIDENT :—" The motion is by leave withdrawn."

Demand III—Stamps for Rs. 5.71 lakhs minus Rs. 200 was put to the House and adopted and the grant made.

DEMAND IV—FOREST.

The hon. Mr. A. Y. G. CAMPBELL :—" On the recommendation of His Excellency the Governor I move—

'for a grant not exceeding Rs. 42.17 lakhs for Forest'."

Mr. SAMI VENKATACHALAM CHETTI :—" I do not move."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I move:

'that the allotment of Rs. 95,900 for General Direction be reduced
by Rs. 100'.

(To record disapproval of the Forest Policy of the Government.)

"My hon. Friend to my right reminds me of the fact that I come from the forest. I do. I am not ashamed to own that my district contains the best forests on the eastern coast, and the Government have been exploiting those forests to the greatest detriment of the ryots. The policy of the Government is not very clearly known. I am afraid there does not seem to be any policy that

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this Government is pursuing. I know there is an enunciation of a particular policy by the Government of India. There, it is stated and accepted that the ryot's primary necessities should be satisfied. How far that has been done in regard to the forests in this Presidency is the question that I propose to survey. In the Madras Presidency the forest policy has almost been callous. In my own district, the Kurnool district, the forest official is a mere terror to the people of the district, high or low, rich or poor, Brahman or non-Brahman, shepherd or non-shepherd. Every one of us in our district has to live under constant dread of the forest official. In passing, I may even state that the forest official has to do a great deal with elections. The poor ryot is at the mercy of even the petty forest officer. There is no evidence needed to convict a man, the mere statement of a forest official is sufficient to convict a ryot. The word officer has a peculiar designation. The forest law makes even the lowest servant in the department an officer. Under these circumstances one would expect that the policy of the Government in regard to the forests, as it affected the ryot, would have been pursued in the most liberal manner. On the contrary the policy that is now adopted is the most illiberal. From the 'classification' of the forest onwards to 'forest cases' the whole policy is one of niggardliness. Taking my own district there are two main chains of mountains—the Nallamalais and the Erramalais. The Nallamalai forests are supposed to be the finest. I admit. The Erramalai has been described by no less an authority than Mr. Stebbins in his 'forests of India' as 'barren rocky hills'. These 'barren rocky hills' have been classified into ryots' forests and Government forests. That is the classification to-day. There is what is called an Owk reserve. In the Owk reserve there are 81,804 acres of forests. Within that according to the admission of the Government records themselves 8,000 acres have a fair percentage of timber.

"There is not much of ryots' forest there. In the whole area of 755.16 miles of Erramalais we have only 77.16 miles set apart for handing over ultimately to the ryot. What is handed over up till now is nothing at all. Of course, the plea is put forward that the ryot is not very anxious to take possession of these forests. It is perfectly true, because the privileges granted to the panchayats are so few and the burdens imposed on them are so heavy that the people are not prepared to take charge of these things unless the Government gives them better terms and better opportunities for managing these forests. The classification is very niggardly. That was exposed by the authorities appointed to classify them. Mr. Whitehead had certain forests in the intermediate class which might later on be handed over either to the ryot or to the Government for management. All these forests have now been handed over to the Government in spite of the protest on the only non-official member of the Committee then sitting. A great deal of the Erramalai forest is barren rock; and I invite the hon. Member in charge of Forests—now he is the Law Member—to visit this area and see for himself whether on any scientific basis there is any justification for reserving this at all.

"With regard to the privileges of the ryot in the forest, the first thing is grazing. In the Kurnool district the privilege has become exorbitantly costly. The ryot is charged eight annas per cow head. But in some cases it is even higher. They have what are called local villages and foreign villages. The local villages do not pay the penning fee, whereas the foreign villages have to pay a penning fee of eight annas besides the grazing fee. Thus you will find that in the majority of cases the ryot has to pay one rupee per cow head where

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he was paying only three annas some years ago. Further, Sir, on the margin of the Cuddapah district and the Nellore district the ryots have to pay double fees—the fees due to the Cuddapah district and the fees due to the Nellore district besides fees due to the Kurnool district. In a similar manner whenever the cattle have to pass through two ranges, as for example in the case of Cumbum and the Gundlakamma ranges the ryots have to pay double fees and take two permits. Often times therefore they have to pay Re. 1 or Rs. 1-8-0. The Committee appointed to go into the forest grievances of the district recommended lower grazing fees. Government took time to think about it. I asked them questions and they gave me a wonderful reply. They said that Nallamalais were very good and eight annas must hold good. After all Nallamalais form only a part of the Kurnool district; there are the Erramalais which are very barren, from which the ryots get very little return and yet the Government in their reply to my question—I do not say, was, but affected to be—blind to the existence of the Erramalais.

“The second argument was that the panchayats would find it hard to manage if the levy of eight annas is reduced. This is a topsay-turvy argument. You want to hand over the forests to the panchayats only to a very limited extent and you are enforcing your own terms on the panchayats. To argue therefore that the panchayats would feel the hardship even before they are formed is a thing which I cannot understand. Even the Nallamalais are not very rich in pasture. There are portions which are bleak and even in portions where there is plenty, the season for grazing is very limited. There is what is called the early burning season and the Government may at any time take early steps to burn the grass. According to the admission of the Government itself, abundance of grazing facilities in the Nallamalais is not a sufficient argument to hold to the eight annas level, besides the penning fees and double fees in the case of adjoining or intervening ranges.

“The next question is with regard to fuel. In the earlier days the Board of Revenue condemned the policy of denying to the ryot free fuel. In the Kurnool district the poor ryot who wants to buy fuel for one anna or two annas has absolutely no facility to do so. Government have stated that they have established fuel coupes from which they could remove fuel on payment of a small fee. But the small fee is Rs. 1-4-0 and from the replies that I have got, there are not more than five villages in the whole district which are within three miles of any coupe whatsoever. Now the contractor is called to the help of the Government; but he is a big man and he always makes profits out of Government concerns; he has not the good of the people at heart. The primary right of the citizens for fuel is in this manner taken away from him. In Kurnool West, for example, even the smallest facilities are not provided for him. In answer to a question of mine whether dried twigs are allowed to be taken away for fuel, the prompt reply from the Government was that it was prohibited because offences would occur. No citizen, no ordinary man, no human being with a grain of commonsense can ever feel satisfied with an answer of that nature, that because there may be offences committed in the forest dried twigs should not be removed. From a study of the forest policy in other provinces, I am able to say that head-loads are being permitted to be removed there. Even here head-loads are being permitted to be removed from non-reserves after the establishment of panchayats. If as a matter of policy head-loads are not permitted to be removed, the poor ryot feels the greatest difficulty for fuel. I am a middle-class man, Sir, and I find

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it very hard to get fuel even in the town of Nandyal. I have to pay Rs. 16 a cart sometimes though the forests are so close to us and the district is a forest district.

“The next thing that is absolutely necessary for the ryot is ‘agricultural implements’. Whenever this question has been raised Government say that they have got depots. Where are the depots, I ask, except in East Kurnool district and that too in the forests as my friend from Coimbatore suggested? There are very little facilities in Kurnool West and Kurnool South. As regards Kurnool South I was told that certain ryots were called for a conference in 1924 or 1925 and that they were advised to form a co-operative society and buy up coupes which the Government were putting up for auction and make implements out of the wood that they would get in those coupes and that these ryots appreciated the proposals and went away. I want to know what facilities Government had given for this purpose. Government have not taken care to enquire whether the scheme was a success, whether the ryots started any co-operative societies and if not, what other steps they should take to provide facilities.

“No attempt has been made all these years to find out what the difficulty 4 p.m. of the people is. As a matter of fact the ryots have demanded that they shall be allowed to cut wood for implements within the forest for one month in the year from the trees marked by Government. What is the real trouble now in this matter? The Government is losing heavily because of its blindfolded policy. The ryots may be prosecuted. But the primary necessities of the ryot must be met and the adventurer, the thief and the criminal are always gaining at the cost of the ryot and the Government. No provision has been made for supplying wood for making implements to the cultivator. He wants one month's time to cut wood for his implements within the forest from trees marked by the department if it so chooses. If you do not make provision for it how is he to get it? You tell the ryot that he can get wood in the depots where there is no wood fit for any agricultural implements at all. The fattest man gets advantage from these depots. The lean ryots have to suffer and have to cringe for mere favours.

“He must have his supplies. He cannot live otherwise. He gets these supplies but only in a way that is creditable neither to the Government nor to the department and that is not calculated to keep the forests well. This state of affairs is there and if the Government remains blindfolded it cannot vanish.

“I shall not further dilate upon the primary necessities of the ryot. I have a great deal to say about many other matters including the free supply that is given to poor people when they apply for building materials under emergencies. All these things have to be looked into by the Government. I do not want to traverse that ground for fear that I may tax the patience of this House. I would specially ask the hon. the Law Member who is now in charge of forests to examine once again very carefully the provisions of the Forest Law as they apply to the ryots.

“It was foreseen by the Board of Revenue in Madras that if you impose this law upon the country the lowest official in that department would be as tyrannical as the worst tyrannical Emperor or ruler. The Forest Guard is really the incarnation of the King-Emperor in the villages and not the hon. the Law Member. The Law Member may sit here but his powers are not

* [Mr. G. Harisarvottama Rao] [15th March 1928]

felt there. What is felt is the tyrannous conduct of the lowest official. I understand the difficulty of the Government also. I do not want to belittle it but the Government must face the issue whether they will permit their lowest official to tyrannise the people or whether they would risk even a little on behalf of the people on whose behalf they act. A recent case has come to my notice. I have not verified it; I am not prepared to dogmatize about it. But with regard to compounding fees they not only impose compounding fees but they also prosecute the offenders. To a question I asked on the floor of the House about compounding fees, the Government were not prepared to standardize the compounding fees because they said that in that case the officials in the Forest department would be inclined to prosecute the offenders. Owing to the smallness of the compounding fees, the offenders may go on committing offences and the Forest officials may think that they must be taught a lesson. In addition to collecting compounding fees, people are prosecuted for various offences.

The hon. Mr. A. Y. G. CAMPBELL:—"Even after the compounding fees are paid."

* Mr. G. HARISARVOTTAMA RAO:—"That is my information not yet verified. I shall write to you later on about that. The point really is that there are instances where the Forest laws are so administered as to be most oppressive to the ryots. Three or four laws are put into motion at the same time. The Forest law is put in motion; the law of pounds is put in motion; the law of damages is put in motion; the law of obstructing a public servant in the discharge of his duties is put into motion. It is said that in the forest you cannot get evidence. That applies equally to the ryot. He can possibly get as little evidence as the forest guard. Are you going to leave the citizen at the mercy of the zulum of the lowest official? Are you going to leave the lowest official at the mercy of the citizen? Which is the alternative; it is a very difficult question to answer. I shall have to say that the lowest official should be at the mercy of the citizen and not the citizen at the mercy of the lowest official. Because after all, the Government exists for the sake of the people and not for their own officialdom. If you want the Forest administration to be acceptable to the people of this country and if you look to the facilities of the people you must simplify the Forest laws, and make them less oppressive.

"I have been told—it is for the Government to find out how far it is true—that the lowest official goes to the forest and asks the shepherds to carry himself and his wife in a palanquin to the top of the hills—this is most outrageous (without payment—a voice Yes, without any return). Men who live in forests have to supply pots of milk and numbers of goats and sheep for the satisfaction of the lowest of the department officials. Is this policy to be tolerated by the Government from year to year? It is not an argument to say that there are difficulties. They must be faced. The citizens must have their rights; they must have their privileges. It can be no argument for the Government to say let them take over what we are prepared to give them. I cannot say much about the Chief Conservator, because he very rarely comes into contact with lowliest ryot. But I may say that from the Conservator downwards there is no mercy in the hearts of any of these forest officials. There may be one per cent of them who are kind, who are sympathetic. Human nature is good sometimes; but it is very rare, absolutely rare in the Forest department. I place these facts before the House and urge

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that this out of Rs. 100 should be accepted. I have no hesitation in commending this motion to the House and I am sure the House will unanimously vote for it. I expect the hon. the Law Member himself, if he has real heart, to vote for this motion."

* The hon. the PRESIDENT:—"The question is 'to reduce the allotment of Rs. 95,900 for general direction by Rs. 100'."

* The hon. Mr. T. E. MOIR:—"Mr. President, I did not intend to take part in this debate had it not been for the fact that the hon. Member who just sat down has given us a disquisition with reference to a district which I myself happen to know very well. It gave me great interest to hear him describe himself as a hillman or as one who came from the forest and I admired the very graceful way in which he thus placed himself with other hill tribes under the protection of my hon. Friend, the Home Member. But may I say to him, though he may claim to come from the hills or jungles, that is hardly sufficient justification for a Member of this House to get up and make an unqualified attack on a department root and branch, from the head to the foot and from the foot to the head? I possibly know the remotest corners of that district as well as he does since I served five long years there before he was ever heard of in that district."

Mr. G. HARISARVOTTAMA RAO:—"I may say that I was born in that district."

* The hon. Mr. T. E. MOIR:—"I do not think that the hon. Member should interrupt me; I did not interrupt him. (Here Mr. Harisarvottama Rao said, I have a right to interrupt you.) Sir, has the hon. Member a right to interrupt me?"

* The hon. the PRESIDENT:—"The hon. Member is requested not to disturb the hon. the Finance Member in his speech."

* The hon. Mr. T. E. MOIR:—"I have possibly had a much wider acquaintance with the hills, the Nallamalais and the Erramalais to which he referred than he has. I penetrated into many corners of them and I have seen something of the work and difficulties which face the Forest department in that district. He referred to the fact that parts of these forests were so poor that even the ryot would not consider the possibility of taking them up as ryots' forests. I am not going into details; they are matters for my hon. Colleague. But what we are discussing is the policy of the Government. Why is it that the ryots were not anxious to take up these forests? For this reason; because of the policy which the hon. Member puts forward as being his alternative policy to that which the Government are attempting to follow was in force in those forest areas for generations before our Forest department took them in hand and tried to put right what are manifest evils.

"I have wandered through those Erramalais forests and seen all that was left of what was once a forest which, if properly fostered and protected, would have been able to meet those very needs of the ryots to which my hon. Friend attaches, and rightly so much importance. The policy of Government is to attempt as best they can to restore those forests to a condition in which they will once again be able to supply the needs of the ryots, fuel, implements and the one hundred and one other requirements which can only be met from timber and various other forest products which are so essential to the ryot. If the policy put forward by the hon. Member were put into force in a couple of

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years, all that we have attempted to ensure in the last thirty or forty years would be wiped out and nothing would remain of what was once and what ought to be a large expanse of a carefully preserved and carefully utilized forest. May I say that it is not only for the needs of the ryot in respect of fuel or implements or anything else that the restoration of these forests is of great importance? I have travelled through the lands lying at the foot of those forests, for miles and miles. I found tracks of country which were once cultivated with paddy crops under the perennial spring and tanks now abandoned, where now not an acre is under cultivation. And why? Because these springs, these tanks under which luxuriant crops once grew, were in those days fed from hills which were covered by verdure and clothed with grass which held and absorbed the rainfall and gradually let it down into these springs and tanks which are now lying without any cultivation under them, and where only occasionally the local rainfall gives a precarious supply of water for half-starved cattle. The only remedy that the hon. Member can put forward is, and that is, what it really means, to allow any one to get into these forests, cut them out and leave them bare.

* Mr. G. HARISARVOTTAMA RAO :—"On a point of personal explanation, Sir. The hon. Member is absolutely wrong in saying that I said that people should be allowed to do anything they pleased in the forests without the restrictions imposed by them under the forest laws. I only said that officers of the department should not be allowed to go out of their way to penalize the people."

* The hon. Mr. T. E. MOIR :—"Sir, his whole policy is based on that. He means that when he talks of our being sympathetic to the ryots. But, Sir, we have to think not merely of next year, but of the requirements of years to come and of generations to come. It seems to me that it was a most unjust attack to make upon a department which has steadily kept that ideal in view, and is acting as a trustee managing for the benefit of the people properly, which it is attempting to do its best to restore to a prosperous condition, the responsibility for the lapse from which cannot be laid to its charge."

* Mr. K. R. KARANT :—"Sir, in supporting this motion, I wish to speak with reference to this policy only so far as it concerns the district which I represent and I only wish that some hon. Members of Government like the last speaker who knows about our district comes to answer the points which I am going to raise. The first point, Sir, is this. It was very interesting to hear the last speaker in his furious mood say that they followed a grand forest policy for the last forty years. I shall show what the policy has been so far as my district is concerned. First, I shall speak of the population and how it has been declining in the whole of this district. I can understand increase in revenue in other departments, but, is it the result of this policy for these forty years as we see from the budget? The income from forests is 51 and odd lakhs, and the expenditure 45 lakhs and odd. The net income is therefore 6 lakhs and odd. I ask the Government for this small profit whether it is necessary to tyrannize and give trouble to the people. I speak only with reference to my district because I do not know conditions elsewhere. The first thing in our district that is noticeable as a result of this policy is that the population has been steadily decreasing from census to census. In the last four censuses of the district, from 1881 to 1891, the increase in population was 10.1 per cent. From 1891 to 1901, 7.5 per cent. From 1901 to 1911, the increase of population is only 5.3 per cent. From 1911 to 1921, the increase

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is only 4.4 per cent. In all these four decades the general increase in the population in the district was 30 per cent only as against 37.3 per cent for the whole of the Presidency. I shall take hon. Members through certain statistics of villages which have got forest reserves and show that instead of increasing the population has decreased. In Albadi, the population in the last census of 1911 was 1,373 but in 1921 it was reduced to 1,284, a decline of about 100. In Kolluru the population in 1911 was 801 and was reduced to 688 in the last census. In Shankaranarayana where there is a local fund dispensary, it was 2,964 in 1911 and 2,961 in 1921. There are any number of other villages, whose statistics I can quote. I shall give some in the Uppinangadi taluk which contains large reserves. In Golihottu the figures are 693 and 676. In Guttigar 907 and 834; in Hatyadka 1,219 and 1,083; in Jalsur 1,243 and 1,102. In all these cases population has declined instead of increasing.

"I will not take the time of the House any further. I have only mentioned these to show that where there are large reserves the population has been steadily decreasing. A fortnight ago I visited a village at the request of the ryots there and I found that in certain parts the people are not cultivating fields for which they are actually paying an assessment. The grievance of the people is that where there are roads in forest areas Government do not take the trouble to make them poramboke. Another point was mentioned by my friend Mr. Harisarvottama Rao that where there are two blocks or ranges adjacent to each other if cattle stray from one area to another they are impounded.

"Then again about the question of the extension of the reserves. To a question of mine No. 768 put on the 31st March 1927 as to whether certain new reserves were being made or the limits of old reserves extended, whether the ryots had been consulted in the matter and if not why not, the Government replied that the procedure detailed in the Madras Forest Act is being followed and that that procedure does not contemplate any direct consultation with the ryots. And we who represent that district find that from year to year the reserves are increasing without any consultation, either with the ryots or with hon. Members here who represent them. Next I shall give a few figures to show how these forests have been affecting the health of the district. The cases of malaria treated by the dispensaries in our district as seen from the statistics furnished by the Government (vide Q. No. 411, dated 16th March 1927) are : 22,570 in 1922 and 59,188 in 1926. There are various other points which I may touch. But I do not wish to tax the patience of the House. These are matters which the Government should look into and remedy and not leave them to future generations for whom the hon. the Finance Member says he is a trustee."

* Mr. A. B. SHERRY :—"Sir, during the budget debate of last year when several hon. Members of this House complained about the trouble, inconvenience and difficulties caused to ryots on account of the proximity of forests to their private holdings, Mr. Tireman said in the course of his reply that orders had been issued more than once that if any such cases were brought to the notice of the local officers, the facts should be reported to him so that he might take immediate steps to get the reserve lines removed. In the case of South Kanara I have been made to understand that it won't be possible to remove the reserve boundary further away from the limits of the cultivated lands on account of the zigzag nature of the village outlines and also on

[Mr. A. B. Shetty]

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account of the belt of the reserves being not more than a mile or so in width except in the ghat sections. If this information is true and correct, South Kanara cannot hope to get this grievance removed.

"If the reserve lines cannot be shifted, the next best thing to do is to clear the undergrowth in the forests to some distance from the ryots' holdings. The ryots in South Kanara have been given the privilege of cutting off the undergrowth in forests to a distance of half a mile in the interior places and 200 yards in the coast line but they have not availed themselves of this concession. The Forest department must, therefore, employ its own agency for clearing this undergrowth which gives shelter to wild animals. The damage to crops that is done by wild beasts in the fields near the forests is admitted by the Government. There are no statistics to show the extent of this damage and the ryots have to put up with it with no hope of any relief in any shape. The havoc done by the wild beasts to the cattle of the ryots in the proximity of forests is also admitted. The report of the Collector of South Kanara which was laid on the table of this House in reply to an interpellation of mine on 25th January 1928 shows that the number of cattle killed by wild animals has increased from 3,590 in 1924 to 4,250 in 1926. Yet the rewards given for destroying wild animals has been steadily decreasing. It has gone down from Rs. 3,004 in 1922 to Rs. 1,116 in 1926. The Collector says that this must be due to the instructions issued by the Revenue Board to the effect that rewards must be granted only in deserving cases. What exactly is meant by the term 'deserving cases' has not been made clear and the result is that rewards have been restricted. The destruction of wild animals is necessary for the protection of crops and cattle and for this purpose the Government should give rewards more freely and also give all facilities for people to hunt in the forests. From 1921 to 1926 only 27 persons in all seem to have been permitted to hunt in reserved forests. I trust that more encouragement will be given hereafter for villagers to organize hunting parties.

"In South Kanara district concessions have no doubt been given to the ryots in the matter of removing dry and green leaves, fuel, etc., but as Mr. Harisarvottama Rao has just now told this House, the forest guards often harass the ryots and unless they are paid their mamul they make false reports and foist cases on poor people. It will be a great hardship to the ryots especially near the coastal reserves, if these concessions are withdrawn on any grounds.

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"The hon. Mr. Moir speaking about the Forest department during the last budget debate said that the Government do not regard it solely as a revenue-making department and that they have never forgotten that its main object is to supply the needs of the people and it must pay attention to the facts that the ryots do require fuel, timber, etc., and that they require grazing for their cattle. But, how far is this policy carried out in actual practice? Some time back in answer to a question of mine the hon. the Home Member who was then in charge of the Forest department admitted that he had received representations from the ryots in South Kanara for total or at least partial remission of the grazing fees. But he expressed a fear that it won't be possible for Government to show any concession in this respect even to poor cultivating tenants. I hope, Sir, that in future at least Government will adopt a more sympathetic policy and see that the forest grievances of the people are redressed as far as possible."

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* Mr. J. A. SALDANHA :—"Mr. President, most of the points have been dealt with by the two other hon. Members from South Kanara as I had myself through my questions and interpellations and through my speeches on previous occasions. The battle in South Kanara is a battle between wild beasts and human beings and in this battle the Government in the Forest department sides with wild beasts whereas the Revenue Officer never attempts to help the ryots. I can say that the ideals of the Forest department are good in theory but in practice the Forest department is to a great extent a curse to our district. As my friends have pointed out the population on the frontier of South Kanara on Mysore side is rapidly decreasing while the wild animals are increasing in a higher proportion than mankind with damage to crops. One great cause of this is the rapid spread of malaria. The answer given in explanation is that these figures of malarial cases treated were due to the fact that more people resorted to the hospital than before. I know poor people resort to hospital. But we know very well from experience that in villages near the ghats this increase of malaria is due to the excessive development of the forests. We have to be thankful to the Forest department for the development in forests but it must not be at the cost of humanity. Humanity is much more important than the forest and the wild animals they breed. If forests lead to destruction of crops and humanity surely the Forest department must see that this is stopped. I once took evidence of the villagers at Hospet near Mudibidri in Karkal taluk, South Kanara, in the presence of the District Forest Officer which showed that almost all the cows in those villages had been destroyed and there was hardly any cow left there with the result that ghee and other products well-known in Kanara for their purity are unknown now. When the officers of the Forest department disbelieved the stories of the people, they challenged them to get, say, one seer of milk from their villages, from which so much of cows-ghee were once exported. After the villagers had proved to the hilt that almost all cattle had been carried away by wild animals, to the number of 150 cows in three years, the Forest Officer made the recommendation of allowing a certain belt without trees between the forest and the cultivated area about quarter of a mile. The burden of clearing the area was however put on the people. These villagers would have been glad to cut down these shrubs and trees but there is a wild plant that grows very rapidly. It is of such a nature that it is impossible for the poor people to get rid of it, as a good deal of painful labour is necessary. The villagers would have to devote disproportionate labour and time for that year after year and to neglect the cultivation in order to get rid of that. This was not the only difficulty. The removal of the green leaves is made conditional on the removal of this and other wild growths. So these restrictions practically have rendered the privilege of removing green leaves as well as dry leaves of the forest nugatory. I do not want to dwell upon what the other hon. Members have said. I have spoken about them in the past. I hope the Government will carefully consider these matters. We have promised to go ourselves with the Forest Member whoever he may be to look into these grievances. We find very little time to study these questions with all our local and municipal problems. There are however broad facts which can be easily established. So far as the villagers are concerned, I shall give an instance. At Hospet near Mudibidri the people mostly Christians were once prosperous and built one of the finest churches in their village. Now with the growth of the forest it is probable

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that the population will be gradually driven away so that within 25 years that church will have to be abandoned. These facts have been mentioned in a memorial which was forwarded by the villagers to the Government. I myself have been urging people to be patient because the policy of the department is a sound one. It is the method that is responsible for the mischief that the forest policy does. I do not want to dwell much upon the corruption of the lower officers. I have proved in the case of one rural Forest Officer, a guard, to what extent he made a fortune by making the villagers pay regularly for the removal of dry leaves from the forest. The Forest Officer would not believe this. He said that the people wanted to rouse me up. I had to point out that the information of these people was correct and I went personally to the village early morning at five o'clock and paid a surprise visit. In the presence of the ranger I took down evidence and proved to the hilt that there was any amount of corruption at least among lower subordinate officers. For years together such things have been going on and the officers of the department would not believe the villagers' complaints. Personally with so much inconvenience to myself I proved the facts and it was only then that the guard was removed by the Forest Officer. Is it necessary for a Member of Legislative Council to go and prove these facts? It is the duty of the Forest department to find out the right sort of men, and also the wrong-doers. A great amount of corruption is going on. This goes on also in Mr. Harisarvottama Rao's district. It goes on elsewhere also. Some higher forest officials also shut their eyes and close their ears to all representations. So we hope that Government will very carefully look into this matter and make a careful study of the whole question and see that justice is done to the people. I hope it will early be recognized that the lives of men and the interests of humanity are of greater importance than the conservation of forests and the breeding of wild beasts."

* Mr. T. ADINARAYANA CHETTIYAR :—"The administration of the Forest department is a regular conundrum. Government repeatedly say in all the reports that the Indian forests constitute a great source of national wealth. When, however, it comes to a question of facts and figures, income and expenditure which is after all the hard test by which many things even in Government departments have to be reckoned, we find that against the expenditure of 52 lakhs the return we get is ridiculously inadequate. It must be remembered that 45 lakhs worth of valuable produce is carried away every year from these forests. Sir, it would not perhaps be a very serious misfortune even if a sum of 50 lakhs be spent annually provided there is some adequate return for the large amount that the Government is spending year after year. But if you analyse the heavy expenditure you will find that a lion's share of this vast expenditure goes to maintain the top-heavy administration of the department. This is a criticism which has been levelled on the department from these benches year after year. Unfortunately this is a cry in the wilderness and I suppose I am not wrong in using that expression with reference to this department. If you analyse the numerous posts—non-voted luckily for the incumbents on which this large amount is spent you will find fancy-names, strange names, un-understandable names and even more un-understandable duties if duties are attached to some of these posts. There are Conservators whose number never goes down. One is called I believe an officer for planning or for preparing plans. Preparing plans for what? We are not told what it is he is planning and why this planning never ends."

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"There are conservators, assistant conservators, extra assistant conservators and supernumerary conservators. Their very designation tells us that they are people who can well be spared. But that is the old order. Under the new order, we have still more fanciful names. These are exploitation officers, development officers, forest economists, logging engineers. These are the new terrors that have been added to the expenditure side of the Forest department in the last half a dozen years. But as a sort of sop to the increasing demands for retrenchment from this part of the House, the Government sometimes go in for some mockery of a retrenchment. But let us see who are the people that are the victims of this retrenchment-axe. It is the poor low paid subordinates: seven rangers, 43 foresters and 167 forest guards—this is the sad tale told by the budget—these are the people that are sought to be deprived of their already scanty bread. But all these conservators and exploitation officers (exploitation in the literal sense of the word) are kept on. This is certainly a case of giving to those who have and taking away from those who have not. But the whole army of conservators and supernumerary officers will get on merrily at the expense of the Indian tax-payer. The test that is naturally applied in civilized countries is what is the return you get for your expenditure and whether there is any income at all to justify the expenditure. Judged by that test, our forest administration must be voted down a thorough and disgraceful failure. Russell-konda has got its own sad tale to tell. Sir, it was said in this House in reply to the question of mine and of somebody else that the sleepers which were sent to the Calcutta market could not be sold, and the machinery purchased, none too wisely, had to be written down for less than half its value. There are of course also the Nilambur and Olavakot forests. It has been stated in the House that the real object of starting the works at Olavakot was to make chests for the packing of tea from Travancore and other areas. This establishment costing lakhs and lakhs is kept up primarily for supplying a few items of furniture, for the rich people and wooden chests for export of tea from this country. One of the highest officers of the Madras Government who retired only recently, had shares in some of the tea estates, and these works were started when he was in service and this went on unchallenged. That is the sorrowful tale which is unfolded by the working of this department under fancied officers, unfortunately costing considerable sums of money to the tax-payer. Even as regards Nilambur and Olavakot, I am doubtful whether the present pleasant picture is going to be a rosy one even in the immediate future. Already reports to hand reveal a sorrowful tale. It is said that the logging experiments are so far successful, because the tractors have been able to go on the broad paths which have been made; but whether they are going to be successful, whether they are going to be paying when the logging experiments have to be carried far into the interior is yet a matter of speculation and doubt. The skeleton in the cupboard however is already noticed."

"Let us turn to another argument of the Forest department. They are never tired of pointing to the large tracts of forest areas which have been transferred to the panchayats. But where is the corresponding diminution in expenditure? We who are out to criticize the Government cannot afford to forget that the very object of the transfer of these areas to the panchayats was not a very altruistic one. They transferred them because these forests have not been yielding the revenue which they are expected to and that therefore they are transferred. Unfortunately, they transferred not only those forest

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areas to the panchayats but along with them the evils and the petty tyrannies which existed prior to the transfer of those areas. The forest panchayats are not gratuitous bodies, and blood money is squeezed out of the panchayats to the full extent which was being derived from these areas, the barren and unprofitable areas. One other result probably not looked for by the Government was when these areas were taken over by the panchayats there have begun factions in the villages where they did not exist before. The hon. Mr. Moir with a vehemence which is not usually seen in him (Mr. Harisarvottama Rao: Always seen in him)—I am contradicted but I won't withdraw what I have said—that before the friends of Mr. Harisarvottama Rao entered into these forests they were paradises, but men of the stamp of Mr. Harisarvottama Rao denuded them and turned these virgin forests into Saharas. Now let us see what the Government has done to restore these Saharas to their ancient prosperity and vernal greenness in which they were pictured as existing at the time Mr. Moir was District Officer in Kurnool. They are now under a panchayat officer. But what are his qualifications? He is an ordinary Deputy Collector who does not know the A, B and C of conservation, who does not know the A, B and C of scientific forestry. And the 25 newly recruited panchayat Deputy Tahsildars are people who are not only ignorant of forestry but also ignorant of the current conditions of life. With these raw, untechnical and unscientific men, Mr. Moir hopes to see these Saharas again converted into flourishing forests. Mr. Moir also prided himself on his close and long acquaintance with the Nallamalais. It has been my fortune, if I may call it so, to accompany one of the district officers into similar forests in another district. I own I saw the forests in a much different light then. In those days when we went out in our palanquins, large quantities of provisions, ghee and milk were brought on the shoulders of the poor people and these supplies no doubt helped to put on those roseate spectacles on our eyes which made the forests look very-green as they did to Mr. Moir. But we know what these forests would look like once those magic spectacles are removed. I was also present at an inspection some years back by the hon. Mr. Todhunter of a panchayat forest in a place not very far from Madras I mean the Tambaram panchayat forest. There were profuse decorations and hundreds of people were seen in holiday dress and Mr. Todhunter was shown the newly planted panchayat forests where the trees were 5 inches high and planted perhaps only 8 weeks back, and the panchayat tank which was constructed probably not more than 86 hours back. This is the conservation and the Government regard it with great pride, and deny the poor famished ryot and his still more famished cattle the sustenance they are entitled to. (Mr. Harisarvottama Rao: All the cattle have vanished.) What return do we get for all these hardships, for all this extravagance of money, which is wrung out of the ryots, not to speak of adequate return? About the condition of the cattle, a very correct picture was drawn by the previous speakers. I remember the days, the early eighties when the hon. Mr. Simm, the then Member, began his campaign against the goat. The health of the poor ryots living in the villages began to suffer, because bereft of his cattle, the goat's milk gave some sustenance to his family. If the goat is tabooed the poor villagers are bereft of even the cheap consolation of goat's milk. The hon. Mr. Moir drew a glowing picture of the beautiful house-building materials and the ploughs and various other timber that were given to the ryots. People who have got a closer acquaintance with the ryots know what it is the poor man really gets. Compounding fee is the one thing which he knows and knows to his cost; and if he is not able to pay it himself,

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his women and children are turned out of their villages, and the very sub-magistrates who send them to the jail often shed tears of blood.

"Sir, at least in Mysore and some other States more sympathy is shown in the matter of forest administration and the ryots really do get some material and implements from the forests. But in Madras, the ryots get no benefits from the forests.

"One other point and I have done. It is the question of green manures without which our cultivation cannot go on. All the valuable manures are exported in tens of thousands of tons every year to foreign countries; the only manure the ryot is capable of getting is green manure, probably because it can't be exported. As regards that, the resolution that was passed almost unanimously in this House has been thrown to the winds. And one Government Order, dated 2nd May 1925, if I remember the date correctly, said that some districts at least are entitled to some consideration as regards the green manure leaves. In the district which I have the honour to represent, the district of North Arcot, a committee was appointed consisting of the Collector, District Forest Officer, and one or two non-officials, including the District Board President. That Committee made a report, but that report has not seen the light of day although it is now nearly three years since the Committee made its report. All these show how hollow the professions of the Government and of their spokesmen are when they say Mr. Harisarvottama Rao's men it is who are the spoilers who have reduced the beautiful Madras forests to the present degraded condition. 'We are here' says the Bureaucracy 'to conserve and preserve the forests and make them a great source of national wealth'. But, may we ask, 'After all the cattle are gone, after the men are gone, and their children are gone, and the fields are left fallow and uncultivated, what object can the Government have in conserving the forests in their "scientific" ways?' I shall not dwell on this longer, because we have already said and said times without number and we are determined to repeat these onslaughts though it may be without any other effect, than to hear some jejune, stereotyped replies from Government. In our despair, however, one thing is left to us and that is to impress upon the Government the unanimous feeling of the people that they are dissatisfied with the present administration of the forests and this can be done only by a unanimous vote of the House."

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

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[15th March 1928]

APPENDIX.

[Vide answer to question No. 1749 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 15th March 1928, page 168 supra.]

Letter from the Collector of the Nilgiris, dated 6th January 1928, R.C. No. A-3-2496-27.

[Forest—Disreservation—Kundah Reserved Forest—Mr. Garrett's application—Rights of way and grazing facilities.]

[Reference.—Government Memorandum No. 3524-I/27-1, dated 12th December 1927.]

I went over the area on December 31st visiting Narigulimund and Onemund and returning via Peermund bungalow. Some Todas and Badagas accompanied me. The portion of land proposed to be retained as reserve will not be sufficient for purposes of reserving rights of way. It will be necessary to reserve also the rights of way, etc., specified in paragraph 4 of the Chief Conservator's letter. The eastern boundary may run according to the alternative shown as (a) in the draft notification. This will leave the whole of the Der Bettu-Onnemund path in forest reserve. The Todas ask for nothing more on that side.

3. The Badagas, whose objection petition I submitted with my letter R.C. No. A-3-2496/27, dated 15th September 1927, have no objection to the proposed disforestation and assignment provided they are allowed equal grazing facilities elsewhere. The Chief Conservator of Forests in paragraph 9 of his Reference No. 8429/27-1, dated 11th April 1927, states that the Badagas can get as good grazing to the west of the area applied for. The cattle kraals referred to in their petition are actually outside the area, to the east. If the exclusion of their cattle from the area affects the grazing available, all they need do is to shift about two miles west and establish kraals there with all the grazing they can want.

THE MADRAS LEGISLATIVE COUNCIL

Friday, the 16th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.O.S., The hon.
Sir Norman.
Usman Sahib Bahadur, The hon. Khan
Bahadur Muhammad.
Moir, C.S.I., C.I.E., I.O.S., The hon. Mr. T. E.
Campbell, C.S.I., C.I.E., C.S.E., I.O.S., The hon.
Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Setaratnam Ayyar, The hon. Mr. M. R.
Abdul Raseek Sahib Bahadur, Khan Bahadur
S. K.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C.V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur
R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsala Nayudu, Mr. P.
Bheemayya, Mr. J.
Biswanath Das Mahasaya, Sriman.
Bong, C.I.E., I.O.S., Mr. G. T.
Chidambaramatha Mudaliyar, Mr. T. K.
Congreve, Mr. C. R. T.
Cotterell, C.I.E., I.O.S., Mr. C. B.
Dorai Raja, Rajkumar S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Evans, C.S.I., I.O.S., Mr. F. B.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. O.
Hamid Khan Sahib Bahadur, Abdul.
Harisarvottama Rao, Mr. G.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnan Nayar, Diwan Bahadur M.
Kumaraswami Reddiyar, Diwan Bahadur S.
Laker, Mr. A. T.
Madhavan Nayar, Mr. K.
Mallayya, Dr. B. S.
Mentikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ruvuttar Bahadur, K. P. V. S. Muham-
mad.
Moldeo Sahib Bahadur, T. M.

Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur
A. M. M.
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. B.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raja, Mr. D.
Narayana Rao, Mr. Mothay.
Narayanan Chettiyar, Mr. Al. Ar.
Narayanan Nambudripad, Rao Bahadur O. M.
Narayanaswami Pillai, Mr. T. M.
Parasurama Rao Pantulu, Mr. A.
Parthasarathi Ayyangar, Mr. C. R.
Patro, Kt., Rao Bahadur Sir A. P.
Raja of Panagal, K.C.I.E.
Raja of Ramnad.
Rajan, Mr. P. T.
Ramaachandra Padayachi, Mr. K.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ramaswami Ayyar, Mr. U.
Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Sabajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Simpson, Kt., Sir James.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Slater, C.I.E., I.O.S., Mr. S. H.
Soundarapandia Nadar, Mr. W. P. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib R.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dubash
Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.O.S., Mr. A. McG. O.
Thomas, Mr. D.
Tulasiram, Mr. L. K.
Vanavudaiya Gounder, Mr. S. V.
Venkatarama Ayyar, Mr. K. R.
Venkataranana Ayyangar, Mr. C. V.
Venkiah, Mr. S.
Watson, I.O.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Mirsapuram
Zamindar of Seithur.

[16th March 1928]

I

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Excise

Duty on the imported spirituous preparations.

* 1755 Q.—Dr. (Mrs). S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that when once duty is paid on imported spirituous preparations, they are allowed to be imported into this Presidency without further assessment of duty and whether the same concession is not allowed to Indian-made spirituous preparations imported into this Presidency; and

(b) what is the approximate average annual receipts from duties on Indian-manufactured spirituous medicines imported into this Presidency from the other Presidencies?

A.—(a) The duty levied on all liquor imported by sea into India is a customs duty. No excise duty is levied on articles on which customs duty has been paid. The only duty payable on liquor manufactured in India and imported into the Madras Presidency is the excise duty levied at the rates prescribed for similar liquor manufactured in the Madras Presidency and it is credited to the revenues of the Madras Government in accordance with the general principle accepted by the Government of India and all Local Governments that all excise duty should be credited to the Province of consumption.

(b) The Government have not the information.

Public Health

Collection of water-tax in Masulipatam Municipality.

* 1756 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Masulipatam Municipality has been collecting water-tax from the residents to whom the water is not supplied either by earthen pipes or by pipe system; and

(b) whether it is a fact that some of the tax-payers have given notice to the Chairman, Municipal Council, Masulipatam, that they would not pay the water-tax unless water is supplied to them?

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

Mr. V. RAMJEE RAO:—“With reference to the answer to clauses (a) and (b) of the question, may I ask the hon. Minister for Education and Local Self-Government whether he would call for the information?”

The hon. Dr. P. SUBBARAYAN:—“The Government will call for the information”.

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Local Boards

Levy of licence-fees by President, Chingleput District Board, for the buses running on the road from Madras toll-gate till Kathivara.

* 1757 Q.—Mr. RAMANATH GOENKA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the road from Madras toll-gate (at Saidapet) till Kathivara (near Guindy), was within the jurisdiction of, or was vested in the District Board of Chingleput before April 1927; and, if so, during what period;

(b) whether the said portion of the road is now within the jurisdiction of, or vested in, the Saidapet municipality;

(c) whether it is a fact that the President of Chingleput District Board levied licence-fees till 1st February 1927 for the distance covered by the said road although it did not belong to the district board; and

(d) if answer to (c) is in the affirmative, under what authority the President acted?

A.—(a) No.

(b) The road is within the municipal limits but does not at present vest in the municipal council.

(c) Yes.

(d) Subject to the approval of Government, it is open to the district board to charge such fees for motor-bus licences as it chooses.

Proposed abolition of the Purushottapur Union.

* 1758 Q.—Mr. N. SIVA RAJ: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have received resolutions from the Taluk Board of Chatrapur and the District Board of Ganjam recommending the abolition of the Union of Purushottapur, Chatrapur taluk, Ganjam district;

(b) why the President of the Union Board was not given any opportunity to express his opinion or explain the allegations; and

(c) whether they would order further enquiry through the Inspector of Local Boards or the revenue officials before any action is taken?

A.—(a) No.

(b) The Government have no information whether opportunity was given or not.

(c) The President, Union Board, Purushottapur, has submitted a copy of the resolution of the Union Board protesting against the resolution of the Chatrapur Taluk Board for the abolition of the union. A report has been called for from the Inspector of Local Boards to whom the power to approve proposals of district boards to abolish unions with a population of less than 5,000 has been delegated.

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Civil Justice*Amendments to the Court Fees Act.*

* 1759 Q.—Mr. A. B. SHETTY: With reference to the answers given to my question No. 720 answered on 20th October 1927 and question No. 773 answered on 21st October 1927, will the hon. the Law Member be pleased to state whether the Government propose to make the necessary amendments in the Court Fees Act?

A.—With regard to question No. 720 of 1927, the hon. the Judges of the High Court have been consulted on a draft Bill prepared with a view to giving effect to the proposal that the same rate of fee may be levied in the lower and the appellate courts in suits of the nature referred to.

With regard to question No. 773 of 1927, the attention of the hon. Member is invited to the Law Department (General) Notification No. 868, dated the 6th December 1927, published at pages 2019-2020 of Part I of the *Fort St. George Gazette*, dated the 18th December 1927.

Tours*Tours of the hon. Ministers.*

* 1760 Q.—Mr. R. NAGAN GOWDA: Will the hon. the Member for Finance be pleased to state—

(a) the number of district and taluk headquarters and the number of towns and villages that have been visited by each of the three hon. Ministers since they took office in December 1926;

(b) the number of miles each has travelled in this period and the number of days each has been on tour; and

(c) the touring expenses incurred by Government for each of them for the same period?

A.—(a) to (c) The annexed statement* gives the particulars required by the hon. Member. The amount shown in column 8 is the expenditure actually entered in the registers of the Accountant-General up to the end of February 1928, and does not include charges for journey by saloon subsequent to November 1927 which have yet to be intimated by the Railway authorities concerned.

Land Assignment.*Distribution of lands in Vavveru reserve forest to depressed classes.*

* 1761 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that till now the lands in Vavveru reserve forest (Nellore district) have not been distributed to the Adi-Andhras or depressed classes;

* Printed as Appendix on page 274 infra.

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(b) if so, whether it is the Revenue Department or the Public Works Department that is responsible for the delay, and for what reasons;

(c) whether steps will be taken to expedite the distribution of those lands;

(d) whether the Government intend giving the lands to non-depressed classes and await a higher bid for those lands from the neighbouring rich ryots; and

(e) how long the question of distribution has been pending?

A.—(a), (b), (c) & (e) The lands were disforested in 1924. The question of assignment of the disforested land was pending in November 1927. According to the report received from the Board of Revenue, dated 2nd November 1927, the assignment of land in the area was pending a decision on the question of providing facilities for irrigating it and the matter was the subject of correspondence between the officers of the Revenue and the Public Works Departments. The Government have no more recent information on the subject but have called for a report.

(d) There is no such proposal before the Government.

Assignment of waste lands to Christian missionaries for distribution to depressed classes.

* 1762 Q.—Mr. V. RAMJEE RAO: Will the hon. the Member for Revenue be pleased to state—

(a) the number of acres of waste land assigned to depressed classes in each district of the Presidency;

(b) whether it is a fact that Christian Adi-Andhras were also given lands;

(c) if the answer is in the affirmative, what is the percentage of acres of land assigned to them in each district;

(d) whether it is a fact that the lands in some of the districts of the Northern Circars are assigned to Christian missions and missionaries for distribution to the depressed classes;

(e) whether pattas for the land are issued to the assignees; and

(f) whether it is a fact that some of the previous Collectors of the Kistna district have given lands to the Christian missions and whether thereby the missionaries have imported the members of the depressed classes from other districts and got them settled in the places where the lands were given to them after converting them to Christianity?

A.—(a) The hon. Member's attention is invited to statement No. VII in the Administration Report of the Labour Department for 1926-27 embodied in G.O. No. 2434 L., dated 26th October 1927 which has been placed on the Editors' Table.

(b) & (c) Lands may have been assigned to Christian Adi-Dravidas as members of the depressed classes. The Government have no information about the extent assigned to them in each district.

(d) & (f) The hon. Member's attention is invited to the provisions of paragraph 38 (c) of Board's Standing Order No. 15. Under the orders in force lands may be assigned to approved

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societies including missionary societies acting on behalf of the depressed classes. The Government do not know whether land has been assigned to the Christian Missionary Societies in the districts referred to; and have no reason for thinking that the facts are as stated in clause (f).

(e) Pattas are issued in the names of the persons or societies in whose favour the land has been assigned.

Mr. V. RAMJEE RAO :—"Since the hon. the Revenue Member is not in his place, may I be allowed to ask the question, Sir?"

The hon. the PRESIDENT :—"There are other hon. Members of the Government who can reply to the question."

(Just then the hon. the Revenue Member entered the hall.)

Mr. V. RAMJEE RAO :—"With regard to clauses (b) and (c) the Government say they have no information. May I request the Government to get the information?"

The hon. Sir NORMAN MARJORIBANKS :—"Yes, Sir."

Land Revenue

Levy of ground-rent in rural and urban areas.

* 1763 Q.—SYED TAJUDIN SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to call for and lay on the table a talukwar statement of the excess of the ground-rent levied in all rural areas under Board's Standing Order No. 21 and in urban areas of this Presidency over the agricultural assessment for the years 1925-26-27 with the latest orders passed by them in 1927 as to revision of ground-rents during every resettlement period?

A.—Rupees 43,600 was paid in 1926-27 to municipalities as the excess of ground-rent over the agricultural assessment. No further particulars are available.

No orders have been issued for the revision of ground-rents during every resettlement period.

Public Service

Selection of applicants for personal interview.

* 1764 Q.—Mr. A. B. SHETTY: With regard to the answer to clause (e) of question No. 1226, referred to in question No. 1391 answered on 24th January 1928, will the hon. the Member for Revenue be pleased to state—

(a) whether any representations were at any time made to the Government that all the candidates who apply for posts should be called for a personal interview, and if so, when and by whom; and

(b) whether in view of the very large number of applications received for every post that is notified in the Gazette, the Government will consider the desirability of carefully scrutinizing the applications in the first instance and calling only the most suitable candidates for a personal interview?

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A.—(a) No.

(b) The Government do not consider it desirable to adopt the suggestion as it would lead to discontent among the candidates not summoned for personal interviews.

Mr. A. B. SHETTY :—"With reference to the answer to clause (b), may I know, when the number of appointments to be made is only very few and hundreds of candidates apply for them, what the necessity is to call all these applicants for a personal interview and subject them to expense, inconvenience and disappointment?"

The hon. Sir NORMAN MARJORIBANKS :—"That is answered in clause (b)."

UNSTARRED QUESTIONS

Marine

Recommendations of the Committee appointed in England on the Tuticorin Harbour Works.

1765 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) what the recommendations are of the Committee appointed in England as to the Tuticorin Harbour Works; and

(b) what orders Government have passed or contemplate passing?

A.—(a) The report of the Committee has been published in the Press Communiqué issued on 7th March 1928.

(b) No orders have yet been passed and Government are unable to say what orders they will pass in the future.

Constitution of the Cochin Port Trust.

1766 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) what action has been taken on the recommendations of the Cochin Port Conservancy Board as to the acquisition of lands or waters for the port of Cochin in the State of Cochin; and

(b) when the Cochin Port Trust will be constituted?

A.—(a) The Government have not received any such recommendation.

(b) The Cochin Port Trust cannot be constituted until the Cochin Port Trust Act, 1925, is brought into force; this Act cannot be brought into force until certain arrangements to be made with the Cochin Darbar are complete.

Minor Irrigation

Repairs to Mathalai Mannadykulam tank in the Madura district.

* 1767 Q.—Mr. W. P. A. SOUNDARAPANDYA NADAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the tank known as Mathalai Mannadykulam in the village of Mela-Gudaloor, Madura district, is in urgent need of repairs and whether general repairs to the tank have not been carried out within the last twenty years;

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(b) whether it is a fact that the district authorities are neglecting and postponing general repairs to the tank although the Government have from time to time sanctioned some amount towards the expenses for the repair of the said tank;

(c) whether it is a fact that the Collector of Madura is demanding contributions from the ayacutdars towards the repair of the tank; and

(d) whether it is a fact that repairs to the tank is postponed since the ryots are not prepared to contribute?

A.—The Government do not know whether or not the facts are as stated. The Government do not sanction sums for expenditure on individual tanks.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

ELECTION TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY.

* The hon. the PRESIDENT:—"I have to announce to the House that M.R.Ry. Diwan Bahadur P. C. Ethirajulu Nayudu Garu and Abdul Hamid Khan Sabib Bahadur have been elected as Members of the Advisory Committee of the Madras and Southern Mahratta Railway Company."

III

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND IV—FOREST.

* The hon. the PRESIDENT:—"The debate on this demand closes at 12-15. The House will resume discussion on Mr. Harisarvottama Rao's motion, viz., to reduce the allotment of Rs. 95,900 for General Direction by Rs. 100."

* Mr. K. V. R. SWAMI:—"As regards the other presidencies where this department is managed, we see from the statistics that they are managing it much better than what it is done here. In Bengal the revenue from the forests is 27 lakhs whereas the expenditure is 17 lakhs; Bombay 73 lakhs revenue and 37 lakhs expenditure; United Provinces 57 lakhs revenue and 84 lakhs expenditure; Central Provinces 56 lakhs against 39 lakhs; Punjab 48 lakhs against 34 lakhs; Burma 190 lakhs against 94 lakhs; Madras 53 lakhs against 46 lakhs expenditure. Then, Sir, in answer to this, it is stated that this is a department where development is required. Unfortunately our valuable forests are in obscure places and in rough places and they say that so much spade work is required and so much capital investment is required and so we have to spend more than what is ordinarily wanted."

"So far as capital expenditure is concerned, my submission to this House is that capital expenditure should not be met from ordinary revenues. This is a commercial business and wherever capital expenditure is required it ought to be met from borrowed money and not from ordinary revenues."

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Under any system of Government ordinary revenues will not be used for capital purposes of the nature. Then the other objection is that there are more officers than are required. This was admitted even by the Member in charge of the department during the last budget discussions. It is stated in reply that it was intended originally to develop the Agency tracts and with that view more officers than are required, for instance, Assistant Conservators, were employed. But afterwards it was found that the development of the Agency would not pay and it was given up, but the officers were retained to be absorbed later on. This is anything but economy. That officers were recruited before a scheme is resolved upon shows the inefficiency of the management. They ought to have waited till the scheme was properly investigated and resolved upon before they recruited any officers. Even if it so happened that they did not want to go on with the scheme that they originally intended to carry out, they ought to have dispensed with the services of such officers whose services they could conveniently employ without waiting to absorb them gradually.

"Now, with regard to the development of the resources, this Government seems to have a special knack of developing the land revenue and excise revenue, but not in commercial departments. Their efficiency seems to be bankrupt when originality is required. If they want money to be squeezed out of the people they are experts in that, for instance land revenue and excise revenue developed by leaps and bounds, whereas in the case of the vast forests which are full of resources we see how miserably the administration failed to make any good at all. For an expenditure of 43 lakhs the return is only six lakhs. Even formerly it was admitted that there was a surplus revenue but gradually it is dwindling away, because after the war they stated that they have had to pay their officers heavily. When working on a commercial basis Government must practise the strictest economy. If we look at the statistics the average income from forests is only two annas per acre, so far as India is concerned. What the Madras Forest department is making is only 6 pies. That shows the incapacity of the department for developing the resources. Now by handing over the minor forests to panchayats some economy could be made, but it has not progressed as expected and that has to be attended to."

"Another objection raised is that this small income of a few lakhs is got by depriving the people of their minor privileges. People living on the borders of these forests have special privileges of getting fuel and wood that would be required for agricultural implements and so on. Now they are denied all these privileges. As a reply to this charge it is stated by the Member in charge during the last budget that only a portion of the population live near the forests, whereas the forests belong to the whole population and so the few people that live on the borders of these forests should not be given special privileges. This is a very curious argument. People living near the forests have got their own troubles: their crops are attacked by wild beasts, and they themselves are attacked by malaria and all such troubles they have to face. But the argument is that people living far away should also claim these privileges and they should not be confined only to the people living near the borders of these forests. The other grievance is with regard to sandalwood. The whole of the sandalwood is now sold to the Americans and the French people. We are not getting the

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best out of this sandalwood. When it is suggested that the Forest department should start a mill for extracting oil from the sandalwood, they say they are afraid of coming into competition with private agencies. It appears there is one mill which is very indifferently worked and which cannot consume even 10 per cent of the sandalwood. Where can be competition when the whole sandalwood cannot be consumed by this private agency. The real thing is that this Government is anxious to help foreigners' profit than trying to acquire all the profit for itself. Whereas, in Mysore, they consume the whole of the sandalwood and they also make more purchases elsewhere for their consumption from this Government also. So even in the management of the forests Indian States are much better than the Government, though Mr. Moir was priding himself on developing the resources of the forests. When so many grievances were enumerated by my hon. Friend Mr. Harisarvottama Rao yesterday, the hon. the Finance Member got into a fury and began to protect the officers of that department. It is no pleasure for any one, even for us, to attack any administration or any officers unless there is sufficient cause, because we see this department as well as other departments are not only manned by Britishers but are manned equally by Indians.

11-15
a.m.

"Sir, it is not a pleasure for us to go on attacking these people in the several departments. But things which ought to be brought to light should be brought to light so that they may be remedied. The hon. the Finance Member was not right in getting into such a fury and trying to protect them, because it will give a handle to the officers. They think, however badly they may behave in their departments, there would be Members ready in this Council to protect them and their interests and that they are always safe. That ought not to be the attitude. The proper attitude ought to be that whenever some officers are attacked, they must investigate into the matter and see whether the charges brought against them are proper. We have no political principle in charging anybody of corruption or ill-treatment or things of that sort. It is common ground to us that we have to treat our officers, whatever the Government may be that is in power, in the proper way, but it does not mean that we should overlook their faults and try to cover them by our advocacy here.

"It is admitted, Sir, on all hands that there are grievances and that this department is not well managed and that they have got experts from America on high salaries and even then no improvement is shown with regard to this matter. They have got other commercial departments, for instance, the Russellkonda Saw Mill and various other things. The proper thing would, therefore, be to investigate the whole question and see how this department can be improved and the resources of the forests, which are really vast, can be developed. With these words, Sir, I recommend this motion for the acceptance of the House."

* Sriman BISWANATH DAS Mahasayo:—"Mr. President, Sir, I heartily associate myself with most of all that was said about the general resolution, and in my speech, Sir, I will deal specifically with the saw-mill at Russellkonda in the Ganjam district, for which I have already given notice. My hon. Friend, Mr. Moir, very eloquently pleaded as the guardian of the people in the mufassal. I will just show him how in the working of

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the saw-mill at Russellkonda these self-constituted guardians have not only not tried to manage it efficiently, but also brought in all wasteful expenditure that could be thought of. This saw-mill was opened at Russellkonda in the year 1921. At first, I tabled a motion to delete the grant which was carried but it was afterwards restored by His Excellency the Governor. Thus, in spite of the protests of the Members of this House the saw-mill was installed. The initial expenditure was expected to be about one and a half lakhs but in the actual installing of the mill the expenditure came to more than two and a half lakhs. Then, Sir, it was made a Government concern with Messrs. Parry & Co. as the Managers. Then, we had to bring to bear on the Government the necessity of putting it on the commercial account as a means of controlling waste. It will be my point to bring before this House to-day how it has been a losing concern ever since, and how it has not benefited the Government, or the people of this country or of any other country.

"Well, Sir, from the audit accounts placed on the table of this House, i.e., G.O. No. 119, dated 20th January 1928, I refer the hon. Members of this House to see how lots of logs are brought to this saw-mill and more than 25 per cent of the logs are thrown out as rejected with the result that Government have to put these rejected logs to auction. So, it is clear that about 75 per cent of the logs that are brought to the saw-mill are acceptable to the mill. The result is that Government have to supply the 75 per cent of all the logs, i.e., about two lakhs of cubic feet of logs at a nominal price to the mill. It was not making up even the carting and felling charges at first as they were supplying them at 4 annas a cubic foot. We had to bring the question before the Council and after about two years, I think about 1924 or 1925, an order was passed fixing certain rates to be charged for these logs. At page 2 of the Audit Report, it is said, that for logs of 16 feet, 8 annas should be charged per cubic foot, for nine feet, 5 annas 6 pies per cubic foot and for others suitable for sleepers, 4 annas per cubic foot. This, I declare, Sir, will be about half of the actual price for which people would be willing to purchase these unfinished logs at the spot. Then the charges of felling and carting are much more than the price fixed for these logs, as can be seen from page 3 of the Audit Report, wherein the Auditor says that the District Forest Officer, Ganjam, told him that during 1927-28 his estimate of the average cost of carting and felling the timber delivered at the saw-mill would amount to 6 annas per cubic foot. This alone will create a demand by the Forest department for higher prices for this timber.

"Then, Sir, having stated how the Forest department is giving all the logs felled and carted at their own expense and brought to the saw-mill and are handed to the mills at a nominal price, I will now state how the management, i.e., Messrs. Parry & Co., are not going to pay a pie more than what they are paying at present, i.e., they are not going to accept the Government price fixed in the Government Order referred to. They say:

"The mill contention is, however, that with selling price of Rs. 2-9-11 and other charges as indicated above and with a high percentage of waste, it is not possible for them to pay very much more for the timber they take over, and in case of a private concern they would have to close down the mill if the price of the timber in the log, rose to a figure that would make it impossible for them to work the timber for sale at the prevailing market rates.

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"The auditors themselves record in page 2 of their report that the prices fixed by Government in their order referred to above apparently are based for items 2 and 3 on the average cost of felling and carting charges, and does not include any charge for overhead or value of timber.

"The forest officers of the district, in their anxiety to carry logs to the mill, are forcing the people of the neighbouring villages to get the logs, carry them at fixed rates and also forcing and dragging unfortunate cartmen who accidentally are there at the time to carry these logs to their saw-mills, against their will, and they have not been able with all these enforced miseries on the people to supply the necessary quality and quantity of logs even to the saw-mill. The mill has been complaining that the Government has not been able to supply the necessary quality and the Chief Conservator of Forests in his report for 1923-24 at page 14 says :

'As regards the size of the logs, it is impossible to obtain large logs in any quantity. And, there is no getting away from the fact that the Ghumsur forests contain very little timber of the size for which the machinery was designed, while much of it is unsound.'

"So, Sir, this cuts at the very root of the installation of a saw-mill to produce finished wood of any appreciable quality or quantity, so that the Government or the private company might have a profit at any future date. I am referring to the administration reports of the Forest department for 1923-24 at page 14. This observation of the Chief Forest Conservator has not yet been contradicted by the subsequent reports but on the contrary has been confirmed in the audit reports and also by the saw-mill and the administration report for 1927 at page 6.

"Then, Sir, I wish to refer to the audit accounts of the Madras Presidency for 1924-25, published by the Accountant-General. At page 47 of the same report, in paragraph 72, mention has been made of this :

'Government saw-mill under company management sustained in 1922-23 a loss of Rs. 30,424 and according to the subsequent revised report of the auditors, it was Rs. 31,778. This includes interest on capital. It has since been decided by the Government to exclude interest and the loss for 1922-23 is reduced to Rs. 8,311.

'In 1923-24, the accounts showed a further loss of Rs. 3,059 while in 1924-25 they exhibited a small profit of Rs. 1,395.'

"Well, Sir, this profit is merely one for account adjustment and, is therefore a paper profit. Government have been, as I have already indicated, supplying the saw-mill at the rate of 4 annas per cubic foot at this period i.e., 1924-25. And, even at the present rate, as has been adverted to in the audit report, they say it will not make up the carting and the felling charges and other expenses which the Government incur under G.O. No. 303 of the Development Department, dated 3rd March 1927. So, even the profit of Rs. 1,395 shown in 1924-25 is a paper profit, i.e., profit shown only in the accounts.

"Then, Sir, I come to the profit and loss accounts of the year 1926-27.

1-30 a.m. "In the audit report, a book profit of Rs. 8,000 has been shown to have accrued for the year 1926-27. I now request hon. Members of this House to look at page 10 of the audit report wherein it is stated: 'As I have shown in the enclosure to this office letter, dated 26th November 1926, not less than As. 3 per cubic foot should be added on account of overheads'. If this is taken into account, the profit for 1926-27 would be converted into a

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considerable loss. So, Sir, the profit of Rs. 8,000 that has been shown in the audit report is only a paper profit, and is a whitewash for the public and the members of this House. I have thus shown that ever since the saw-mill began to work, from the year 1921 to the year 1926 the Government have year after year been sustaining serious losses amounting to thousands of rupees; and in no year could they show any profit if the accounts are properly put up. This shows that the commercial undertaking, as it is worked by Messrs. Parry & Co. at Russellkonda, has not at all been a success. When the saw-mill was started, they expected to find markets in Calcutta and London. Afterwards they opened a branch in London, and we were glad to see that they are now closing up the branch at London. Even the branch at Calcutta has not been a success, and I learn that they are going to wind up the same there. Nemesis is following them wherever they go. At page 3, mention is made of the fact that they are going to write off the capital value of the machinery installed, and thus they hope to show some profit. These things will not convince the House, much less any businessman, that the concern has been a success. The people of the district on the other hand have been agitating all along for the closing of the concern. This Council has never been a party to such a wasteful experiment and has given its declared opinion just before the concern was started. My resolution in 1925 August was also withdrawn at the instance of the hon. the Home Member then in charge of the Forest portfolio on promise of personal enquiry. This being the case, I request the House to give again its verdict so that Government will be forced to close the concern and thus avoid this wasteful expenditure."

* Mr. C. GOPALA MENON :—"Sir, I wish to support this motion. The budget figures for the last three years in the Forest administration show decrease in revenue and increase in expenditure. In 1926 the net income from forests was 11.35 lakhs while in 1928-29, the income is estimated to be 6.81 lakhs. The hon. Member must be aware."

The hon. Mr. A. Y. G. CAMPBELL :—"May I know wherefrom he got these figures, Sir?"

* Mr. C. GOPALA MENON :—"I shall inform him, Sir, later. The hon. Member must be aware that this department is topheavy and overmanned. Figures have been quoted in this House year after year during the period of budget discussion that the income and the expenditure of the Forest department in this Presidency as compared with those of other Presidencies were proportionately lower. We have to look at this department from two stand-points, whether it is beneficial to the people of the country and whether the exploitation that is being carried on is of a revenue-yielding character. There is a good deal of exploitation carried on from year's end to year's end, and a good deal of capital is invested in this department which is not easily realizable. My hon. Friend is also aware that the railway companies in this country are importing a good deal of wooden sleepers and steel sleepers, and I would like to know whether the department has taken any steps to supply the railway companies with sleepers from our forests. Another point that I wish to bring to the notice of the hon. Member is that a large number of factories has grown up in this Presidency and there is a new source of demand which the Forest department can cater for. These factories feel the necessity of getting wood in the shape of splinters and veneers.

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Has the department taken any steps to find out whether there is any possibility of meeting this new source of demand from these factories? The Government are aware that the Tariff Board is now sitting and taking evidence on the question whether any protection should be given to this industry, and if Government could only come forward and meet this new source of demand, I think it will be of great assistance to these match factories. With regard to the commercial undertakings of Government, such as the Mount Stuart forests, the Russellkonda Mill and the Chonat Nair forests, some of these were started as early as 1919, and they are also not of a profitable character. Of course this has been brought to the notice of the Government so often and the reply has been that they cannot be made profitable in the early years of their existence. I would like to bring to the notice of the hon. Member that some of these concerns which were started eight years ago are not even now made profit-yielding and some steps should be taken to make them self-supporting. With these remarks, Sir, I support the motion."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I just want to say a few words. As has been stated yesterday, there is something unreal in this demand also inasmuch as the hon. Member who was in charge of the Forest department, who studied the question for several long years, has been deprived of the portfolio, and the hon. Mr. Campbell is now in charge of it. We all know that the new Member is very sympathetic, but we cannot forget that he is to be there, if at all, for only one or two months or perhaps a few more weeks. If, therefore, we say anything about this department to-day, it is addressed more to the Secretary in charge of this department and to the Chief Conservator of Forests, who, I understand, is also sympathetic. I am one of those who consider—although I may on that point differ from some of my friends on this side—that if properly worked out, the Forest department is a department which can yield a large sum of money without in any way resorting to additional taxation. Something has been said about the sleepers. If the department works up these things satisfactorily, it will be able not only to compete with the foreign imports, but will be able to supply them more cheaply to our people. As has been well said by my hon. Friend Mr. Gopala Menon, there has been a large import of wooden sleepers from outside and the iron sleepers also are now competing with wooden sleepers, because iron has become much cheaper than before. As a matter of fact, I have been myself interested in the tea and coffee industry for some time, and I know that the Forest department has been able to compete to some extent with the foreign imports; but my complaint has been all along that this department, especially the sub-departments, are worked at a very great cost. My complaint all these seven years has been that there has been unnecessarily heavy cost at the top of this department, firstly because the number of officers at the top is unnecessarily very large and secondly because their salaries are very high. So far as the number is concerned, I have been representing year after year that the number of overpaid officers alone is unnecessarily and unduly large. I have shown from their own books that they have found it unnecessary to fill up a large number of vacancies every year. When it is not necessary to fill up a large number of vacancies, it is quite unnecessary to keep those posts vacant, and the best thing would be to remove the posts completely from the cadre, so that there may be no temptation at any time to distribute patronage by

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filling up the vacancies. The report for the last year available says that a large area has been transferred to the ryots under the heading 'Forest panchayats,' and yet there has been no corresponding reduction in the number of officers in this department. The number of Conservators of Forests was only four some years ago, but it was increased to six in spite of the protest of this Council. How do they say that they have been able to reduce that number by one? If the total area is taken into account, the number of officers can be much more considerably reduced. I may say this thing, Sir—and I have been repeating it more than once—that the one great danger and risk due to the appointment of foreigners in this department is that they naturally have inclinations in favour of their own men and the manufactures of their own country. Without attributing anything wrong to them, I may say that an Englishman naturally thinks that his own kith and kin are the best, and what is more he considers that only European and English machinery is the best. Similarly, the American. That is the reason why both on the Mettur works and on the forest improvement works we find a good number of costly machinery being imported from England and America. In the case of the Forest department, I have no complaint to make against Mr. Martin personally; he is a very good gentleman and an able gentleman. But when he was first appointed we were given the hope that he would be there for only a short time, temporarily. That period expired and he was given long leave, with pay, I suppose, probably if necessary to go and purchase machinery and to engage men from America. I do not know if he has done that to his satisfaction. But, Sir, so long as Europeans and Americans are at the head of the department, much more than is necessary, there is this danger always of their being inclined to get more men from foreign countries. When the cadre of the Chief Conservator was transferred from the India Civil Service to the Forest department, this Government went out to congratulate the forest officers as well as the people on the fact that one of the officers of the Forest department itself got the highest office in it. But our fear was, and it has been realized, that the Chief Conservator, however sympathetically he may be disposed towards Indians, he is naturally inclined to favour more his own countrymen whom he very often meets at tea parties, clubs and recreation grounds. Sir, I am not speaking without facts. I will give you one instance. I have been urging almost from 1920 that at least one of the appointments of the Conservators should be reserved for an officer promoted from the Provincial Service. It was once said that he would not be able to discharge his duties as ably as an European officer would. But now what has happened. The very officer against whom this remark was passed is now appointed as Conservator and I am glad to tell you that he is discharging his duties very satisfactorily, both in his special work and other works.

"I have been visiting these forests where a good deal of work is being done, such as the Chonat Nair forest. As I have said several times before, I say to-day also that they are merely creating figures. This year they show they have a large quantity of wood and they prophesy huge profits. But the logs of timber are eaten by the white-ants and their price dwindles away very soon. I have seen timber depots at Olavakkote where such things have occurred. The last report says that the timber there has for several reasons considerably lost its value. The same thing has happened in the saw depot

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in the north. All I wish to say is, by all means develop the forests but by any means reduce the cost of working them.

"By way of supplementary question I showed how in the Chenai Nair forest there is a large number of unnecessary hands; such things are explained away by saying that the Government have to provide work for the existing hands. I said if they stopped recruitment both in England and in India for some time the present hands could be utilised and there will be no supernumerary hands. I believe Mr. Cox, I speak subject to correction as I am now speaking from memory, prepared a memorandum in which he said that hereafter recruitment in England for this department will be quite unnecessary, for permanent appointment. If this had been acted upon the case would have been very different. Yet the Government say they require European officers at the top. I am only saying all this to show that hereafter at least the number of officers may be reduced considerably, especially in view of the handing over of the lands to the panchayats and that most of the hands be Indians so that they may bring to bear their knowledge of forestry very usefully to the advantage of the country after their retirement. As I said, the new Law Member is taking a great deal of interest in the Forest department and appears to be very sympathetic. There are a number of grievances yet unredressed though we have been complaining of them for the last twenty years. In the beginning of this Council a number of resolutions were passed embodying our grievances and nothing has been done to redress them. I may, however, say that, so far as the Coimbatore district is concerned, a committee was appointed with Mr. Cox as the President to inquire into the grievances and as a result of it it framed a number of rules and effect was given to some of them and those rules were extended to some other districts with profit. If the hon. the Law Member looks into that report, he will find that only certain grievances were redressed and the question of other grievances was left over to be taken up later on. I think it is high time those matters be looked into.

"Reference was made by my hon. Friend to the difficulty of grazing. One of the difficulties is as follows. On payment of a fixed sum a licence to graze on a single block was granted. Now it is given for a range. If any animal steps into the next range, the owner or the possessor of it is charged heavily. Very often there are no definite boundaries; further how can we expect the dumb animals to know the rigidity of the law? The difficulty is greater where there are more ranges and no natural divisions between the ranges. I have been representing to the Government that the payment be extended to all ranges in the same forest district; and I am certain this will be no loss to the Government. I will therefore appeal to the Government (I do not know whether it is under consideration) to extend the system of a permit being made available to other ranges where it is at present confined to a single range, and to make it available to the whole forest district where it is at present available to all the ranges.

"The other question which I bring to the notice of the Government is of the unlimited nature of the compounding fees that are fixed by the District Forest Officers. I myself came into contact with a batch of pariah people, now called Adi-Dravidas or rather Adi-Karnatakas. Some of these hearing of my arrival there came even from a distance of about twenty miles to ventilate their grievance, namely, that they had been asked to pay a sum of

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Rs. 15 or 20 for having removed fuel sticks worth at the most about 2 or 3 annas. I at once sent the papers to the District Officer who, I am glad to say, cancelled the whole compounding fee. Sir, I have had the fortune of getting a large number of papers on this subject and of sending them to the Government, which I am sure the hon. the Law Member will find in his shelves if he only took some pains to search for them. We have bullocks, buffaloes and sheep and if they merely trespass into the next range the compounding fee is fixed sometimes at about Rs. 15. I have requested the hon. Member in charge of the department to fix a maximum for the compounding fee; and I am glad to say that the Forest Advisory Committee has made certain recommendations which, I think, would be acceptable to the Government. I don't remember whether any official orders have been passed."

Mr. G. HARISARVOTTAMA RAO:—"Not yet."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I believe the Government will fix the compounding fee at three times the price of the article removed and in the case of animals at twice the licence fee for a year. As things stand at present there is no limit for the fee. Any number of vakils and barristers may be engaged; and the only reply is that the man is punished! and the fine is generally heavier than the compounding fee! For a thing worth 8 annas the fine is Rs. 20 and at times even Rs. 50. Sir, these things are not drawn from my imagination. I have, as a matter of fact, sent a large number of papers on the subject to the Government and I am sure the hon. the Law Member will find them in his shelves. The hon. the Finance Member in his usual anger—we have been accustomed to his angry temper even from the time he was Financial Secretary and in spite of it he plays his part very well and speaks always with vigour and assumed conviction (laughter)—he said: 'How are the forests to exist if we allowed a little concession here and there?' I made an invitation to the late Member in charge of the department to pay a visit to Kollegal that he might see side by side with the British reserved forests with their stringent rules the Mysore forests where the rules are not so severe. No doubt the Mysore Government are following the rules which were obtaining here some decades ago but the rules of civilization have not penetrated that province yet. Even if the late Member is not in office he can visit that place on a hunting expedition and even now the wild animals are awaiting his visit. (Laughter.) There is another grievance also. There is no limit, generally speaking, to the fees that the contractor extorts from the people to remove minor forest products. If the people pay half an anna for something under Government management, they will have to pay 2 to 4 annas to the contractor where leases are given to him. I believe that the Government have passed some sympathetic orders in this matter. I appeal both to the Secretary and to the hon. the Law Member to look into the matter carefully.

"The hon. the Finance Member with his usual wrath said: 'Where are we to get water from if the forests are denuded?' Coimbatore is one of the biggest forest districts containing 2,500 miles of reserved forests. There are four District Forest Officers having jurisdiction over the various parts of the district. But it comes next only to Bellary or Anantapur in the matter of scarcity of rainfall and is the second worst district from that point of view. Is it the result of denuding the forests or is it due to the reservation of forests?"

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"The hon. Member probably thinks that we want to convert all forests into cultivable lands. If so, may I ask him why in Kollegal taluk they include lands in the reserve forests first and later on grant them to Europeans for tea and coffee cultivation? There is a river close to the Kollegal town called the Gundal river which brings some water to irrigate thousands of acres and the quantity of water that is flowing down the river is being reduced year after year. Why? because there is the estate of Mr. Morris above. He has got a number of wild elephants visiting his estate; but every European friend who visits him never returns after shooting any elephant, as the elephant always escapes. These people go there on receiving a telegram 'Elephant in sight, make ready.' But by the time these people go to the scene the elephant escapes; it is only available in the telegram. (Laughter.) Mr. Morris has been given lands at the source of this river for tea and coffee cultivation and naturally there has been a complaint from the people against this. But European intelligence is not to be easily baffled. If Mr. Morris is refused the grant of some land to-day, Mrs. Morris puts in her application to-morrow. If one conservator or collector refuses to grant the land to-day, another conservator or collector recommends the grant to-morrow. I do not know what has become of the application of this lady. I have been asking questions on this matter. I think probably that, besides Mr. Morris and Mrs. Morris, a number of his relations and servants, including his chauffeur and his chokra, have applied for lands. The hon. Member in one of his answers promised not to do anything in the matter until he had paid a visit to the place. The visit has not been paid, but I do not know if further lands have been granted. I ask the hon. Member and the Chief Conservator to say whether final orders have been passed in the matter. Of course, orders refusing the grant are not final orders. They will be revised. I want to know whether revised orders have been passed. There is no use of the hon. the Finance Member getting angry with us poor people even if we want to take some lands for cultivation. I appeal to the Government to look into some of the suggestions that I have made and I hope that they will be able to submit better reports next year with lesser expenditure and greater outturn."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I feel some difficulty in making a reply to the debate, because it seems to me that the criticisms levelled against the department urge the Government to adopt contradictory policies. The forests of this province are classified into two classes—the provincial forests and the ryots' forests. The provincial forests include those which it is desirable to work commercially and for which as much revenue as possible should be obtained. They also include some forests which have to be maintained to protect water-supplies and to prevent landslips and erosion. The ryots' forests, on the other hand, are those which are near villages and are not so important commercially but are important to the local people. The policy of the Government in recent years has been to transfer the management of the ryots' forests to panchayats of the local inhabitants. In pursuance of that policy they have classified 3,300 square miles of forests as ryots' forests and handed over to the panchayats 2,800 square miles and the rest is likely to be handed over very soon."

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"My hon. Friend from Kurnool made a long speech criticising the administration of the Forest department in his district and drawing attention to the various difficulties to which the people of that district are put. The hon. the Finance Member has answered a considerable portion of his criticisms; but there are perhaps one or two points which I may add to the remarks of the hon. Mr. Moir. I have also been employed in that district, as I was Divisional Officer in Nandyal for over two years; I have also walked over the Yeramalais. I was transferred from Nandyal to Penukonda in Anantapur district. I was very much struck with the condition of a forest of hardwickia which has been carefully preserved there."

"If the Yeramalais are also protected in this manner, in course of time it should also become a good forest. The hon. Member referred to the difficulty which he had in obtaining fuel. I have ascertained that during 1926-27 some 18,000 tons of fuel were produced in the reserved forests of Kurnool district. The contractors are under bond to allow people to collect head-loads in coupes on payment of 3 to 6 pies per head-load. In 1926-27 254,000 cubic feet of timber were removed from the Kurnool reserves. The hon. Member complained that a penning fee of 8 annas was levied per head in addition to the grazing fee for cattle coming from other ranges. The grazing in these forests is good and cattle from the neighbouring districts also are grazed in them. I think, however, that the hon. Member must be under a misapprehension as to the rate of penning fee. I think it must be 8 annas per hundred cattle. (Mr. G. Harisarvottama Rao: 'It is 8 annas per head only.') Then I shall inquire in to the matter. The hon. Members from South Kanara invited me to visit their district and see for myself the disabilities from which the people are suffering. It is not possible for me to do so during the short time I expect to be in charge of this portfolio. I may, however, assure the hon. Members that their case will receive the sympathetic consideration of the Government. Orders have already been issued allowing the people to go into the forest and shoot pig without getting any special permit from the Forest officers. They have only to obtain licences for possession of arms. I hardly think that it is fair to blame the forests for the prevalence of malaria. Madras itself had a severe attack of malaria some years ago though there are no forests here. So malaria cannot be attributed to the existence of forests in the immediate neighbourhood. Some hon. Members referred to the tyranny of the forest guards and the excessive rates of compounding fees and suggested that the compounding fees should be limited in some way. I find that the number of offences which were reported in 1925-26 was 30,000, while it fell in the following year to 25,000. The number of cattle impounded fell from 145,000 to 84,000—a very considerable drop. The compounding fees realized fell from Rs. 2,68,000 to Rs. 2,04,000. I shall be prepared to consider the question of fixing a maximum for the compounding fee to be realized in individual cases. My hon. Friend from Kurnool suggested the standardizing of the compounding fees; but I think it better to fix a maximum since it would be difficult to standardize it, as circumstances necessarily vary in different cases. Of course, if the Forest officer finds the maximum compounding fee is insufficient he may prosecute the offenders and that will be only in serious cases or in cases of repeated offences."

"Coming now to provincial forests we have been urged to make greater surpluses from our forests than in the past and to develop our forests. On

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the other hand, we have been urged to stop our present undertakings. The Russellkonda Saw Mill and the Chenat Nair scheme are perhaps the first of their kind in this province, perhaps in the whole of India, and they were necessarily to a very large measure in the nature of an experiment. And we have gained from them very valuable experience. It is true that they have not been perhaps in some respects as successful as we hoped they would be. It was very difficult to foresee exactly how much timber would be forthcoming from a particular area, and of course as the lead becomes greater the expenses become greater and the enterprise becomes less and less profitable. The Government have decided that the mill should be closed at the end of June 1928."

Rao Bahadur B. MUNISWAMI NAYUDU (from the Chair):—"The time allotted for the demand is over. I now put the motion 'to reduce the allotment of Rs. 95,900 for general direction by Rs. 100' to the House."

The motion was put to the House and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 18. Mr. D. Narayana Raja. |
| 2. Mr. C. V. Venkataramana Ayyangar. | 19. Dr. B. S. Mallayya. |
| 3. " T. Adinarayana Chettiyar. | 20. Mr. O. Marudhavanam Pillai. |
| 4. " P. Anjaneyulu. | 21. " Mothay Narayana Rao. |
| 5. " J. A. Saldanha. | 22. " A. Parasurama Rao. |
| 6. " C. S. Govindaraja Mudaliyar. | 23. " C. Ramasomayajulu. |
| 7. " C. D. Appaya Chettiyar. | 24. " Basheer Ahmed Sayeed. |
| 8. " A. Balakrishna Chetti. | 25. " P. Bhaktavatsulu Nayudu. |
| 9. " T. M. Narayanaswami Pillai. | 26. Sriman Biswanath Das Mahasaya. |
| 10. " W. P. A. Soundarapandia Nadar. | 27. Mr. A. Kaleswara Rao. |
| 11. " Chavadi K. Subramania Pillai. | 28. " R. Srinivasa Ayyangar. |
| 12. " H. V. Vanavudaiya Goundar. | 29. " K. Koti Reddi. |
| 13. " K. Ramaobandira Padayachi. | 30. " L. K. Tulasingam. |
| 14. " G. Harisarvottama Rao. | 31. " K. R. Karant. |
| 15. " C. N. Muthuranga Mudaliyar. | 32. " O. Madhavan Nayar. |
| 16. " Abdul Hamid Khan. | 33. " O. Gopala Menon. |
| 17. " K. V. B. Swami. | 34. " S. Satyamurti. |

Noes:

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| 1. The hon. Sir Norman Macjoribanks. | 18. Mr. N. Siva Raj. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 19. " M. V. Gangadhara Siva. |
| 3. " Mr. T. E. Moir. | 20. " V. I. Muniswami Pillai. |
| 4. " Mr. A. Y. G. Campbell. | 21. " S. Venkayya. |
| 5. " Dr. P. Subbarayan. | 22. " K. Krishnan. |
| 6. Mr. F. B. Evans. | 23. " C. K. T. Congreve. |
| 7. " H. A. Watson. | 24. " A. T. Luker. |
| 8. " G. T. Boag. | 25. Rajkumar N. N. Dorai Raja. |
| 9. " A. McG. C. Tampoe. | 26. Mr. Tajudin. |
| 10. " S. H. Slater. | 27. The Raja of Panagal. |
| 11. " C. B. Cotterell. | 28. Rao Bahadur Sir A. P. Patro. |
| 12. " P. J. Gnanavaram Pillai. | 29. Diwan Bahadur M. Krishnan Nayar. |
| 13. " R. Foulkes. | 30. " P. O. Ethirajulu Nayudu. |
| 14. " J. Bheemayya. | 31. Mr. T. K. Chittambaranatha Mudaliyar. |
| 15. " V. Ch. John. | 32. Rao Bahadur S. Ellappa Chettiyar. |
| 16. Subadar-Major S. Nanjappa Bahadur. | 33. Khan Bahadur S. K. Abdul Rasack Sahib. |
| 17. Rao Bahadur O. M. Narayanan Nambudripad. | 34. Mhuhammad Khadir Mohidin Sahib. |
| | 35. Diwan Bahadur S. Kumaraswami Reddiyar. |

Ayes 34. Noes 35.

The motion was lost.

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Rao Bahadur B. MUNISWAMI NAYUDU (from the Chair):—"I now put the demand to the House. The question is that 'the Government be granted a sum not exceeding Rs. 42.17 lakhs under Demand IV—Forest'."

The demand was put to the House and carried.

DEMAND V—REGISTRATION.

* The hon. Dr. P. SUBBARAYAN:—"Sir, on the recommendation of His Excellency the Governor I move

'that the Government be granted a sum not exceeding Rs. 26.89 lakhs under Demand V—Registration'."

* Mr. V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I move

'to reduce the allotment of Rs. 29,800 for pay of officers by Rs. 100'.

"I have given notice of this motion to discuss the necessity for the representation of depressed classes in the Government service. As the Government are aware only very few members of the depressed classes are employed in Government service. Speaking of this department, I am of opinion that a great amount of intelligence is not required and as such I think the time is come when the Government should see its way to encourage members of these communities by appointing them in this department.

"Another factor which prompted me to give notice of this motion is that the various communities which form the depressed classes have to resort to the registration offices for registering documents. If there are some members of these communities in this department they will safeguard the interests of these classes. As I have already pointed out on the floor of this House on several occasions it is very difficult for the members of these communities to pass the Secondary School-Leaving Certificate Examination and even after passing this examination they are unable to find employment in Government service. I think therefore that the time is come when the Government should see its way to give adequate representation to the members of the depressed classes in this particular department."

Mr. M. V. GANGADHARA SIVA:—"I second the motion."

* The hon. Dr. P. SUBBARAYAN:—"Sir, out of the officers who held permanent posts on 1st April 1927 in the Registration department the following number of posts were held by the members of the depressed classes:—

Posts carrying a pay of Rs. 100 and over—One.

Posts carrying pay above Rs. 35 and below Rs. 100—Six permanent men and five temporary appointments; altogether eleven.

Posts carrying salary below Rs. 35—Six. Including another three temporary appointments the number is nine.

"Whenever any qualified candidates belonging to the depressed classes come forward with applications to the Inspector-General of Registration he has always been considering them in a favourable manner by appointing fit and proper persons as sub-registrars who would in course of time rise to be district registrars. The Government will see that this principle is adhered to and that a larger number of people belonging to the communities which my hon. Friend so well represents in this Council is given representation in the Registration department."

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* Mr. K. V. R. SWAMI :—"Sir, the numbers quoted by the hon. Minister will show that very little representation is given to these communities. So far as the Registration department is concerned, I think some concession may be shown as regards depressed classes, because very little knowledge is required in the Registration department. It has to follow certain rules just as in the Railway department. That is not a department where legal or high literary qualifications are required. Formerly even matriculates were taken in and depressed classes members who have passed Secondary School-Leaving Certificate Examination may be shown some concessions and appointed as sub-registrars. The minimum qualification is that one should be a graduate because there are very many graduates and there is keen competition. If the members of the depressed classes have the minimum qualifications they must be given preference. There is no meaning in saying that, if they satisfy all the rules and if they stand in competition with others, the Government will appoint them. That is showing no concession at all to the community. In that case they will have to wait for years and years. If the Government really mean to do something for the depressed classes there is no use showing lip sympathy alone. The figures are there; there is only one gentleman belonging to the depressed classes who is getting more than Rs. 100; there are only eleven gentlemen who are getting above Rs. 85 and below Rs. 100; nine are getting below Rs. 35. The figures are very small compared with the fact that their number is one-fifth of the total population.

(At this stage the hon. the President took the Chair.)

"This Government should show some kind of patronage for them since the Government have to protect the special interests of those communities. The Government should extend their patronage practically. There is no use of showing it in speeches only and in replies to addresses. When men who could do the work are available, they must be shown some concession. It is not only doing some good to the individuals but it also gives encouragement to the boys of those classes to take to education and raise the status of those classes. I wish that the Government should do all they can to suspend some of the rules if men having minimum qualifications are available. As I said, for this department very little knowledge is required and the work can be done by any young man who has got the Secondary School-Leaving Certificate qualification."

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* Mr. V. I. MUNISWAMI PILLAI :—"Sir, the hon. the Chief Minister just told us there are members of the depressed classes in the Registration department. I do not know whether it is really the members of the depressed classes, the untouchables, or members of the backward communities. However, Sir, on the assurance given by the hon. the Chief Minister I beg leave to withdraw the motion."

The motion was by leave withdrawn.

Mr. J. A. SALDANHA :—"Sir, I move

'to reduce the allotment of Rs. 29,500 for pay of establishments by Rs. 100'

for discussing the question of the pay of sub-registrars and also the low salary paid to clerks in the Registration department. Sir, it has so often been urged in this Council that Government should take into consideration the importance of the Registration department. It is a department

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[Mr. J. A. Saldanha]

with which so many people have to come into contact constantly. Among the various officers of the Registration department, the sub-registrars are the backbone of the department. The post of the sub-registrar corresponds more or less to the post of a tahsildar in the Revenue department. The respect with which the sub-registrar is treated on account of his position and status is one which is practically the same as that which is paid to the tahsildar and to the holders of the other corresponding appointments. Yet the pay of the sub-registrar is graded from Rs. 65 to Rs. 150 and then from Rs. 160 to Rs. 200 whereas the pay of the tahsildar is Rs. 200 to Rs. 300. The pay of the deputy and assistant tahsildars is Rs. 150 to Rs. 200. The inspectors of police are paid much higher. I consider, and I think that the opinion of several members of this Council in the past has been, that the pay of sub-registrars is rather too low and certainly lower than that which they ought to get for their status and the importance of the services they render. The sub-registrars have already submitted a memorial to Government and a number of them waited upon the Minister for Development when he was in charge of the department. I will not dwell upon this further. I hope the Government will pay due consideration to the representations already made."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, prior to the year 1921, the sub-registrars were classed under eight grades, the pay of those in the first grade being fixed at Rs. 150 and the last grade at Rs. 50 a month. Since 1921, on the recommendation of the Knapp Committee, the scale of the sub-registrar's pay was raised to the extent in which we find it to-day. Since then, representations have been made as pointed out by my Friend Mr. Saldanha to my Colleague the late Minister and we have decided to have a selection grade of 5 per cent for sub-registrars on Rs. 200—10—250. Additional provision will be made in the budget for that purpose. Regarding the cost, it will be Rs. 5,218 for this year and Rs. 10,200 in a full year. Compared to the starting pay in other branches of the Government, the initial pay of sub-registrars is not as low as my friend would try to make out. Coming now to the clerks whose cause my friend pleaded with so much eloquence, they are the same as in other departments. If the pay of the clerk in the Registration department is raised in any manner, it will lead to a demand for more pay in all the other departments, and then the cost will be immense. It will not also be possible to raise revenues for any such expenditure. I would therefore request the hon. Member to drop the motion."

* Mr. J. A. SALDANHA :—"On the assurance given by the hon. the Minister, I drop the motion."

The motion was by leave withdrawn.

* Diwan Bahadur M. KRISHNAN NAYAR :—"I move

'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100.'

"Sir, the registration fee for the attendance of sub-registrars in private houses formerly was Rs. 10. It was subsequently raised to Rs. 20. Since then, last year it was reduced to Rs. 15. I urge by a token out of Rs. 100 for the reduction of this fee for private attendance to its original level. Financially, the Government will not be a material loser by granting

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this request. On the other hand, it will be a great boon to the people concerned. The people that generally want the private attendance of sub-registrars for registering documents are poor *goshas* women and also sick persons. In the case of persons who are rich, their cases are exceptional, they will not consider it a hardship. But to persons who are destitute and who are either *goshas* or sick persons, the demand of Rs. 15 is a very great hardship. I do not know what the total financial outcome of the grant of this request would be, but I believe it cannot be very great. On the other hand, it will be a great boon if this request is granted and the fee for private attendance reduced to the original level."

* Mr. L. K. TULASIRAM:—"Mr. President, Sir, this question was also discussed during the budget cuts of last year and I understood that the hon. Mr. Ranganatha Mudaliyar then in a way promised to consider the question favourably. The fee has since been reduced, but the reduction has been very poor. The original rate for private attendance as was pointed out by Mr. Krishnan Nayar was only Rs. 10. The question is, Sir, that this privilege of private attendance is availed of mostly by ladies who happen to be new widows who are not accustomed to appear in public within the year in which they have lost their husbands. When they have got to execute documents and carry on such other transactions it is really very hard if these fees have to be paid by these ladies who are in such unhappy circumstances. Sir, it seems to be the policy of the Government to make any profit from these persons who have been hard hit by Providence or who have been suffering from any disease. Even after repeated assurances, the Government has not been pleased to reduce the attendance fee from Rs. 15 to Rs. 10. Sir, it is really high time that the Government foregoes this sum and confers this boon on the people by reducing the fees."

Mr. P. ANJANEYULU:—"Sir, I wish to point out only one thing from the report of the administration of this Presidency for the year 1926-27. In page 63 of that report, we have these figures: the income from Registration rose from 30.51 lakhs to 31.11 lakhs and the expenditure rose from 26.48 lakhs to 27.82 lakhs, leaving a balance of 3.39 lakhs as profit under this head. So if the out proposed is only to facilitate the reduction of fees for private attendance, in the circumstances already stated, I do not think the Government will be put to any loss under this head. I request that they will take note of this and reduce the fees as proposed."

* Mr. K. V. R. SWAMI:—"Sir, during the last budget discussion the Minister who was then in charge of Registration department promised that he would look into the matter and do something. He did something by way of reducing the charges by Rs. 5. It was then never contemplated that Government would be so niggardly in attending to this. What was originally intended to be a service department has now been turned into a department yielding revenue. The figures for the income and expenditure for the last three years are: for 1926-27 they are 40.52 lakhs revenue and 25.58 expenditure; for 1927-28, 39.9 revenue and 26.48 expenditure; for 1928-29, 35.12 and 27.4. That shows that there is a surplus of about 8 lakhs during the budget year. This is a small request, to have it reduced to the original rate of Rs. 10, and if, as was pertinently pointed out, the Government do not want to make it a revenue department, there will not be any loss to the Government by such a reduction. Government should take into consideration that in addition to these attendance fees, the people have got

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to pay the travelling expenses also. I therefore recommend the motion for the acceptance of the House."

* The hon. Dr. P. SUBBAYAN:—"Mr. President, Sir, the fees for attendance was fixed in 1865 at Rs. 10. It remained there up to 1915. After that it was suggested that it should be increased and the Committee which examined it thought that it ought to be raised to Rs. 20 for men and Rs. 15 for women. But Government thought it would be difficult to make any such differentiation and made it Rs. 20 in all cases. Then my hon. Colleague gave an assurance that he would look into the matter and see if it could be reduced. After looking into the matter, he had it reduced to Rs. 15. The present reduction will involve the Government in a loss of Rs. 30,000. If further reduction is made, you will see that the loss will amount to Rs. 60,000. What the hon. Minister said was that he would see in what way the reduction to Rs. 15 will work and after a year's working if we find that there is not such a great demand as to involve a greater amount of work we will see whether the fee cannot be further reduced to the original figure."

* Diwan Bahadur M. KRISHNAN NAYAR:—"In view of this statement I do not press it."

The motion was by leave withdrawn.

* Mr. R. SRINIVASA AYYANGAR:—"I beg to move

'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100.'

"My object in moving this motion is to discuss the undesirability of sub-registrars enquiring into will cases and to restrict their powers in those of contested wills to the mere filing of copies and leaving them to seek redress in courts. Under the present state of law the position is this. In case of instruments other than wills whose execution is denied or disputed by the alleged excoant or representative-in-interest, the sub-registrar is required to refuse registration leaving open to the aggrieved party to carry the matter higher up to the Registrar who under the Act has to hold an enquiry and either to direct or refuse registration as the evidence may justify or demand. But a different procedure is laid down with regard to the wills irrespective of the value of the property. It is a well-known fact that the value of property in cases of contested wills is often considerable and under the statutory provision in all cases of contested wills the sub-registrar is required to hold an elaborate enquiry, to examine witnesses on either side, to hear arguments and then make an order one way or the other. In the event of refusing registration an appeal lies to the district registrar. But in cases where he directs registration no right of appeal is given. But invariably the practice is, as we have seen in experience, that in all cases of contested wills where registration is ultimately refused they take the matter to the civil courts. There is oftentimes duplication of work and nobody seems to be satisfied with the manner in which this is disposed of by the sub-registrar. Because, his knowledge of the law of evidence is imperfect and his appreciation of evidence is found to be miserably poor. This gives satisfaction to none. There is absolutely no reason why these sub-registrars should be invested with powers to go into the question of contested wills, especially when the matter is to go up once again before the properly constituted

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judicial tribunal which is not in any way bound by the finding of the sub-registrar. People have generally greater confidence in the district registrar than the sub-registrar. Therefore the present section which makes it incumbent on the sub-registrar to hold an enquiry may be replaced by a system of investing district registrars with this jurisdiction or by making it a rule to refuse registration in all cases of contested wills by referring the parties to civil courts. So far as this matter is concerned, this Government can do nothing as this is a matter governed by an Act of the Central Government which contains a section investing jurisdiction in these officers. My motion is to give a strong expression of opinion so as to enable this Government to take the initiative of moving the central legislature to amend the Act. For these reasons, Sir, I beg leave to make this motion."

* Mr. C. RAMASOMAYAJULU:—"Mr. President, Sir, it is our experience that in almost all cases where the sub-registrar holds an enquiry the decision is invariably challenged in the civil courts. Even when it goes on appeal to the district registrar the decision is not *res judicata* and the whole thing has to be discussed in a civil court again. Invariably in every case where there is an enquiry by the sub-registrar and the registrar the matter is agitated in a civil court and from the beginning the whole process has to be gone through and all the witnesses have to be examined again unless it be that a particular witness happens to die and the whole process leads to increased expenditure and worry to the clients. After all, there is little chance of the finding of the registrar or sub-registrar being final because it has absolutely no force in a civil court and the civil court is absolutely free to come to any decision on the materials placed before it. Therefore it is a meaningless expense to the clients and there is a lot of worry in going from stage to stage involving a reduplication of the whole trial. So that, as a matter of procedure and practice we find these enquiries by the sub-registrar and the registrar are not necessary. But this Government is powerless in the matter. If this Government takes the initiative in the matter, our motion will strengthen their hands. It is with this view that we bring this motion. If we do not bring this motion, Government may not move as quickly as possible. It is unnecessary expense that the people are being put to and the sooner that is done away with the better. A decision direct of the civil court is the most convenient course in such cases."

* The hon. Dr. P. SUBBARAYAN:—"As my Friend the mover of the motion ended his speech, this is a matter which is governed by the Indian Registration Act of 1908 and so it is a matter which has to be amended by the Government of India. I am sure my hon. Friend is aware that Mr. Doraiswami Ayyangar has already introduced a Bill to this effect in the Assembly. I quite realize the difficulty of having a double procedure. The whole procedure where wills are concerned is gone through first before the sub-registrar, then on appeal to the registrar and as that does not conclude the legality of the will it is further taken to the civil court where the decision of the registrar is not final. We shall convey this fact to the Government of India and see in what way this matter may be looked at so that it may be settled in a way satisfactory to all parties."

The motion was by leave withdrawn.

* Mr. S. ARPUDASAMI UDAYAR:—"Mr. President, Sir, I move

'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100.'

"My motion, Sir, is one which relates to a matter of detail but still it inflicts

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a hardship especially on Indian Christians. The District registrars have opportunities of seeing and testing the applicants and knowing what their qualifications are. But according to the present practice they should make recommendations. They are not empowered directly to appoint clerks. They have to refer such matters to the Inspector-General of Registration. I do not know why this is done. I can understand the selection grade appointments or the appointments of the probationary sub-registrars being vested in the head of the department. In practice I know that many Indian Christian applicants are thrown out and whenever the district registrar is approached he says that all these appointments are to be made by the Inspector-General of Registration. I can understand these appointments being subject to confirmation, especially the small appointments of clerks. But to lay down that all these minor appointments are to be in the hands of the head of the department is certainly unnecessary."

* The hon. Dr. P. SUBBARAYAN:—"Already the district registrar has got power to appoint clerks in the lower division and in the City of Madras up to Rs. 85. My hon. Friend evidently wants all appointments to be in the hands of the district registrar. I do not know what difficulties stand in the way of such powers being given. But I shall cause enquiries to be made and see whether conveniently my hon. Friend's recommendation may be given effect to if possible."

The motion was by leave withdrawn.

Mr. V. I. MUNISWAMI PILLAI:—"I move

'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100'
(To discuss the advisability of the registration authorities personally seeing the consideration paid to party or parties in the case of illiterate depressed class members before connected deeds are registered).

"Sir, in these poverty stricken days when the half clothed and starving depressed class members try to sell their property in certain cases they are not even paid consideration for the same. I know of an instance in Vishamangalam village in the Tirupattur taluk of the North Arcot district where an Adi-Dravida on account of his poverty stricken state had to sell his land to a Gounder and when he went to the sub-registrar's office, the sub-registrar asked him whether he had received the consideration. I do not know whether he said yes or no. But the document was registered and the man was not paid consideration. Due to the kindness of some of the people the man took the matter to the Sub-Collector who convicted the Gounder who purchased the land. But when the Gounder appealed to the Sessions Court the judgment was reversed. Consequently the Adi-Dravida had to part with his land without receiving any consideration. Sir, in these hard days, unless a certain amount of protection is given to these illiterate depressed classes they will be put to great hardship. So, a circular or communication may be sent to all the sub-registrars to take care of the interests of these illiterate depressed class members."

At this stage the Council rose for lunch.

After lunch (3 p.m.).

The two new Ministers, Messrs. S. Muthiah Mudaliyar and M. R. Seturatnam Ayyar, were in their seats on the Treasury bench when the hon. the President took his seat at 3 p.m. After the hon. the President had taken

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his seat, there were cries of 'Shame on the Ministry,' 'get out,' 'resign,' 'traitors' and 'renegades' from the Congress benches, which continued for about two minutes.

* The hon. the PRESIDENT:—"Order, order. The Council will now resume the debate on Mr. Muniswami Pillai's motion."

* Mr. L. K. TULASIRAM:—"Mr. President, Sir, in supporting the motion proposed by Mr. V. I. Muniswami Pillai, I wish to say a few words. The illiterate people and members of the depressed classes sometimes are made to stand at a great distance from the sub-registry offices, and they are not in a position to communicate to the registering officers whether they have received consideration for the deeds which they have executed. More facilities ought to be given to the members of the depressed classes; and I would request the Government to issue special circulars that whenever the executants happen to be members of the depressed classes, they should be asked to go near the registering officer and given all facilities for communicating to the registrar whether they received consideration or not. Sir, the request made by Mr. Muniswami Pillai is a small request. The registering officer ought to be more sympathetic to the public who go there to register documents."

"Another thing, Sir, I hope the New Minister who has taken the portfolio (Mr. Satyamurti and others: Oh! Oh!) would issue circulars and see that in his régime at least all these facilities are given to the depressed classes."

The motion was put to the House and lost.

Demand V for 26 89 lakhs was then put to the House and carried, and the grant was made.

DEMAND VI—IRRIGATION—CIVIL OFFICERS.

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

'that the Government be granted a sum not exceeding Rs. 15.98 lakhs under Demand VI—Irrigation—Civil Officers.'"

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I move

'that the allotment of Rs. 15,91,500 for minor irrigation be reduced by Rs. 100'

(To discuss the policy pursued in regard to kudimaramat and to draw particular attention to the need for immediate legislation to avoid official vagaries).

"Sir, like all other executive branches of work that have been carried on by the bureaucratic side of the Government (Mr. Swami Venkatachalam Chetti: 'There is no other side')—there is no other side, and so it is not necessary to take into consideration any other side at present—the kudimaramat system in the country rests on only very feeble law. The law that relates to kudimaramat is embodied in the Compulsory Labour Act. There are only two clauses which refer to this system at all. In the preamble there is this sentence: 'Whereas it is expedient to make legal provision for the enforcement of the duty which by legal custom is incumbent on village communities to furnish labour required for the execution of certain works for the purpose of irrigation and drainage, etc.' That is one portion of the law, if the

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preamble is law; and then the reference to kudimaramat is only in section 6, which is almost a penal clause: 'Whenever by local custom any work for the purpose of irrigation or drainage is usually executed by the joint labour of any community, any person bound by such custom to contribute labour for such work who neglects or refuses without reasonable cause, etc., etc.' These are the only two provisions of law under which the kudimaramat policy of the Government is framed and worked. The Government in their Standing Orders have made certain specific rules and they lay certain duties upon the village communities. I do not quite see whether the Government has really the legal power to lay all these duties upon the village communities; they have also taken upon themselves to see that these duties are performed by village communities wherein such performances are customary. Based upon a slender law, the kudimaramat system, especially in my district, works a very great hardship on the ryots. No doubt, the Board's Standing Orders are to some extent a guidance so far as the revenue officials are concerned. But under the present system of Government, the revenue officials are more mindful of the Government's revenue than of the conditions of the ryots. Therefore, the interpretation of the word 'customary' is very wonderfully given by the Government authorities. For instance, take the Cuddapah-Kurnool canal itself. This canal has a number of distributary channels under it. There is a sluice very near Kurnool within about three miles of it. There is a small village there to which reference was made in one of my interpellations. Under that sluice there is only one distributary channel. That channel runs through black cotton soil and because it runs in a downward slope, the sides are cut, and the ryots in the lower reaches of the channel are not able, according to the admission of the Government itself, to get sufficient supply of water. In this case, the ryots who asked for repairs of that particular channel were told that they should repair the channel themselves, because one of the applicants happened to be a rich man. Rich or poor the ryot has his rights. Whether he is rich or not, under the particular conditions his right must have been decided in the first instance. Nothing of the kind was done. I made a reference; and it was answered, through the courtesy of the Government, on the floor of this House. What was the answer? 'The Collector and the Executive Engineer have carefully considered the policy to be pursued in this matter and they have come to the conclusion that in this matter the ryots themselves must repair the channel.' It is a very wonderful power that the Collector and the Executive Engineer have taken upon themselves under the existing law. Such instances I may be able to multiply. There is absolutely no power vested either in the Collector or in the Executive Engineer or in both jointly, to consider what they have to do under the circumstances that I have mentioned. In a similar manner, there are a number of cases where the customary nature of works is enforced without any reference to the real needs of the ryot and to the real facts of the situation. Wherever there is a work to be performed, the revenue officials, some of whom have some influence with the ryots, first of all cajole the ryots into putting into repair some part or other of the irrigation system and then they make it a precedent; and under the cover of that precedent, they say 'it has been customary, therefore you have to pay for it; if you do not pay for it we will penally assess you.' This is the way in which the word 'customary' is being interpreted. The Board's Standing Orders have made a provision that if there is a prickly-pear growth on the banks of irrigation channels or things of that kind, it should

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be removed. Who is to remove this? We know according to the Revenue Department the ryot has to remove it. But who is to get it removed? The revenue official. In many places, the revenue official has not done his duty, the ryot has not been asked to clear it nor has he been forced to clear it. Even if he were forced to clear it (though men like me would call it zoolum) probably the growth would not be as thick as it is to-day. That has not been done. The growth is very heavy in certain places, and it is impossible for the ryots to repair the sources of irrigation or remove such growth as has developed in the course of a number of years.

"Now this also has been considered by the Government, I know. In a recent answer that they gave to me on the floor of the House, the Government say 'If we encourage this sort of work to be done by Government then the whole burden will fall on us; the ryot will not have the incentive. Therefore the ryot will have to be asked to contribute some portion of labour.' Who is to decide the contribution, who is to shoulder the responsibility of bringing matters to the notice of the Government, what arrangements should be made to ask the Revenue Department to work in a manner as to be beneficial to the ryots, are all questions which I am unable to answer.

3-15
p.m.

"Therefore, Sir, I feel that in regard to the question of kudimaramat there is a great deal of difficulty that the ryot is undergoing. Recently I was told that in the Markapur taluk about Rs. 600 or Rs. 700 were collected in regard to one particular tank, Badvid tank as it is called, and the reply given to me was that it was collected because the ryots did not do the work. I said it was under famine conditions that the levy was made. Then I was told 'no, no, the crops raised there were very good'. I had the misfortune of representing the ryots last year in this Council and I drew the particular attention of the Revenue Member to the state of matters in the Markapur taluk. In the first instance in the Collector's report to the hon. the Revenue Member the whole thing was depicted in the brightest of colours; afterwards when I made up my mind to put into the ears of the hon. the Revenue Member all that had happened he felt the necessity of getting a special report; he got the report and after the report was got he was able to do something for the Markapur ryots because he thought that really the circumstances in the Markapur taluk were deserving of attention. I challenge the figures that were given by the Revenue Department with regard to the particular area. I know as a matter of fact that the Revenue officials had a great deal to do with the manipulation of the figures; but that is impossible to prove, because no karnam will come forward and say I was asked to do that for fear of dismissal. Therefore, under these circumstances you are bound to say that these ryots are suffering. If they are suffering, it may be said there is the law court to which they can go. I know that might be the contention against me, but the ryot is such an ignorant man and a poor man that if he goes to a court of law for the 8 or 10 annas that he is paying, he will have to spend in addition a great deal of money and that enterprise would mean capitalistic capacity on the ryot's side, which he does not possess under the present British Government. Therefore the ryots do not generally go to a court of law. The fact that one ryot goes to court does not mean that the whole community would go because the ryots are hopelessly poor, they have already been overburdened, and they have been already overtaxed. I want to urge that in the matter

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of this kudimaramat policy of the Government, there should be a clear and definite law, but I may be told that the irrigation law is a larger and wider business and we will have to wait till the irrigation law comes into being. When the irrigation law comes into being nobody knows; it may take a hundred years. An irrigation law has been attempted to be passed and to be pushed through this Legislative Council, but on account of the obstinacy of the Government in certain matters, it has not gone further. The irrigation law is a thing of a very distant future to the suffering ryot. His suffering is immediate. He not only suffers on account of the exactions that are made, but he also suffers on account of the deterioration of the irrigation sources. Not only that, there is an additional defect in the law even from the point of view of the Government. Only the ryot has to take into his head to sue the Government and I am sure the courts can give a decree in favour of the ryot. The law is entirely misleading so far as the conduct of the lower officials are concerned and the Government will be well advised, in its own interests as well as in the interests of the ryot, to make it more clear than what it is to-day. With this intention, I sent up a Bill to the Government. It is a great privilege that we have been accorded in this House after the reforms, that a Member shall not bring in a Bill that affects the revenues of the Government until he gets the previous sanction of the Governor. Therefore, I had to send in a Bill for the sanction of the Governor. I sent it about the month of July last and what is the reply I got in the month of October. I was told that this is a matter which affects the revenues of the Government and that the Government is making investigations in this matter as to the extent to which the revenues of the Government may be affected. That was the reply I got in the month of October and to-day we are in the month of March. I am not in sight of any other reply except that vouchsafed to me in October. The wheels of the Government move so slow. I therefore feel that we have the right to press upon the attention of the Government that with regard to the law of kudimaramat, until they make up their minds to make it clear and make up their minds to tell the ryot what his duties are and the duties that obtain customarily, we shall not be in a position to accept the policy of Government. As it is to-day the policy is one of oppression and exaction. The exactions are really illegal. I therefore appeal to the House through you, Sir, that this motion be accepted without any dissentient voice."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, although several subjects could be brought under this question, I want to confine myself to one point and, that is, to lay a serious charge of immorality and dishonesty against the Government of Madras in the Revenue Department. This is no doubt a serious charge, but I make it most deliberately. There is little difficulty as to what are the particular kudimaramats in each village, as the settlement register gives the particular kudimaramats that ought to be done in each and every village. In Coimbatore taluk the hon. the Leader of the House knows very well the Ohitrachavadi channel. There was a particular repair to be made and the Government dishonestly and immorally insisted upon the ryots paying the cost though it was not a kudimaramat included in the settlement register. Processes were taken for the collection of these sums and moneys were paid under protest. Mr. Harisarvottama Rao stated that probably courts would give decrees in favour of the ryots if suits were filed. In fact, in the case we had to file test suits and the Government seriously contested the suit and after the trial we got a decree and what is the result of it. The

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Government pleads limitation to-day. They paid the decree amount only to that particular decree-holder, but for the large number of the other people from whom money was extorted and exacted illegally, they refuse to pay and immorally plead limitation. Things went on for some time and the question of Kuniyamuthur channel came up. The Government conscious of their powers both by votes and otherwise insisted upon collections being made illegally again for some repairs in that channel and sums were compelled to be paid for it though it was not one of the kudimaramats mentioned in the settlement register. Associations were formed and resolutions were passed and registered notices were given calling on the attention of the Government to the previous litigation as regards the other channel and yet the Government were refusing to do anything and we had to file another set of test suits. The Government with all their legal advice again contested these test suits and after a trial the Courts again gave a decree in our favour. But yet in spite of notices from other people the Government are refusing to pay the other people who have paid on account of these illegal processes. Therefore in spite of the suits filed by the ryots, in spite of the Government opposition with their legal advice, for which we have to pay, and in spite of our having obtained decrees in the test suits the Government, I deliberately say, has immorally and dishonestly kept back the money. In the second test suit they wanted to prolong by threatening to file an appeal and in their usual way applied for copies saying that they would file an appeal, but after the copies were obtained and the appeal time was approaching they seriously thought that they had no legs to stand upon and then said that they were not going to file an appeal. As I said before, I wanted to confine myself now to the one question of the serious charge of dishonesty and immorality on the part of the Government in the Revenue Department. I therefore appeal to my hon. Friend, the Revenue Member, to say as the Leader of the House and as the Vice-President of the Executive Council of the Governor of Madras, whether he is going to insist upon the plea of limitation and refuse to pay to the various people the sums paid by them. There may be thousands of ryots owning lands under these channels—I am one of them—but is it possible for every one of them to file suits? We collected subscriptions and filed test suits and the Government went on contesting the suits and yet we succeeded. Is it fair for the Government to say that each man must go to a court of law and obtain decrees? Though he might have paid nine annas and three pies, though the sum is individually small, yet the whole is a large one as it comes to about Rs. 10,000 for each of these kudimaramats. They have done this not only for these two channels but they have done so in the case of other channels over and over again. I have given specific notice of these things and so the Government cannot say it is a new thing—I appeal to my hon. Friend, who was for a long time the Collector of the district, to say, if what I say is true or not—I assert that what I say is true—and not to plead limitation but to affirm—that every one will get back his money that has been found to have been collected by illegal ways. That is the only one point I want to vehemently refer to now. I hope that is a point which I think will be cleared up in the course of my hon. Friend's reply."

* Mr. P. BHAKTAVATSALU NAYUDU:—"Mr. President, Sir, if there is a serious grievance with the villagers in the interior parts of Chingleput of which I have got a fair knowledge, it is this system of kudimaramat. The

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British Government poses itself as the champion of the poor and in season and out of season they say that they are sympathetic to the poor but it is only lip sympathy, but their heart is in a steel frame which cannot go to our countrymen because they are foreigners; we are not their countrymen and they cannot see eye to eye with the difficulties of the poor ryot groaning under such difficulties in a far off place in this vast continent of India, or at least this Presidency. Mr. President, it has been said in this Council time and again that the British Government are the champions of the depressed classes and for those people who are poor and that they are sympathetic towards them and they care more for the prosperity of the generations to come though not for the present. That is what the hon. the Finance Member said when he was speaking on the Forest demand that he cares more for generations and not much for the present. If we go into the interior of the districts and see the poor villagers, who cannot eke out their scanty existence how they are oppressed by the revenue officials, this kudimaramat system is a thing that the Government should do away with. They are the protectors of the subjects and we are their subjects and it is their bounden duty to do and to look for the convenience and comforts of the ryots who are oppressed by the revenue taxes and by the settlement and revenue officials like anything.

"Official Members that sit here and see through the eyes of their karnams and village munsifs and from reports passing from the talaiyari to the District Collector, who sit comfortably except for the jamabandi once in a year, should realize that he sees through these reports and does not know the actual conditions that are obtaining! What is the meaning of this kudimaramat? Why should the kudi or the ryot maramat such channels, clear prickly-pear and keep in repair water-courses? The Government are taking coercive methods with the poor cultivators. When they are unable in these bad monsoon years even to get their own sustenance, they have yet to pay these taxes, do kudimaramat, pay water-cess and every blessed thing that can be conceived of to loot the villagers. That is the actual thing that is going on in the villages, when we are here comfortably sitting in these Reform days, in such big Councils and august Chambers talking away. Why, Sir, we are wasting our time without looking to the real convenience and comfort of the ryots who are groaning under such heavy burdens imposed by the Government. So, Sir, it is high time that our British Rulers should open their eyes, their hearts and their ears too and see that the ryot on whom the whole revenue of the Province depends is cared for and is looked after and that these kinds of 'maramats' are given the go-by and the consequent hardships under which the poor ryots are now groaning are done away with."

* Rao Sahib R. SRINIVASAN:—"Sir, the law of kudimaramat or the custom of kudimaramat is not only a trial for the ryots but of the whole community of the depressed classes. Kudimaramat gives room for forced labour. Kudimaramat was intended to attend to tanks when in danger and to put out fire when it broke out and we may say that practically the whole labour for this comes from the depressed classes. The members of the depressed classes, are put to all sorts of coercion. Since the Village Panchayat Act came into force, we find that street clearing, clearing away of prickly-pear, clearing water-ways and all these sorts of work are being taken up by the villagers. And in one instance, the ryots even took up the contract for

[Mr. R. Srinivasan]

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the road-work and they mobilized labour under the kudimaramat system and had the work done. Nobody knows whether these people were paid at all for their work that ordinary men according to the kudimaramat are usually paid. This is something in the nature of forced labour. But I do not want to lay very much emphasis on this aspect. Under the kudimaramat, the labourers are taken and there is nobody to question whether they are paid any wages or not. I think it is high time that this system should be done away with."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, the policy underlying this kudimaramat system seems to me to be most pernicious and absolutely unjustifiable. The ryots are already groaning under very heavy taxation. The assessment is very high; in addition thereto they have to pay what is generally known as road-cess; and not satisfied with that, another cess, known as the education-cess, has also come into being; and as if these hardships did not suffice, this Act also is still enforced, which operates to the detriment of the ryot."

"Now, Sir, the kudimaramat system is in vogue throughout the greater portion of this Presidency. Under that system, people or the ryots holding lands in the village are required at their expense to remove silt, dig channels, remove prickly-pear and do other kinds of work which may be absolutely necessary for the purposes of keeping their lands in proper order so that they may get adequate supply of water for having the proper yield. On turning to the Act, section 6 of the Act which has been enacted long before any one of us had been born—it is Act I of 1858—says that in the event of the ryots' refusing to pay the work may be exacted and twice the value of that work may be levied or collected from them as if the said amount were payable on demand. In 1858, the value of labour may have been nil or very negligible. But what is the value of labour to-day? The value of labour has increased even four-fold and to still retain that section, overlooking the present state of things, is shutting one's eyes and even ears to the real economic condition of the people."

"The House may perhaps remember that in the Irrigation Bill there was a specific clause to do away with this kind of labour. I am only quoting from memory, but I believe there were two chapters, Chapters 8 and 9, in the Irrigation Bill which dealt with the kudimaramat system and which contained certain provisions calculated to minimise the hardship now felt under the present system. People are almost crippled to-day. No doubt, the original Bill that was introduced into this Council contained provisions of a retrograde character, but the Bill which was committed to the care of this House went through the careful scrutiny and attention of hon. Members of this House with the result that the Bill as it finally emerged from the Council contained provisions of a salutary character and of a fairly satisfactory nature. But, Sir, that Bill has been consigned to the limbo of oblivion."

"The object of this motion, Sir, apart from accusing the Government of indifference, apart from accusing the Government of not discharging its duty or of neglecting its duty to the people, is to point out that, irrespective of the time that the Government may take to introduce or re-introduce an Irrigation Bill, it is up to the Government to take up the consideration of those portions of the Irrigation Bill which directly dealt with this kudimaramat system

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and see its way to introduce a Bill containing these provisions as early and expeditiously as possible. There is absolutely no justification to allow the old state of things to continue. The time has come for the Government to change its angle of vision and go to the rescue of the ryots."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I do not really think there is any policy underlying this Act by which the customary labour has been enforced. But, I believe, the only justification that could be sought for in favour of this customary labour seems to be only with regard to the enforcement of such labour in times of emergency when it is thought that it is absolutely necessary in the interests of keeping up the irrigation works at times of emergency that such labour should be enforced. There is probably some justification for that. With regard to the other aspect, namely, that this customary labour is necessary to maintain the works for continuous supply of water, the only justification so far as I can see is, that such works being small supervision over them by the Government may not be easy or that it may not be possible for the Government to maintain these works at the cost at which, probably, the villagers themselves could do it. That is the only justification that could probably be set up on behalf of the Government."

"But, Sir, as some hon. Friends pointed out, the cost of labour now has increased so enormously that in many cases the labour required for getting water for irrigating an acre of land may not be less than Rs. 20 or Rs. 30 per acre. It seems to be altogether unjustifiable, especially when the Government is supplying water to the ryots under big canals for Rs. 10 or even Rs. 6 per acre. Simply to justify this customary labour and enforce it on the ryots which costs them about Rs. 30 or Rs. 40 per acre on account of the existence of customary law, is altogether unfair. If the Government thinks that it would be much easier to leave this work to the villagers themselves, what they ought to do is not to charge for the water at all. On some other occasion we were told account of the cost of labour is taken at the time of settlement in cases like this. But, as a matter of fact, something like Rs. 6 or Rs. 8 is charged as a consolidated rate per acre of wet land in case where, as I have calculated, it would take Rs. 30 or Rs. 40 for labour to irrigate one acre of land. If this is the case, Sir, there is absolutely no justification for the Government. Government must either supply the water at their own cost or see that the ryots are not charged for that water at all. I have known an instance in which in my own district in Proddatur, something like three to four hundred acres of land which were once wet are now dry. The ryots have been assessed something like Rs. 10 per acre for these fields. They are not under wet cultivation for the last ten years. The Government says: 'You have to get the water yourselves, because under the kudimaramat law you have to do it yourselves.' The ryots feel unable to do the work themselves. If the silted channel is to be dug again, it will cost a good deal to the ryots, with the result that these three or four hundred acres have not been cultivated for the last ten years. That is the result of the kudimaramat law."

"What I say is this: I believe there is some justification for customary labour with regard to small works, because it is much easier for the ryots to do the work. It may not be, in those cases, easy for the Government to maintain and supervise them. But if the Government wants the poor ryots to do the work, they must have some relief, for they have to spend a good deal

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of their labour, money and time for maintaining these works. If, on the other hand, Government is prepared to undertake to supply them with water and pay for the labour, themselves, let them do so and charge the same rate that they do for supplying water to the ryots under big canals.

"In regard to the other aspect of it, if the Government thinks that it is absolutely necessary, in times of emergency, to extract work from the villagers and to retain such a penal provision, it would not be fair to make them pay for it. There may be a provision to enforce labour under conditions when times of emergency require it. But it would be fair for Government on such occasions to pay afterwards. But in the other case, there is absolutely no justification for the Government to tell the ryots that because it is customary labour they must do it and that Government have no obligation to maintain them. If they feel the necessity for such customary labour, let them not charge for the water. That would be some consolation to the ryots for this forced labour, though the cost of labour for supplying water per acre is far above the rate that Government is charging from the ryots under the bigger canals, like the Godavari, Kistna and the Tungabhadra or the Cuddapah-Kurnool canal.

3-45
p.m.

"The ryots under these canals are supplied with water from Rs. 6 to Rs. 10 whereas in places where kudimaramat labour is now in force it costs them Rs. 30 or Rs. 40. I hope, therefore, that the Government will be sympathetic enough to see the unfairness of their action in this respect under the pretext of observing an old customary law."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir this subject of kudimaramat now under discussion falls under two categories; one is the compulsory recruitment of labour at the time of emergency, say on the occasion of breaches and so forth, and the other is the regular customary repairs to irrigation works. As regards the first category, there was not very much criticism, and I think hon. Members recognized that some such provision was necessary. The bulk of the criticism was in respect of the execution of ordinary repairs by the ryots as customary labour. I suppose the principle underlying that system is that work of that sort will be more promptly, efficiently and cheaply done by those who are vitally interested in it than if it were left to an official department. Several particular cases have been referred to where it was stated that the action of the officials have been unreasonable or harsh; but as Government have not had notice of any of those particular cases, I cannot say how far the circumstances set forth by the Members that spoke are correct. I have however taken a note of, and will examine, those cases. But, as to the general proposition, I may go so far as to say that Government are generally disposed to agree that it would be better at the present day when custom is at such a discount to provide for a better definition and understanding of the liabilities of the ryots in this respect. The Bill which my hon. Friend from Kurnool brought forward has been sent to all Collectors for report on two points: firstly, to get an estimate of the additional liability that Government would undertake and the expenditure they might have to incur, and, secondly, to ascertain how far it would affect the proper upkeep of these works if the ryots were not to be expected any longer to carry out the repairs but they were left to be done by official agency. It is not easy to get such information promptly. It requires very considerable and detailed investigation, and the House may

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be sure that this matter will not be in any way forgotten and that Government will push on the case as fast as they can. But I have considerable misgivings whether the ryot will benefit in the long run under a law which states that no longer will the Government enforce any customary liability on the part of those who are really interested in the work and that the work should be left entirely to be done by official agency on the basis of budget allotments and financial estimates. I am very much afraid that good many works would escape attention and that the ryot would find himself much worse off. But, as I said, this is a matter for investigation. Some reference was made to the instructions which were issued under the Board's Standing Orders— which of course are on the same lines as those suggested by the hon. Member—with a view to guide the Revenue officers in the administration of a very general rule. I do not know if they can be very much objected to except on the ground that they do not go as far as may be desirable, and that they ought to be more definite and be put into legislative form. I hope the hon. Member will understand that the Government are not wholly opposed to his Bill. They at present desire to ascertain clearly how far it will make the Government and not the ryots liable and to estimate the consequences."

* The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 15,91,500 for Minor Irrigation by Rs. 100."

The motion was put to the House and declared lost.

Mr. Bhaktavatsalu Nayudu demanded a poll which was taken with the following result:—

Ayes.

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| 1. Mr. C. R. Parthasarathi Ayyangar. | 21. Mr. K. V. R. Swami. |
| 2. " Chavadi K. Subramania Pillai. | 22. " D. Narayana Raja. |
| 3. " S. V. Vanavudaiya Goundar. | 23. Dr. B. S. Mallaya. |
| 4. " S. Arpudawami Udayar. | 24. Mr. C. Marudavanam Pillai. |
| 5. The Zamindar of Gollapalli. | 25. " Mothay Narayana Rao. |
| 6. Mr. U. Ramaswami Ayyar. | 26. " C. Ramasomayaajulu. |
| 7. Swami A. S. Sahajanandam. | 27. " Basheer Ahmad Sayeed. |
| 8. Rao Sahib B. Srinivasan. | 28. " P. Bhaktavatsalu Nayudu. |
| 9. Mr. A. Ranganatha Mudaliyar. | 29. Sriman Biswanath Das Mahasayo. |
| 10. " R. N. Arogyaswami Mudaliyar. | 30. Mr. A. Kaleswara Rao. |
| 11. " Sami Venkatachalam Chetti. | 31. " R. Srinivasa Ayyangar. |
| 12. " S. Satyamurti. | 32. " K. Koti Reddi. |
| 13. " C. V. Venkataramana Ayyangar. | 33. " I. K. Tulasingam. |
| 14. " T. Adinarayana Chettiyar. | 34. " K. R. Karant. |
| 15. " P. Anjaneyulu. | 35. " K. Madhavan Nayar. |
| 16. " J. A. Saldanha. | 36. " P. Siva Rao. |
| 17. " C. S. Govindaraja Mudaliyar. | 37. Syed Ibrahim Sahib Bahadur. |
| 18. " G. Harisarvottama Rao. | 38. Rao Bahadur C. S. Ratnasabhapati |
| 19. " C. N. Muthuranga Mudaliyar. | Mudaliyar. |
| 20. " Abdul Hamid Khan. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 10. Mr. S. H. Slater. |
| 2. " Khan Bahadur Muhammad | 11. " C. B. Cotterell. |
| Usman Sabib Bahadur. | 12. " P. J. Gnanavaram Pillai. |
| 3. " Mr. T. E. Moir. | 13. " B. Foulkes. |
| 4. " Mr. A. Y. G. Campbell. | 14. " J. Bheemayya. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 15. Subadar-Major S. A. Nanjappa Bahadur. |
| 6. Mr. F. B. Evans. | 16. Mr. W. P. A. Soundarapandya Nadar. |
| 7. " H. A. Watson. | 17. " K. Krishnan. |
| 8. " G. T. Boag. | 18. Sir James Simpson. |
| 9. " A. McG. C. Tampoe. | |

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Neutral.

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| 1. The hon. Dr. P. Subbarayan. | 12. Rao Bahadur Sir A. P. Patro. |
| 2. " Mr. S. Muttayya Mudaliyar. | 13. Diwan Bahadur M. Krishnan Nayar. |
| 3. " M. R. Seturatnam Ayyar. | 14. " P. C. Ethirajulu Nayudu. |
| 4. Mr. A. B. Shetty. | 15. Mr. T. K. Chidambaramatha Mudaliyar. |
| 5. " N. Siva Raj. | 16. Rao Bahadur S. Ellappa Chettiyar. |
| 6. " V. Gangadhara Siva. | 17. Khadir Mohideen Sahib Bahadur. |
| 7. Rao Sahib L. C. Guruswami. | 18. Diwan Bahadur S. Kumaraawami Reddiyar. |
| 8. Mr. V. I. Muniswami Pillai. | 19. T. M. Moidu Sahib Bahadur. |
| 9. " D. Thomas. | 20. Mr. A. M. Murugappa Chettiyar. |
| 10. " S. Venkayya. | 21. The Zamindar of Mirapuram. |
| 11. The Raja of Panagal. | |

Ayes 88 : Noes 18 : Neutral 21. The motion was carried.

* The hon. the PRESIDENT :—" This grant will be put to the House at 5 o'clock."

* Mr. D. NARAYANA RAJU :—" Mr. President, Sir, I move

'that the allotment of Rs. 15,91,500 for Minor Irrigation be reduced by Rs. 100' (in order to discuss the desirability of allotting more funds for the improvement of minor irrigation works.)

"Sir, in the Revised Estimates for the year 1927-28 the expenditure is put down as Rs. 13,86,900 : and the budget provision for 1928-29 is more than for the year 1927-28 by about 2 lakhs. Even this additional provision of Rs. 2 lakhs for minor irrigation in the presidency is not at all adequate when we take into consideration the extent of the area and the number of people that will be affected by these minor irrigation works. The people that will be affected by these minor irrigation works are generally very poor. Their general level of living is very low. They are not rich enough to carry on an agitation and to move the Government to make better provision for their needs. They are not rich mirasidars who can catch the ear of the Government and get large amounts of money in lakhs and crores for their irrigation works.

4 p.m.

"The Government in their anxiety to provide funds for big irrigation schemes to benefit the richer class of ryots should not forget these poorer class of ryots. It is these poor ryots who are affected by the irrigation works, and it is they who are more in need of irrigation facilities than the comparatively richer ryots in the deltaic tracts. Therefore, the provision of 2 lakhs made in the Budget Estimate for the next financial year is not adequate enough and I urge that the Government may find their way to spend more money for these minor irrigation works in the years to come."

* The hon. the PRESIDENT :—" The question is to reduce the allotment of Rs. 15,91,500 for minor irrigation by Rs. 100. Having regard to the short time at the disposal of the House, I think it will be advantageous to discuss all the motions under the general principle. So I call upon the hon Member Mr. Ethirajulu Nayudu."

* Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" Sir, I am sorry the hon. the Revenue Member has allotted even this year only a small sum of money for minor irrigation works. I am at a loss to know what stands in his way to provide more funds for this important work. There are several

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tanks which require repair. I know of cases where villagers go in search of water not only for themselves but also for their cattle. If the tanks are repaired, they will be relieved of much of their difficulties. I am not one of those who is enamoured of colossal schemes costing crores and millions. I have expressed my view several times on the floor of this House and I once more repeat that if the tanks are put in order the masses will be relieved of much of their sufferings. The hon. the Revenue Member cannot now raise the plea of want of funds; and so I shall be glad to know what is it that stands in his way of allotting a large sum of money."

* Mr. R. SRINIVASA AYYANGAR :—" Sir, I think it would be better before going further to place before the House the number of irrigation works that are in charge of this department. From the report of the Land Revenue Settlement for fasli 1335—the report of the subsequent faslis not having been published I find the total number of irrigation works to be 81,588. During the year ending 31st March 1926 an amount of Rs. 7½ lakhs was spent on the minor irrigation works, and the number of works repaired was 1,985, which bore a proportion of 6½ per cent on the whole. In the next year the allotment was increased and the number of works repaired went up to 2,395. It is true that in the budget under consideration a much larger amount is allotted, which is about 16 lakhs. But, having regard to the total number of irrigation tanks and the large number of tanks that may require repair, it is difficult to understand why such a small allotment is made. I am not, however, to be understood as saying that the entire works stand in need of repair. I think 30 per cent require immediate repair and, having regard to their present condition, I think each work cannot get more than Rs. 500.

"Coming to my district, South Arcot, the number of works amount to 2,188. In the year 1926-27 the number of tanks repaired was 98 and the amount spent was Rs. 58,141. Last year some representatives of my district approached the Collector of South Arcot to increase the amount allotted for repairs of tanks. He went through the whole matter in detail and he raised the number of works to 139 and about a lakh of rupees was spent. But I am not satisfied with it. It seems to me that more money is required to bring under repair a large number of tanks. When we approached the Collector his reply was 'want of funds'. And for this reply I do not think the Collector is really responsible as he is controlled by the Revenue Board and the Finance Member. I submit that the allotment so far made is hardly adequate.

"Now, Sir, it is a hard fact that the lands commanded by these irrigation works pay a certain amount of revenue. And in that state of things what is the point in extending only a kind of step-motherly treatment to these tanks. Why spend lakhs and lakhs and crores and crores of rupees on major projects, leaving severely alone the minor projects? The extent of the land irrigated by these tanks is about nine lakhs. I ask the Government to make an adequate allotment and relieve the ryot of his suffering."

* Mr. T. ADINARAYANA CHETTIYAR :—" Sir, when the number of minor irrigation works in the province is taken into consideration, the amount allotted in the budget is ridiculously small. It is only the other day that the retired Law Member was complimented by no less a person than the hon. the Finance Member with regard to the grand schemes of irrigation for the deltaic area."

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* Mr. C. V. VENKATARAMANA AYYANGAR :—" Mutual admiration." (Laughter.)

Mr. T. ADINARAYANA CHETTIYAR :—" No doubt it is mutual admiration but what about the ryot? (Laughter.) But these eminent statesmen seem to think that by doing so their duties are at an end. The vast area of dry cultivation especially in the eternally dry districts like North Arcot, Salem and the Ceded districts do not seem to merit their attention as it were. I want the Government not to forget the fact that if they studied the emigration figures it will be found that it is these districts which are entirely neglected that contribute enormously to the drain of our healthy population to far off lands. Therefore it goes without saying that the smaller attention bestowed by the Government on these districts is the real cause of famine in these areas, and yet hon. Members of the Government are mutually congratulating each other on the inauguration of new and grand schemes, whose end we hope will not be disastrous.

"The improvement of minor irrigation works though unfortunately neglected in this Province, is in the neighbouring state of Mysore, attended to with praiseworthy sympathy. If some of our administrators would read the speech of the Diwan of Mysore delivered at the last session of the Representative Assembly they will be struck with the diligent attention paid by the Mysore Government to the repair of minor irrigation works in that state year after year. Almost the entire number of these irrigation sources have been brought up to a real state of efficiency and is it any wonder if we find the people in that Native State happy, while those here under the benign rule of the British find themselves unhappy.

"I will give you one or two instances from my own district, North Arcot, to show that irrigation—not necessarily minor irrigation—is neglected. I do not apologise for doing so, for I know the hon. the Revenue Member, when he was there, was a popular Collector. When I referred to that fact in one of my earlier budget speeches the hon. Sir Marjoribanks spoke sympathetic words which raised hopes in the people of North Arcot. But I am sorry to tell Sir Marjoribanks did not allow us to realize those expectations; and during the last ten years there has been no change for the better as regards the maintenance of these minor irrigation works. For some time back I received not less than ten letters a week on the average from my voters complaining bitterly of the miserable condition of the irrigation sources. I can give you instance after instance in which the people have spent their energy, time and money in removing prickly-pears and the cost of such labour must have been some thousands of rupees. I will give you one tangible instance of how the irrigation needs are attended to by our Government. In North Arcot in 1901 on receipt of a telegram that a ryot had met with death by starvation in Melmoyal in the Gudiyattam taluk, repairs were attempted, but was again neglected. In 1923 or 1924 Rs. 30,000 were drawn up and one-sixth of the cost was demanded from the ryots. The poor ryots somehow managed to contribute Rs. 6,000. Work went on for some time and suddenly Government without any warning to the people stopped the work. The labour valued at Rs. 2,000 towards the cost of removal of prickly-pear is all gone; and now Government when asked for the reason say that the work is not remunerative; that it will not give even a profit of six per cent."

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* "Six per cent rate of interest is Sowar's rate, comparing the present bank rate. Government having undertaken this work practically as a famine measure, after spending Rs. 18,000 on it and after asking the ryots to pay Rs. 6,000 which they borrowed at a heavy rate have now stopped the work to the dismay of the ryots." 4-15 p.m.

* The hon. the PRESIDENT :—" Is it minor irrigation to which the hon. Member is referring? "

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir."

* The hon. the PRESIDENT :—" I do not think the hon. Member is in order in referring to major irrigation works in this demand; he will do well to reserve his remarks for the next demand."

Mr. T. ADINARAYANA CHETTIYAR :—" If the Government is sympathetically disposed to the prosperity of the ryot who depends on the minor irrigation works they must allot more than 16 lakhs of rupees as they have done at present."

* Mr. BASHEER AHMAD SAYEED :—" Mr. President, Sir, the amount allotted Rs. 16 lakhs for the whole Presidency works out to about Rs. 50,000 for each district. When we consider that in each district there are so many taluks and in each firkas so many villages we shall find that the amount that will be spent on each tank is very small and will not be sufficient even for the ordinary repair. The amount is not enough even for the petty repairs which have to be done year after year. The tanks are not deepened; the bunds are not raised and no attempts are made to conserve the enormous quantity of rain water that goes to waste every year, and could be made available for second crop."

* The hon. the PRESIDENT :—" Here again I have to draw the attention of the hon. Member to the distinction between major works and minor works."

* Mr. BASHEER AHMAD SAYEED :—" I am referring to minor works such as lakes and tanks, by the repair of which more water can be stored in them and second-crops may be cultivated bringing additional revenue to the Government. In the matter of minor irrigation the districts of Coimbatore, Salem and North Arcot are the most in need, and it is necessary not merely to repair the existing ones but also improve them."

* Mr. K. MADHAVAN NAYAR :—" Mr. President, Sir, I rise to support the motion in order to draw the attention of the Government to the inadequacy of the funds allotted for minor irrigation works in Malabar. Malabar is a district which as I said last year suffers a little too much from good reputation. In years gone by we had not so much of water difficulty; but for some years past Malabar has been suffering either from too much or too little rainfall. During the last three or four years the second crop in various parts of Malabar has invariably been a failure. Not much money is required for minor irrigation works in Malabar. Plenty of water comes to us by way of rains but almost the whole of it is washed away to the sea in a day or two and if only some funds are utilized to conserve them, the problem of our water difficulty is solved. In this connexion I shall refer to two dams that require immediate repair or reconstruction. One is the Viyyam dam in Ponnani taluk and the other is the Iringochira in the Calicut taluk."

[Mr. K. Madhavan Nayar] [16th March 1928]

Members from Malabar have been agitating this question for the last two or three years. The Viyyam dam is two or three miles from Ponnani. There the west coast canal containing brackish water enters the vast extent of the cultivable lands in Ponnani taluk and damages the crops. The ryots of the place used to have formerly a dam constructed with boxes filled with sand but the Government a few years ago put up a granite dam. Unfortunately it was constructed so badly that the brackish water entered the cultivated fields and caused damage to the crops. Last year there was some repair done; but that again has not improved matters. The other dam at Iringochira in Calicut taluk is also neglected by the Government. I request the Government to pay attention to these two matters. In page 36 of the Budget memorandum it is stated that for constructing two tidal locks in the West coast canal, Malabar, a provision of 40 lakh is allotted this year out of an estimated cost of Rs. 90 lakh. I do not know whether this includes the Viyyam dam in Ponnani taluk. I am not able to find out whether it is so or not. If it is for the Viyyam dam I have no complaint so far as that matter is concerned provided it is properly spent. In the Calicut taluk so far as Iringochira is concerned, it was formerly maintained by the Zamorin of Calicut; but for some time past no attention has been paid to this. I bring to the notice of Government these two matters and I hope they will see that the grievances of the cultivators in these two places are relieved."

* Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, I beg to urge the imperative need for the repair of the tanks in Malaiyadipatti village of the Karur division, Trichinopoly district. For the past seven years, the supply channel to these tanks has not been repaired; the sluices also are very much in need of repair and as a consequence the ryots are becoming poorer and poorer. Many of the ryots requested me to bring this to the notice of the Government and I appeal to the Government to undertake the repair of these works by allotting more funds for this purpose. Even with the small additional provision made this year, it is possible that repairs to these tanks can be undertaken."

* Sriman BISWANATH DAS Mahasayo:—"Mr. President, Sir, I support this motion to bring to the notice of Government the necessity of giving contracts of minor irrigation works to the villagers themselves instead of the professional contractors. I have been insisting upon this time and again during the discussions on the budget. Only very little money is allotted for this purpose and a good portion of it is eaten away by the contractors and their underlings. If the ryots of the village are put in charge of the work all the money sanctioned for it will be utilized on it and maximum benefit of the same will be realised. It is necessary therefore for the Government to advise the district collectors and divisional officers to give the contracts only to the villagers whenever there is a work to be executed."

"Secondly, Sir, I wish to point out to the hon. the Revenue Member that some of the irrigation works in Ganjam which were breached in the cyclone of 1923 have not yet been repaired. The ryots approached the various Collectors; but they had no money at their disposal. I would therefore request the Government to allot more money for these works for the district of Ganjam. There again are a number of famine works in the taluk of Gumsur which were executed during the famine of 1917 and 1918 by spending Rs. 50,000, Rs. 60,000 in some cases, even more in one case. These minor

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irrigation works, because they are unfinished, are under the charge of no one. A little more money spent on these will add considerably to the prosperity of the ryots and need I add will also augment the revenues of the Government. With these remarks, I heartily support the motion."

* Mr. K. V. R. SWAMI:—"Mr. President, minor irrigation is necessary for the deltaic districts also. Government perhaps think that irrigation in the deltaic districts is alright; but it is really not so. Parts of deltaic districts are very much suffering for want of water. There are tanks dug centuries ago but not properly repaired. Though nearly Rs. 16 lakhs are allotted as against only Rs. 13 lakhs of last year, considering the number of tanks in the Presidency, i.e., 40,000 the amount allotted works out to such a small average as 40 rupees per tank. I suggest that for this purpose even borrowed funds and the funds in the Famine Insurance Fund might be utilized. Unfortunately the Retrenchment Committee cut down a good portion of the amount for minor irrigation."

"Some useful Tank Restoration parties were very much cut down and 4-30 the Member in charge was promising to look into this matter. Since we P.M. have got now to better times some arrangements can be made to take up the improvement of the tanks. When we ask for a thing it has been customary for this Government to set up a committee to go into the matter, to investigate it, to take up two or three years later and suddenly to drop it altogether after some time. This is exactly what has happened with this department for a long time. Previous to the year 1912 Members of the Council were agitating very much that something should be done to improve the minor irrigation tanks; a Conference was appointed in the year 1912 and they came to a conclusion. They divided the whole area into different divisions. It was stated at that time that the works would be taken up in different divisions as funds and time permitted. In that year G.O. No. 577, dated 18th December 1912, was issued wherein the whole scheme was planned. The whole thing was dropped then because there was the Great War and want of funds. One cannot but accept a position like that. After the war was over they did not do anything at all. I was asking questions whether that scheme would be taken up on hand and completed. The reply was that the scheme was dropped altogether. That has been the customary practice of the Government. If a scheme could not be executed for want of funds for some time, if the people forget about it and if there is no agitation for it the Government actually drop the scheme. There is no heart in the Government. If the Government is not a foreign Government and if it is a Swarajya Government I do not think it can afford to do so. There would be more sympathy. We see so much time and money wasted. A scheme was prepared and the Government gave an undertaking that that scheme would be taken up and executed. If the work had to be suspended for some time during the Great War it does not mean that it should be suspended for ever. These are small things that can be taken up at any time. They go really for the improvement of the country. The real complaint is that people do not get one full meal a day especially in dry districts. People are starving on account of famine. They have to face famine after famine. When famine comes as in the last year the hon. Member of the Government says we are not going to move in the matter unless the people begin to die. That seems to be the criterion for this Government for the existence of famine. Before famine comes the Government do nothing to help these

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poor people by way of repairing the tanks; the tanks have been in existence from time immemorial excavated by Rajas and Zamindars. They have been neglected for a long time. Do the Government suffer any loss? Irrigation works give 12 or 13 per cent interest. That is a very high percentage. You can borrow money at 6 or 7 per cent."

The hon. Mr. T. E. MOIR:—"May I know wherefrom the hon. Member got those figures?"

* Mr. K. V. R. SWAMI:—"I take them from a speech delivered in this House. I may be wrong; I hope the hon. the Finance Member will give this House correct figures."

The hon. Mr. T. E. MOIR:—"If the hon. Member comes to me, I shall give him."

* Mr. K. V. R. SWAMI:—"These are matters on which a Government Member must have figures ready at any time; he ought to know what percentage the Government are getting on the investment they make. Figures are given at page 113 of the Administration Report of the year 1925. Perhaps it is better to be more accurate in my figures because they are likely to be disputed. The report says 'the revenue from irrigation works for which no capital account is kept' is Rs. 99 lakhs; other works—Rs. 91 lakhs. This is the revenue from minor irrigation works. If my figures are incorrect, they may be corrected by the Government. I am discussing the principle; I do not care so much for figures. (Laughter.) The hon. the Finance Member may afford to laugh in this matter; but I am very very serious; it is not a matter to be laughed at, because so much is neglected. The Government are anxious to get crores and crores of rupees out of the poor men's pocket; they do not want to do anything to improve their condition. In a matter of so much importance the hon. the Finance Member wants to laugh at it. They are here simply to gather money, pocket it and get out of the country—that is all—not to improve the country at all. Last year the Member in charge stated that orders had been issued that a record should be made of all minor irrigation tanks which were alleged to be out of repair and that the minor irrigation overseer should inspect and send a report if the tanks needed repair and estimates for the purpose if necessary. A register was to be kept. When a report was received that no repairs were necessary it would be entered in the register; the Collector would be able to watch the progress of the work and see that it was done systematically. I do not know how much of that work has been done. It is a very nice thing to have a register, to have the numbers of tanks which required repairs, to have estimates ready and to take the works up when funds are available. If funds are not available from the ordinary revenues, my submission is that the works should be taken up on hand with borrowed funds provided there is a sinking fund. If works give good interest, they will have to be executed with borrowed funds. I appeal to the Member in charge to look into the matter. A Government Order was published and the scheme was ready. Valuable suggestions had been made; it was promised that the work would be taken up and completed; the Government have suddenly dropped the whole scheme. They want to go on as merrily as they can because they do not feel the pinch and they do not very much care to raise the status of the people. When there are

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famines they do not go into the question why there were famines; whether the minor irrigation works were properly attended to, and how many tanks required repairs. I appeal to hon. Members through you, Mr. President, to support the motion proposed by the hon. Member."

Swami A. S. SAHAJANANDAM:—"கனம் தலைவர் அவர்களே! உயிர் களுக்கு ஜீவாதாரமானது நீர்ப்பாசனமாகும். அதில் ஆதிதிராவிடர்கட்குப் பல குறைகளிருக்கின்றன. நீர்ப்பாசனத்திலும் தண்டாமையும் ஜாதிக் கொடுமைகளும் நிறைந்திருக்கின்றன. தென்னார்க்காடு ஜில்லா சிதம்பரம் தாலுக்கா வடகிருஷ்ணாபுரம் கிராமத்திலுள்ள ஆதிதிராவிடர்களில் பலர் நபர் ஒன்றுக்கு ஒன்றிரண்டு ஏக்கர் வீதம் சுமார் 60, 70 ஏக்கர் நிலங்கள் வைத்துக்கொண்டு கௌரவமாக காலங்கழித்து வந்தார்கள். அவர்கள் பக்கத்தூரர்களுக்கு மேளம் வாசிக்கவில்லையென்னும் காரணத்தால் ஆதிதிராவிடர்களின் நிலங்களுக்குத் தண்ணீர்ப் பாய்ந்துவரும் நத்தமேட்டு வாய்க்காலிலிருந்து தண்ணீர்ப் பாய்ச்சக் கூடாதெனத் தடுத்து விட்டார்கள். ஆனால் அவர்களுக்கு மாமூலாகப் பாய்ந்துவந்ததும் ஏற்கனவே பழைய பிளானில் கண்டிருப்பதும் பட்டாவில் குறித்திருப்பதும் நிக்காட்டு சம்மந்தமுள்ளதும் மேற்படி நத்தமேட்டு வாய்க்காலேயாகும். இந்த வாய்க்காலில் தண்ணீர் ஷே. நிலங்களுக்குப் பாய்ந்து வருவதால் நத்தமேட்டு கிராமங்கட்கும் மற்ற கிராமங்கட்கும் தண்ணீர் குறைவது மில்லை. தண்ணீர் ஏராளமாயிருக்கிறது. நீர்ப்பாசன அதிகாரிகளின் அசிரத்தையாலும் உள்ளூர் அதிகாரிகளின் கவனக் குறைவாலும் ஆதிதிராவிடர்களுக்கு ஷே குறைகளைப்பட்டுள்ளன. இது விஷயமாக ராவ் சாஹேப் ஆர். சீனிவாசம் பிள்ளையவர்களும், ராவ்பகதூர் எம். லி. ராஜா, எம்.எல். எ., அவர்களும் நேரில் பார்வையிட்டார்கள். சென்ற வருஷம் வரவு செலவு திட்டத்தில் இது விஷயமாக இச்சபையில் அதிகமாக கூச்ச விட்டேன். இன்னும் இது விஷயமாகக் கவனிக்கப்படவில்லை. வடகிருஷ்ணாபுரம் ஆதிதிராவிடர்களுக்கு அபராதத் தீர்வை மேன்மேலும் அதிகரித்துக்கொண்டே வருகிறது. இது விஷயம் உடனே கவனிக்கவேண்டும்.

"பண்ணப்பட்டு கிராமம்—தென்னார்க்காடு ஜில்லா சிதம்பரம் தாலுக்கா பண்ணப்பட்டு கிராமம் கருடன் வாய்க்காலிலிருந்து சர்வே 71-ல் ஒரு கொண்டம் பிரிந்து 77, 78, 79 வழியாக சர்வே 41, 42, 43, 44, 52, 53, 54, 55, 56, 57, 112, 113 முதலிய நம்பரிலுள்ள நிலங்களுக்குத் தண்ணீர்ப் பாய்ந்துவந்தது. பழமையானதும் மாமூலானதும் பிளானில் கண்டிருப்பதும் இதுவே. ஆனால், சமீப காலத்தில் ஒரு பிராமணர் சில புன்செய் நிலங்களை வாங்கி நன்செய்யாக்கினார். அவரது சொந்தக் காரர் ஒருவர் தாசில்தாரமாக வந்திருந்தார். ஷே பிராமணயிராசதாரரின் வேண்டுகோளின்படி புன்செய்யை நன்செய்யாக்கிய நிலங்களுக்குத் தண்ணீர்ப்பாய மேற்படி 71-ல் கண்ட கொண்டத்தின் வழியாக மாமூலாகப் பாய்ந்து வந்ததைத்தடுத்து வேறு புதுவழி 15 நம்பரிலுள்ள கொண்டத்தின் மூலம் புதுவாய்க்கால் காட்டினார். இதனால் ஆதிதிராவிடர்களுக்கும் மற்றும் பிராசதாரர்களுக்கும் மிக்க நஷ்டமுண்டாயிருக்கிறது. தண்ணீர் எல்லோருக்கும் பாயும்படியான உபாயமும் செய்யலாம். அதிகாரிகளின் கவனக்குறைவாலேமட்டுள்ள இக்குறைகளை நிவர்த்திக்க அரசாங்கத்தார் உடனே முயற்சி யெடுக்கவேண்டும்."

[16th March 1928]

• **MR. C. R. PARTHASARATHI AYYANGAR:**—"Mr. President, Sir, this is a matter within our knowledge. Every ryot who come to us asks the question 'I am paying kist; I do not get water for my lands. Can you find any provision of law by which you can help me? I won't pay the tax because I do not get the supply of water.' The answer given by the Government is 'first pay the tax; whether you get water or not is not our concern.' What they say is 'I want your money; I do not care very much whether you get your lands irrigated by the channel or by the wells you may dig.' I am personally acquainted with two cases which will show the utter indifference with which the minor irrigation works are treated in my district. Besides several instances I have known I shall mention one instance in a village 5 miles from Chittoor. There is a channel there which takes water from the sluice of another tank. The tank is supposed to contain three months' water. The ryots put in a petition to the Collector. He is going to become a Member of the Board of Revenue. They put in a petition asking the Collector to inspect the lands and see what the difficulties were under which they were suffering. I had also the privilege of being written to attend. The difficulty under which the ryots were labouring is that they get surplus water of a source two miles from the village. Their complaint was that whenever there was any freshes the channel was blocked and the supply of water was blocked.

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"Again and again the question was put to the Collector. We have a channel route for taking water from the sluice. We asked the Collector whether he would take steps to build an overbridge over the channel so that the water which flows during sudden rains may flow over the bridge and not destroy the channel underneath. But the universal phraseology of the Government is that they have not got funds. After a good deal of conversation, I convinced that the silt that had gathered in the channel could not be removed at once and that the water which flows down the channel during sudden freshes cannot be diverted to the tank and is lost. But then the Collector said that the construction of the overbridge would cost about Rs. 5,000 whereas he had been allotted Rs. 15,000 for nine divisions. He said 'You are a Member of the Legislative Council and you can ask the Legislative Council to vote money for the same.' After considering the matter the ryots said that they were willing to pay for the expenses that may be incurred by the Government according to this estimate, and also one-third of the cost of the work. But the Collector said that one-third would not do, but they should pay a half. Then the ryots said, 'If you cannot construct a culvert, convert these into punja lands.' So between Sylla and Charybdis these ryots are forced to pay half the amount of the estimate which may come to Rs. 2,500, and their lands are classed as wet lands though they have got only three months' supply of water in their tank. Therefore you will see that the difficulties under which the ryots labour are very great. But yet, though the matter has been pressed again and again for the past ten years, the Government say they have no money. I will give you another instance. Every one of you know something about Tirupati. But how many of you know that there is a perennial stream running for 20 miles over the hills connecting the hills with Cuddapah. Now the ryots of Peddamallela, in Vayalpad taluk, petitioned to the Collector and asked him that instead of allowing the water to go to waste he could have a channel dug for about 1½ or 2 miles so that the water might

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be taken into a system of tanks which could be made to irrigate about 18 villages. But what did the Collector do? He sent overseers to estimate the cost for the scheme. Now the overseers, if they are in good terms with the villagers, will say that the scheme will cost only about two to three thousand rupees; if not, they will say that the whole thing will cost about 20,000 rupees. The Government act on the advice of these overseers and will consider schemes only if they are profitable to them in the end. They do not care whether the lands to be irrigated are wet or ayakat lands, or whether the men are able to raise crops out of the water supplied. Still less will they supplement the sources of irrigation. A remedy was suggested by the ryots. They said 'Give the work on a contract to the village panchayats. We will supply everything. We will minimise expenditure and we will be able to do the work.' But the Government said 'No.' 'We do not know whether you will do it properly.' Sir, it is always the discretion of the intermediary that counts, the discretion of the monegar and the karnam and the overseer. Even if the Government sanctions a work, the overseers, the tingods, have got to be satisfied. Such are the difficulties. I would request Government, when a Revenue Inspector, a Tahsildar, a Deputy Collector or any other officer of the Revenue Department asks for promotion, to ask them what they have done to improve the condition of the ryots, how many channels have been dug, how many irrigation sources have been added and put them other such questions. I would ask the Government to put their officers such questions at the time of the jamabandi and make this a condition for their promotion.

"Therefore, Sir, it is absolutely necessary that irrigation sources ought to be augmented and expenditure incurred on them. Otherwise it will not be just and equitable on the part of the Government."

• **THE HON. SIR NORMAN MAJORIBANKS:**—"Mr. President, Sir, I have the same perennial difficulty in replying to this motion as hon. Members who criticised this grant will not remember that it has no reference to large works, but refers to tanks which irrigate less than two hundred acres and which are unconnected with any irrigation or anicut system. These small tanks as a rule do not give rise to the difficulties which were so eloquently dealt with by the previous speakers. They are however of great importance to the many districts especially the Central districts, North Arcot and Chingleput. We have been steadily increasing expenditure on this class of works from somewhat less than 8 lakhs in 1921-22 to practically 16 lakhs in the present budget. I explained on the previous occasion that it would be impracticable to increase expenditure on these works to an unlimited extent. We have got first to ascertain the tanks that need repair, examine them, find out what is wrong and prepare an estimate of the expenditure necessary to set them right. We have then to get a grant for these estimates. I assure the hon. Member for North Arcot that we have not yet refused any application which was supported by the recommendation of any Collector. The difficulty is that hon. Members discuss the details of particular cases and there is nobody who is aware of the facts to meet their complaints. I have a recollection that I heard before the case of which the hon. Member for Chittoor referred to. The difficulty in that case was, I think, not funds, but that we could not adopt the remedy which the hon. Member suggested, the building of an aqueduct across the main stream. I have not however been able to refer to papers in the case. I would suggest that in

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cases like that and those which Mr. Arpudaswami Udayar brought to notice, if they would bring them to notice during the year something might be done to see that the item is included in the budget. There is little use in waiting till the time of the budget when it is too late to include any fresh item. There is not the slightest disposition on the part of the Government to stint money on items which Collectors recommend. Government have, as the budget will show, doubled the amount in the last few years."

* The hon. Mr. T. E. MOIR :—" Sir, I have got only a few remarks to make. I am now in a position to give the information to the hon. Member for Godavari as regards the figures relating to interest. They cannot apply to minor irrigation systems or works because we do not keep any capital account for such irrigation works. Accounts of interest on capital expenditure can only be kept in the case of works for which capital accounts are kept. As hon. Members know, these are confined to large irrigation systems. I am unable to tell the hon. Member therefore what the return on minor works is. I am perfectly sure that in many cases the return is practically nothing at all if we take into account the capital expenditure and the amount that has been spent on repairs. In fact, the smaller the work, the less the return. That is almost invariably the rule. As a matter of personal explanation, may I say Sir, that the hon. Member referred to me as finding amusement in the question on minor irrigation. Having some experience of minor irrigation, it is not a subject which to me could be a subject of ridicule. I was merely admiring the dexterity with which the hon. Member extricated himself from the misconception in which he had been led by those figures to which he had just referred."

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

- | | |
|--|--|
| 1. Mr. E. Nagan Gowda. | 28. Mr. K. V. R. Swami. |
| 2. " T. M. Narayanaswami Pillai. | 29. Dr. B. S. Mallaya. |
| 3. " C. R. Parthasarathi Ayyangar. | 30. Mr. M. Narayana Rao. |
| 4. " Ramanath Goenka. | 31. " A. Parasurama Rao Pantulu. |
| 5. " Chavadi K. Subrahmanya Pillai. | 32. " O. Ramaswamyajulu. |
| 6. " V. Ramjee Rao. | 33. Basheer Ahmad Sayeed Sahib Bahadur. |
| 7. " D. Thomas. | 34. Mr. P. Bhaktavatsulu Nayudu. |
| 8. " Vanavudaiya Gounder. | 35. Eriman Bawanath Das Mahasayo. |
| 9. " S. Arpadaswami Udayar. | 36. Mr. A. Kaleswara Rao. |
| 10. The Zamindar of Gollapalli. | 37. " R. Srinivasa Ayyangar. |
| 11. Mr. A. Ranganatha Mudaliyar. | 38. " K. Koti Reddi. |
| 12. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 39. " L. K. Tulashiram. |
| 13. Mr. Sami Venkatachalam Chetti. | 40. " K. B. Karant. |
| 14. " S. Satyamurti. | 41. " K. Madhavan Nayar. |
| 15. " C. V. Venkataramana Ayyangar. | 42. " P. Siva Rao. |
| 16. " T. Adinarayana Chettiyar. | 43. Syed Ibrahim Sahib Bahadur. |
| 17. " P. Anjaneyulu. | 44. Mr. M. A. Manikkavelu Nayakar. |
| 18. " J. A. Saldanha. | 45. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 19. " C. S. Govindaraja Mudaliyar. | 46. Mr. T. K. Chidambaramnatha Mudaliyar. |
| 20. " G. Harisarvottama Rao. | 47. Rao Bahadur S. Ellappa Chettiyar. |
| 21. " C. N. Muthuranga Mudaliyar. | 48. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 22. Abdul Hamid Khan Sahib Bahadur. | |

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Noes.

- | | |
|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 12. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 13. Mr. N. Siva Raj. |
| 3. " Mr. T. E. Moir. | 14. " M. V. Gangadhara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 15. Rao Sahib L. C. Guruswami. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 16. Mr. V. I. Munuswami Pillai. |
| 6. Mr. H. A. Watson. | 17. " W. P. A. Soundarapandya Nadar. |
| 7. " G. T. Boag. | 18. " K. Krishnan. |
| 8. " A. MoG. C. Rampos. | 19. Rajkumar S. N. Dorai Raja. |
| 9. " S. H. Slater. | 20. Rao Sahib R. Srinivasan. |
| 10. " C. B. Cotterell. | 21. Syed Tajudin Sahib Bahadur. |
| 11. " R. Foulkes. | 22. The Raja of Ramnad. |

Neutral.

- | | |
|-----------------------------------|---|
| 1. The hon. Dr. P. Subbarayan. | 8. Mr. D. Narayana Raja. |
| 2. " Mr. S. Muthiah Mudaliyar. | 9. The Raja of Panagal. |
| 3. " Mr. M. R. Seturathnam Ayyar. | 10. Diwan Bahadur M. Krishnan Nayar. |
| 4. Mr. P. J. Gnanavaram Pillai. | 11. Khadir Mohidin Sahib Bahadur. |
| 5. " J. Bheemayya. | 12. T. M. Moidoo Sahib Bahadur. |
| 6. " S. Venkayya. | 13. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 7. Swami A. S. Sahajanandam. | |

Ayes 43. Noes 22. Neutral 13.

The motion was carried.

While the Secretary was recording the names of members who were in favour of the motion in block III, Mr. Narayana Raja resumed his seat before his name was called and therefore his name was not called.

Mr. C. S. GOVINDARAJA MUDALIYAR :—" Mr. Narayana Raja, Sir."

The hon. the PRESIDENT :—" He did not rise."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" He rose. He was marked but not called."

Mr. SAMI VENKATACHALAM CHETTI :—" There is confusion between Narayana Raja and Narayana Rao."

The hon. the PRESIDENT :—" I do not think the hon. Member stood long enough to enable the Secretary to call his name."

When the names of those who remained neutral in the same block were called and when Mr. Narayana Raja's name was mentioned there were cries of "Neutral by compulsion."

Demand VI—Irrigation—Civil Officers—for Rs. 15.98 lakhs minus Rs. 200 was then put and adopted and the grant made.

* The hon. the PRESIDENT :—" The House will now adjourn and will re-assemble to-morrow at 11 o'clock."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[16th March 1928]

APPENDIX

[Vide answer to question No. 1760 asked by Mr. R. Nagan Gowda at the meeting of the Legislative Council held on the 16th March 1928, page 228 supra.]

Statement showing the number of places visited, the number of miles travelled and touring expenses incurred by each of the Ministers since December 1926.

Name of the Minister.	Number of district head-quarters visited.	Number of taluk head-quarters visited.	Number of towns visited.	Number of villages visited.	Number of miles travelled.	Number of days spent.	Amount of touring expenses so far recorded in the accounts.	Remarks.
1. The hon. Dr. P. Subbarayan.	15	26	31	13	16,537	63	Rs. A. P. 11,540 15 3	Includes the journey to and from Ootacamund in 1927 owing to the move of the Government to the Hills and two journeys to and from Delhi.
2. The hon. Mr. A. Ranganatha Mudaliyar.	13	25	39	89	19,911	108	5,720 6 6	
3. The hon. Diwan Bahadur R. N. Arogyaswami Mudaliyar.	15	33	42	31	12,546	111	10,098 4 9	Includes the journey to and from Ootacamund in 1927 owing to the move of Government to the Hills.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, the 17th March 1928

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.E.S., V.D., I.C.S., The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Saturatnam Ayyar, The hon. Mr. M. R.
Abdul Rasook Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsala Nayudu, Mr. P.
Bheemayya, Mr. J.
Biswanath Das Mahasaya, Sriman Boag, C.I.E., I.C.S., Mr. G. T.
Chidambaramatha Mudaliyar, Mr. T. K.
Congreve, Mr. C. R. T.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Elappa Chettiyyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Evans, C.S.I., I.C.S., Mr. F. B.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. O.
Hamid Khan Sahib Bahadur, Abdul.
Hampayya, Bai Sahib M.
Harisarvottama Rao, Mr. G.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. B.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnan Nayar, Diwan Bahadur M.
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Luker, Mr. A. T.
Madhavan Nayar, Mr. K.
Mallayya, Dr. B. S.
Manikkavelu Nayar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.

Moidoo Sahib Bahadur, T. M.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyyar, Diwan Bahadur A. M. M.
Muthurenga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Rao, Mr. Mothay.
Narayanan Chettiyyar, Mr. A. I. Ar.
Narayanan Nambudripad, Rao Bahadur O. M.
Narayanaswami Pillai, Mr. T. M.
Parasurama Rao Pantulu, Mr. A.
Parthasarathi Ayyangar, Mr. C. R.
Patro, Kt., Rao Bahadur Sir A. P.
Raja of Jeypore.
Raja of Panagal, K.C.I.E.
Raja of Ramnad.
Rajan, Mr. P. T.
Ramaachandra Reddi, Mr. B.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ramaswami Ayyar, Mr. U.
Ranganatha Mudaliyar, Mr. A.
Ratnasabhapati Mudaliyar, Rao Bahadur O. S.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Simpson, Kt., Sir James.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.
Soundarapandia Nadar, Mr. W. P. A.
Srinivasa Ayyangar, Mr. R.
Srinivasan, Rao Sahib B.
Subrahmanya Pillai, Mr. Ohavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam
Unbesh Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. O.
Thomas, Mr. D.
Tulasiram, Mr. L. K.
Vanavudaiya Gounder, Mr. S. V.
Venkatapati Raju, Mr. P. O.
Venkatarama Ayyar, Mr. K. R.
Venkataraman Ayyangar, Mr. C. V.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Seithur.

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QUESTIONS AND ANSWERS

STARRED QUESTIONS

Government Press

Candidates for the posts of apprentices in printing in the Government Press.

* 1768 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) how many applications were received by the Superintendent, Government Press, Madras, for the posts of apprentices in printing advertised by the Government last year;

(b) how many amongst the applicants were the sons of printers;

(c) whether there was anybody amongst the selected candidates who had the qualifications of any experience in the printing business;

(d) whether the Government are aware that in the advertisements for apprentices' posts in Government Presses of other Provinces special mention was made that sons of printers or candidates who had aptitude for printing would be given preference in the matter of selection;

(e) whether there was any correspondence between the Government and the Superintendent, Government Press, Madras, regarding this matter and was the latter asked why he did not show preference to candidates who were in touch with the art of printing; and

(f) if so, will the Government be pleased to place this correspondence on the table of this House?

A.—(a) 633.

(b) 12.

(c) No.

(d) The Government have no information.

(e) & (f) The Government do not consider that the correspondence about the selection of apprentices should be placed on the table.

Mr. A. B. SHETTY:—"With reference to clause (e) of the question, may I know whether the Government asked the Superintendent, Government Press, why he did not show preference to candidates who had experience in the printing line?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Yes, Sir, he was asked."

Mr. A. B. SHETTY:—"May I know what his reply was?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"He replied saying that there was only one such applicant and he did not satisfy the required qualifications. He was over-aged and his marks in the S.S.L.C. examination were low."

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Education

Scholarships to depressed classes pupils in Government hostels at Madras and Masulipatam.

* 1769 Q.—Mr. V. RAMJEE RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Director of Public Instruction has not given scholarships to the college students belonging to the depressed classes who are inmates of the hostels started by the Government at Madras and Masulipatam;

(b) whether the Commissioner of Labour has recommended the pupils; and

(c) whether the Government will place on the table the names of pupils in each district, to whom scholarships were granted by the Director of Public Instruction with particulars of their caste and class?

A.—(a) No. Eight out of eleven applicants residing in the hostels referred to have been awarded scholarships.

(b) Yes.

(c) The following statement gives the information for this year:—

Number and name.	Class.	Caste.	District.
1. G. C. Narasimhalu ..	I	Boya ..	Madras.
2. I. Subbayya ..	I	Adi-Dravida ..	Tinnevely.
3. M. Rajavelu ..	I	Do. ..	Madras
4. J. Subba Rao ..	I	Adi-Andhra ..	East Godavari.
5. M. Parvathi ..	I	Kallar ..	Madras.
6. S. Thirumalayya ..	II	Yerukula ..	Do.
7. R. Sankaran ..	II	Fisherman ..	Do.
8. K. Appakannu Baju.	II	Adi-Andhra ..	Chidambaram.
9. P. Anjappa ..	II	Padayachi ..	East Godavari.
10. P. Unni ..	III	Fisherman ..	Madras.
11. S. Sitaraman ..	III	Settibaliya ..	Do.
12. P. Konnan ..	IV	Fisherman ..	Do.
	(Hons.)		
13. S. Swayamprakasam.	IV	Kallar ..	Do.
14. P. L. Adinarayanan.	IV	Adi-Andhra ..	Kistna.

Note.—Of the above, eight were awarded fresh scholarships, while the remaining six were students whose scholarships were renewed.

Mr. N. SIVA RAJ:—"Will the hon. the Minister for Education be pleased to state, with reference to the answer to clause (c) whether the following castes come under the depressed classes, viz., Padayachi, Settibaliya and Kallar?"

The hon. Dr. P. SUBBARAYAN:—"They all belong to the backward communities."

Mr. N. SIVA RAJ:—"In that case why are they described as depressed classes?"

The hon. Dr. P. SUBBARAYAN:—"In connexion with the reservation of scholarships, they come under this category."

[17th March 1928]

Industries*Possibilities of sub-artesian water-supply in municipalities.*

* 1770 Q.—**SYED TAJUDIN SAHIB Bahadur**: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the attention of the Government has been drawn to the beneficial and profitable nature of first bore hole sub-artesian water-supply installed by the Municipality of Kumbakonam in the Somerwaraswami Sannadhi street;

(b) whether they will be pleased to call for from the Municipality of Kumbakonam and other taluk boards, unions and municipalities in Tanjore district a detailed profit and loss estimate of the working of such tube wells sub-artesian water-supply, viz., the quantity of water available, the cost of their annual maintenance, the capital outlay that can be invested by each local body and the water tax collected and the net annual profit likely to be earned by them and lay them on the table with the remarks of the Sanitary Engineer and Inspector of Local Boards and Municipal Bodies and Village Panchayats thereon;

(c) whether they will call for and lay on the table for the years 1917 to 1927 from the Industrial department a detailed digest of their pumping and boring development activities in the Tanjore district and state in detail whether any free demonstrations have been made now in the Tiruturaipundi taluk and whether the sub-soil water-supply survey has been completed in the Tanjore district;

(d) whether the Government will be pleased to lay on the table all the connected papers and orders issued either in the Industrial or Public Works Irrigation Department from 1914 forwards till the end of 1927 and a map if available indicating the depth of sub-soil water-supply in all firkas and taluks of the Tanjore district; and

(e) if the map is not available whether the Government will be pleased to state if any urgent special steps have been taken to prepare such a map for all non-deltaic Kallar and Muhammadan villages of Tanjore district?

A.—(a) Yes.

(b) The Government do not consider that the use which will be made of the information called for will be commensurate with the labour involved in collecting it.

(c) A report on the work of the Pumping and Boring department, in the Tanjore district, has been called for from the Director of Industries. As regards free demonstrations the attention of the hon. Member is invited to the answer given to his question No. 1645. No sub-soil survey has been undertaken in the Tanjore district.

(d) The Government have no papers or orders to place on the table nor has a map been prepared giving the information wanted by the hon. Member.

(e) No.

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Medical*Resolutions passed by the Conference of the Independent Medical Practitioners of this Presidency.*

* 1771 Q.—**Mr. A. B. SHETTY**: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have received the proceedings of the Conference of the Independent Medical Practitioners of this Presidency held last December in Madras; and

(b) whether the Government in view of the resolutions passed at the conference propose to appoint any committee for the purpose mentioned in the resolution?

A.—(a) Yes.

(b) No.

Mr. A. B. SHETTY:—"With reference to clause (b), may I know whether the Government themselves will consider the resolutions?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If the hon. Member will tell us which resolution he wants to be particularly considered, the Government will consider it."

Municipal Councils*Location of the Muhammadan Middle School at Cuddapah.*

* 1772 Q.—**K. ABDUL HYE SAHIB Bahadur**: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Municipal Council of Cuddapah have shifted the Muhammadan Middle School from its present building to an unhealthy locality, and whether the Muhammadans have protested against this; and

(b) what are the reasons for shifting the school from its present building and what steps the Government propose to take in view of the fact that this change of locality has failed to meet with the public approval?

A.—(a) & (b) The Government have no official information on the subject. They have however received a copy of a resolution passed at a meeting of the Muhammadan residents of Cuddapah on the 5th February, protesting against the proposed transfer of the Municipal Muhammadan Middle school from its present location to a bye-lane. The matter is being enquired into.

Religious and Charitable Endowments*Performance of Puja in the Hindu temple within Vellore Fort.*

* 1773 Q.—**Mr. M. A. MANIKKAVELU NAYAKAR**: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether within the precincts of the Vellore Fort there is an ancient and finely built Hindu temple;

[17th March 1928]

(b) whether puja which was being performed for a long time has been stopped, and if so, when and why;

(c) whether mahazars from the Hindus of Vellore were received by Government for the handing over of the temple to them for performing puja and other festivals;

(d) if so, how they were disposed of, and if the disposal was not in their favour, for what reasons; and

(e) whether the Government will now hand over the temple to Hindus for performing puja on condition that Adi-Dravidas should have right of entry to the temple?

A.—(a) There is a temple within the Fort believed to have been built in the 13th Century A.D. and said to be of excellent military architecture.

(b) From the Manual of North Arcot district, it appears that worship in the temple was stopped and re-introduced several times in the past. The Government have no information whether worship is now being conducted or not in the temple.

(c) & (d) No mahazar was received.

(e) A report has been called for from the Hindu Religious Endowments Board.

[Note:—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

ELECTION TO THE FINANCE AND THE PUBLIC ACCOUNTS COMMITTEES.

*The hon. the PRESIDENT:—“I have to announce that, as a result of the elections held yesterday, the following Members have been declared elected to the Public Accounts Committee and the Finance Committee:—

1. Public Accounts Committee.

1. Khadir Moideen Sahib Bahadur.
2. Mr. Chavadi K. Subrahmanya Pillai.
3. Mr. D. Narayana Raju.
4. Mr. V. I. Muniswami Pillai.

5. Mr. Sami Venkatachalam Chetti.
6. Srinan Biswanath Das Mahasayo.
7. Mr. O. Gopala Menon.

2. Finance Committee.

1. T. M. Moidoo Sahib Bahadur.
2. Rajkumar S. N. Dorai Raja.
3. Mr. K. B. Venkatarama Ayyar.

4. Mr. Basheer Ahmad Sayeed.
5. Mr. K. R. Karant.
6. Mr. K. V. R. Swami.

III

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND VII—IRRIGATION—PUBLIC WORKS OFFICERS AND ELECTRICITY.

*The hon. Sir NORMAN MARJORIBANKS.—“Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

‘that Government be granted a sum not exceeding Rs. 285.17 lakhs under Irrigation—Public Works Officers and Electricity.’

“Sir, I have been requested by the other side to ask your permission to take up item No. 419 first, because a larger number of Members are interested in that item and wish to speak on it.”

[17th March 1928]

*The hon. the PRESIDENT:—“I wish to ascertain whether the House will take up item 419, Mr. Saldanha's motion, as the first item and then proceed with the other items in the agenda as they are. (After a pause.) Since no Member has raised any objection, it will be taken up first.”

*Mr. J. A. SALDANHA:—“Mr. President, Sir, I beg to move

‘for the reduction of the allotment of Rs. 235.17 lakhs for irrigation, etc., by Rs. 100.’

“I want to criticise the extravagance in the expenditure and the partiality shown to British machinery and plant at heavy loss to the Indian tax-prayer and to press for the election of a Council Committee to enquire into and report on the alleged extravagances and irregularities and waste, and make suggestions for modifying the scheme and carrying out the scheme in the most economical way and to the best advantage of the public.

“Sir, of all the items of expenditure in the budget estimates, the costliest is the one in connexion with the Mettur Project. As pointed out by the Finance Member in his very lucid speech in connexion with the Budget, ‘the most important object of capital expenditure at present is, of course, the Cauvery-Mettur Project now estimated to cost Rs. 717 lakhs (i.e., 7 crores and 17 lakhs). As I informed the Council last year, under a special arrangement with the Government of India we pay simple interest on our borrowings, etc.’ I have got here five volumes of the papers connected with the Cauvery Reservoir Project, published in the year 1925. The estimates then formed of the expenditure on the project amounted to five crore and odd. For want of time I am not able to quote the exact figure, but what I want to remark is that gradually the estimates increased to six crores and odd in 1927. The shifting of the site of the dam has cost several lakhs of rupees, and there have been other reasons which have contributed to the jump in the estimates. A jump of ten lakhs is considered a very small thing by the framers of this enormous project. Now the estimate of five crores and odd has this year jumped to seven crores and odd. We are thankful to the *Madras Mail* for drawing our attention to the enormous and excessive expenditure in this project. It must be pointed out that the ease with which the estimates have leaped from five to seven crores is something which must arrest public attention. What surprises one is that the public have taken so little interest in this enormous expenditure. The *Madras Mail* went so far as to say that this project will not be remunerative but will only be a protective work. Now, I ask, Sir, for whose protection? Is it for the protection of the famine-stricken districts of Coimbatore and Salem? Not a drop of water of this project will go to those districts. The benefit will be derived by a small tract in the Tanjore district, the most prosperous district in the Presidency. This district has never suffered from the throes of a famine. It is a fertile tract and it is proposed to benefit a small portion of that district. Now, on the basis of five crores expenditure it was shown that if a certain rate was fixed on all the lands irrigated by this water, there would be a sufficient return on the outlay. But the question is whether having regard to the fact that the estimates have risen from five to seven crores, it will be remunerative at all. And who knows how many items have been miscalculated or underestimated or even omitted? As a matter of fact, we find now that several items are underestimated; some items might be omitted altogether which are unforeseen. In this connexion I shall read

[Mr. J. A. Saldanha]

[17th March 1928]

to the House two paragraphs from the Budget Memorandum for 1928-29, at page 95.

"During the year it has become obvious that there will be an excess of perhaps one crore in cost of head works. The dam will have additional height in consequence of the storage permitted by the Mysore agreement; the foundations will go an additional depth, as sound rock in some places is lower than anticipated; the 1924 floods require additional surplus facilities; the extra cost under this head may amount to 40 lakhs in all.

"The subsidiary services were omitted or underestimated in the case of communications, e.g., the Salem broad gauge connexion is a new item, drainage was entirely omitted, housing inadequate in quantity; and in the case of the coolie camp inadequate in quality, water-works for dam construction were omitted and the sanitation and medical resources were insufficient. Under all these heads there may be an excess of 50 lakhs'.

11-15
a.m.

"Sir, these 50 lakhs and 40 lakhs are spoken of as if they are little items of few rupees, annas and pias. But, I may sound a note of warning in this House that if Government estimates are prepared in this manner—and it is very likely that these estimates will one day rise to 10 crores—we cannot say to what state our finances will be reduced. If you do not get sufficient interest to cover this enormous outlay, we shall have another Back Bay muddle and a scandal. We know the financial straits the Bombay Government has been brought to and how a rich province like our sister Presidency is now suffering as a result of the wasteful and extravagant expenditure, if not fraudulent expenditure on the Back Bay project. The result is that in Bombay money cannot be found for even the most obvious necessities of nation-building items and they have now to reduce the expenditure at every step, so that it will take years before the finances of the Bombay Government are brought to a sound equilibrium. Are we not going to face in this Presidency another Back Bay scandal in connexion with the Mettur project? It is therefore of the highest importance that such a catastrophe should be avoided. I do not wish to dwell much upon the various items of expenditure. In fact we have got few details. On more than one occasion I asked the late hon. Law Member to place before us the details because these old estimates contained in these five volumes have to be discarded altogether and new estimates have to be framed. We are absolutely in the dark and I therefore press the hon. Member to take us into his confidence and to place before us these revised estimates. But this request has been persistently rejected and we are absolutely in the dark as to the details and even in regard to the main details of this extra expenditure of more than 2 crores that will be involved. I understand that the estimates have not yet been sanctioned by the Secretary of State. What I wish to press is that this House should be taken into confidence by Government, that the revised estimates should be placed before this House, that a Committee of this Council should be appointed to go carefully into all these items after visiting the Mettur works and then to go into all the details of the expenditure. After this committee has carefully studied the revised estimates they should be discussed by this committee at a meeting at which the hon. the Finance Member as well as the member in charge of this subject should be present, and if necessary they might scrap some of the items of expenditure and also see if other items also exist or may occur which have not been foreseen, and ought to be anticipated. For instance, we have got the Geological department of the Government of India on which Government have spent lakhs of rupees annually. If this Geological department

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had been consulted in the very beginning that could surely have satisfied the Government as to where the embankment should have to be built up. Instead of that Government sent its own Engineers who knew nothing about the geology of the place with the result that they pitched upon a site which afterwards the Geological department found to be altogether unsuitable after Government had spent some 20 lakhs over the original site. Then they had to change the site and selected another place. Even in that new site you will find that the depth was originally misjudged. Why were not proper diggings made and the various levels of bed-rock found at the very outset? That ought to have been done long ago and not at this stage. This sort of miscalculation is unpardonable in a department which lavishes money on a vast establishment of trained men. If the Government of Madras has not got the men qualified for this purpose, they ought to get men from outside or they could have consulted the Geological department from the very beginning and found out at what depth the safe bed-rock could be found. This is not the only instance of miscalculation. If I may make mention, there is, for instance, the Tuticorin Harbour works. From 40 lakhs they jumped to 60 lakhs. I brought an adjournment motion on account of the 60 lakhs. Now quietly we have got a press communiqué from which it will be seen that it has come up to 1 crore and 60 lakhs. So is the case with the other projects. I do not now wish to attribute fraud and dishonesty because I have not got grounds for that. But I may rightly charge the authorities concerned with gross negligence bordering on fraud and dishonesty. If a man is engaged in framing the estimates in a few months, there will be leaps from crores to crores if in three years they have jumped from 5 to 7 crores. How long shall we go on like this and how long the Government should go on deluding us with these wrong estimates which will bring us to the brink of the precipice of insolvency and bankruptcy of the Government. Thereafter when they want money they will have recourse to extra taxation. We are already overburdened with heavy taxation, especially this Presidency more than all other provinces and we have been crying hoarse over this overburdening of taxation. Are we to be faced with another scandal like that of Bombay or a scandal worse than that? Sir, I can only press upon the Government to take us into their confidence and place before us the revised estimates and to see that every one of the Members is furnished with copies of the revised estimates and to appoint a committee of 12, the members of which may be suggested by the leaders of different parties. This committee should be able to go to Mettur, examine the works in the light of the printed estimates, and we want explanatory notes, because we are all laymen in this matter, and those explanatory notes should be placed in our hands so that we shall have time to study them in the light of our inspection of the place. After that a meeting should be called for discussing the several items, I hope, before the estimates are sent to the Secretary of State. With these words, Sir, I hope the Government will take up the suggestion of mine with the consent of this House."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, last year at the budget time I had the honour to move a motion for a out of Rs. 100 on this very same question. We are now at the end of another year and we find more and more of bungling in regard to this Mettur Project affair. As a matter of fact in this Presidency there are districts which have no irrigation facilities as compared with Tanjore. Tanjore can claim irrigation for about 66 per cent of its cultivated area; next comes East and West Godavari which

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may be taken together and which have an irrigated 50 per cent of cultivated area; Kistna can claim only 30 per cent; Kurnool can claim only 5 per cent. Under these circumstances any wise Government should have carefully thought before it launched upon a project of this nature.

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"To say that the idea of this project has been in existence for over a century is not to adduce the proper reason as against the argument that we are making in this House. Apart from that consideration, Sir, what has happened with regard to this project itself? Three years have passed. Preliminary expenses have been incurred and expenses have also been incurred on establishment—expenditure of a very heavy nature. What is the result to-day? The resultant factor of these three years of work is almost a deadlock for some time to come. First, there was an error with regard to the site. Next, there was an error with regard to materials. Surki mortar was first of all contemplated. Estimates were prepared on the basis of the use of surki mortar. Later on, experts who have always existed there and whom Government could always consult come into the field and then the estimates jump up by crores. And now there is a fresh discovery. The Finance Department, or the Accountant-General, I do not know which, has just now discovered that after all many things which ought to have been estimated for were not included. A great deal of expenditure, intentionally or unintentionally, consciously or unconsciously, was suppressed and therefore the rate-payers are now called upon to contemplate an expenditure of above seven crores, while the original estimate was five crores. But, does it stop there? Are we going to stop there and is that to be the end? No. It does not end there. The reports that have been circulated to this House are not certain whether there would not be a little more of rise in expenditure on this Mettur project.

"Now, Sir, the Law Member on the floor of this House told us during the last budget that manual labour would be employed to the largest possible extent. But, if you look at the report, you will find that manual labour has been very greatly supplanted by machine labour even for purposes of earth work. I do not want to enter into any great details and trouble the House, because the details have been there before the House. If you look at the Appendix to the Financial Committee's Reports, you will find a tabulated form wherein you will find works and the amount of money spent on works all these years. That amount comes to a very little percentage of the whole amount that has been spent on the undertaking. After three years, if this is the state of affairs, and if we have to wait for the introduction of machinery till about the end of 1929,—that is what is in the reports, I believe, that is what is hoped for, not even certainly expected,—if we have to wait for machinery till about 1929, when are we to see the end of the undertaking and when does the Government propose to get into other undertakings which are more emergent, which are crying for help for a number of years and which find absolutely no place in the budget of this year? For instance, Sir, the Tungabhadra Project, of which a great deal was made by the ex-Law Member who was so sympathetic towards the Ceded Districts in his speeches, does not find a place, nor is there one anna of provision in this year's budget, so far as I can see. Probably, there is some hidden provision of some hundreds or a few thousands of rupees. The Finance Member will be able to explain to us what hidden provisions have been made for purposes of investigation. What is the amount of money that has been wasted upon the

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project at Mettur during the stage of investigation? Has investigation with regard to the Mettur project ended now or has it not? It does not appear as if the investigation has ended, because to-day they have discovered certain things which were not discovered sometime ago. Is there any guarantee that there are no other things which would be discovered in any future year for which estimates have not been made and provision has not been made? I do not exactly see where this project is going to land us. It may land us, as some members were afraid, in a muddle like the Backbay Muddle in Bombay. I probably do not mind a little waste because we are wasting a great deal of money under the present system of Government in so many ways. I do not mind a little waste of money if we can be assured that that would not have a deleterious effect upon the future programme of the country. All the experts put together, working all these years, have bungled in such a serious manner in the matter of the Mettur project that if this project failed to satisfy the experts, there will be serious results. There are those experts who rule finances and experts who rule the destinies of machinery. Those experts who rule finances who would merely say: 'Look here, there was the Mettur project, which we did our best to bring to a success but which has failed. Therefore, we must proceed with care. It may take a little more time, may be 20 or 25 or 50 years, to investigate into other matters like the Tungabhadra project or the Kistna project. We have to go slowly. We cannot go too quickly or too fast.' All these sorts of things, the finance experts may possibly adduce against further programmes. That is what we are most concerned about in this matter. It is a wastage not only for the present, but it is a wastage for the future of this Presidency. Therefore, Sir, this motion has been made asking for the appointment of a proper committee to go into the matter and watch the expenditure on this Mettur project.

"In the budget last year, Sir, I referred to this very idea of a committee. Then we were promised so many things: we were promised so much of information instalment by instalment. But we are to-day in a very much worse plight. I therefore hope and believe that the Government which must have all this time realized that if they trust merely to experts, be they experts of finance or be they experts relating to machinery, they would be landed nowhere. They would be well-advised to take the suggestion of men who can give them with some commonsense. Experts, no doubt, are required but expert advice ought to be managed by commonsense and commonsense is the more important material, when you are doing the work of a whole country, and even in works of a technical nature, commonsense is a necessary complement to expert advice. If the Government declines to concede that much of place to commonsense, I am afraid they would have become the thorough faddists for which they have already established a reputation."

* Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I oppose this motion. I listened very carefully to the speech of my hon. Friend, Mr. Harisarvottama Rao. He seems to think that the Tanjore district is swallowing up a great deal of the money available for irrigation. Sir, I have with admiring eyes gazed on the Godavari and the Kistna deltaic systems. When I beheld them, I could not help saying to myself that Sir Cotton who, with his Tanjore experience, wanted to make those districts as fertile as Tanjore had succeeded in actually making them far more fertile than Tanjore. I do not, however much I may envy them, grudge my friends of the Telugu districts those irrigation works which they may rightly boast of and other irrigation

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works which they have every right to see realized. If the Tungabhadra scheme has not been taken up, if there has been long delay, I certainly sympathize with them in condemning that delay on the part of the Government and in passing severe criticism with regard to the dilatory proceedings of the Irrigation Department and the Government with regard to a scheme so very necessary for the material prosperity of the large number of people of those places. While, therefore, I sympathize with them, at the same time, might I request them to take some pity on us, the ryots and landholders of the Tanjore district for the simple reason, in the first place that lands in the Tanjore district are fast deteriorating? I challenge not only experts on agriculture but also the officials in charge of agriculture in the district to deny my statement. Not only is there deterioration, but also the ryots have to pay such high revenues. If my friends in this Council would consider this, especially the question of the revenue collected from the landholders of the Tanjore district, they would, I think, think twice before they attempt to scrap a scheme of this nature. Tanjore, Sir, yields the largest revenue proportionately to other districts.

"Sir, my friends referred to this scheme as something which was prepared long ago, but that antiquity gives no prescriptive right for any scheme to be introduced. May I, therefore, in all humility, submit for the consideration of my friends that this scheme prepared by Colonel Smarts was long overdue, and that there is nothing very extraordinary about it; all the ryots and landholders of the Tanjore district, all men of commonsense men who are certainly capable of making very good suggestions in such matters and of using their common sense, according to the advice given by my hon. Friend, I say, Sir, that all of them will be satisfied if they have or if they are assured a regular supply of the normal quantity of water required for irrigation in the Tanjore district. We ask for no more than that this project will give us this assurance, that it will ensure a regular and unfailing supply of water for our lands. We do not want more or anything in the shape of a luxury or superfluity. If more lands are irrigated, if more lands are brought under wet cultivation, revenues would certainly increase and members whose duty it is to consult the greatest good of the largest number will certainly take pity on the people of the Tanjore district and not deprive them of the beneficial results which are expected to flow from the materialization of this Mettur Scheme.

"Sir, my friends have pointed out that several mistakes were made by the department. I am not an apologist of the Irrigation or the Engineering Department. There are experts and experts. Their estimates and calculations are sometimes at fault. They make mistakes. Mistakes are often made, have been made and, I fear, will be made in future also. Because mistakes are made and there has been waste of money here and there,—I myself have sometimes pointed out how there has been such a waste of money—it does not follow that the scheme should be scrapped or abandoned.

"Sir, I may also point out for the information of my friends who oppose this scheme that there is every possibility, provided the Government is prudent and cautious, of recouping a great deal of the money invested in this enterprise. Sir, in the Punjab, I think 35 per cent of the expenditure incurred by Government in meeting the cost of the land purchased for irrigation schemes was realized.

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"I think if only the Government would sell their lands not now when people have not yet realized the full consequences resulting from the conversion of these lands into wet lands, but a short time before preparations have been completed for opening the work or when the time is ripe for the introduction of the scheme, I am sure they would realize not only 35 per cent, but at least 40 per cent of the expenditure involved in paying the cost of the lands. There is also another source of revenue, Sir, which the Government may rightly tap and that is the revenue from fisheries. There are about 1,000 tanks at least in Pattukkottai which may be made to yield some revenue, in return for the benefit they get of a supply from the Mettur channel. There are also a large number of tanks in the Tanjore taluk; the revenue collected by or resulting from the activities of the Fisheries department in regard to those tanks will certainly go a great way to cover up a certain percentage of the expenditure incurred. Then, Sir, there is the question of the enhanced rates. If these steps are taken by the Government, I think there will hardly be any necessity for fixing so high these enhanced rates. They might even have to be cut down. Therefore, considering the fact that this is an experiment, a remedy which is vital to a district which has hitherto been considered to be the granary of South India, a district where with the aid of this scheme lands will become twice or three times as fertile as they are now, lands which are only to be properly irrigated to yield a large return not only to the people who toil and labour there but also to the Government who are very clever in exploiting their resources, considering all these facts, I think my friends will do well, however much they may criticise the scheme, never to oppose it, nor delay its execution by recommending the appointment of a committee."

* Mr. K. KOTI REDDI :—"Mr. President, Sir, I do not suppose it is the object of the mover or those who supported this motion to condemn the scheme altogether as unproductive or unremunerative, although a word or two here and there from the mover of the motion, the hon. Member from South Kanara, might have suggested that the scheme might prove another Backbay scheme and that he was not in favour of the scheme as being altogether productive. Sir, I have been expressing my opinion very often on this matter, that, in order to consider whether a scheme of irrigation is really productive or unproductive, the standards that have been set to us by the Government are altogether false. Instead of taking into account merely the revenue that the Government will derive from the irrigation scheme now being done, the real test to see whether a scheme is really remunerative or not from the point of view of the country should be to find out whether the value of the increased produce due to the irrigation scheme is likely to be not equal at least to the amount that may be necessary to meet the working expenses and the interest on the capital. This standard is really different from the standard now set by the Government, viz., the actual revenue that the Government may derive on the scheme. The principle that I have been seeking to set before this House and the Government is really the proper test to find out whether a scheme is remunerative or not. To express in terms of figures, if the produce that is now got in the Tanjore district for which the Mettur scheme is now intended under the present circumstances is only worth Rs. 10 crores, and if by bringing into existence the Mettur scheme the value of the produce in the Tanjore district is likely to be Rs. 12 crores, then there is a decided balance in favour of the country by means of

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this scheme, to the extent of Rs. 2 crores. If the working expenses and the interest on the capital necessary to bring into existence this scheme is less than Rs. 2 crores, then I maintain that the scheme is not unremunerative at all even if the revenue derived by the Government is less than two crores. Having that standard in view, viz., the real gain to the country as a whole, I believe that almost all the schemes that are now condemned by the Government as unproductive and unremunerative from their point of view, would not be so from the point of view of the country. No doubt, there are difficulties from the point of view of Government, but the country as a whole will not lose if my test is applied. The problem as to how to realize the money from the people that are particularly to be benefited is more a problem of taxation and has nothing to do with the question whether the scheme is remunerative or not. That is why I say that in considering the Mettur scheme, I have not the slightest doubt that the scheme will prove productive and remunerative from my point of view. I am in favour of a scheme like that; but that is quite different from condemning the scheme from other points of view. On more than one occasion in this House the representations of a number of representatives from the various districts which really have a better claim to the water of the Cauvery than the Tanjore district, have been disregarded by the Government. Districts like Trichinopoly, Coimbatore and Salem which are now practically dry, for them the use of the Cauvery water would be more beneficial than for the Tanjore district. Their claims seem to be quite justifiable, but the Government have disregarded them. Again, Sir, from the point of view of the ryots of the poorer districts like the Ceded districts who have been crying for big schemes like the Tungabhadra and the Kistna schemes, they have suspicion that if once a big scheme like the Mettur scheme is taken up earlier, then their own schemes will be held up, if the loan of money that can be got from the Government of India be utilized for other schemes and that afterwards the Government will come and say: 'Your scheme is quite alright, but where is the money available. The money that we can get from the Government of India has already been spent on the other schemes.' That consideration also does not seem to have been given enough attention by the Government. Thirdly, Sir, the way in which the estimates have been prepared; and the increases in them due to various considerations have all been brought to the attention of the Government, and I believe the Government will take care to see that proper estimates are prepared and to see also at the same time that unnecessary wasteful expenditure is not incurred in this connexion. It is my strong conviction, Sir, that a scheme like this, whatever its present effects on the finances of the country may be, will ultimately prove remunerative from the point of view of the people of the country, and as such, it has my strong sympathy. So, it is not the intention, I believe, of the Members of this House to give up this scheme altogether, as I strongly hold that it will certainly prove remunerative in the long run. If it does not prove remunerative, from the point of view of the Government, if it is not possible to realize, to begin with, enough revenue to meet the interest on the capital charges and working expenses, I am sure the scheme will prove remunerative later on by the increased production that is certain to accrue from a scheme like that. If I have succeeded in my attempt to convince the Government of the test that I have placed before them to know whether a scheme is remunerative or not, then there is really a chance for districts like the Ceded districts to get some such schemes of irrigation. I hope that this House will express its consent to this scheme, and at the same time, if need

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be, condemn it from other aspects of view by which it is not really meant that the scheme should be given up but only modified."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Mr. President, Sir, since the time when the Mettur project was sanctioned, several things have happened which tend to throw a doubt as to what this scheme is ultimately going to be. Whether it is in fact going to be a productive scheme is, I think, a matter of doubt. There are several aspects of the matter which I should like to refer to. Firstly, the question of the distribution of ayacut under the scheme is a matter that has come in for a good deal of criticism in this House. The question, for instance, whether the whole of the water that is impounded in the Mettur reservoir should be taken to Tanjore and set apart entirely for irrigation in the Tanjore district is a matter that requires very careful consideration."

* The hon. the PRESIDENT :—"If the hon. Member has no objection, he may come to one of the Opposition Benches and address the House, using the microphone."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Temporarily, Sir. (Laughter.)"

"The Committee that was originally appointed is supposed to have gone into the question of the best distribution of the new ayacut. But for reasons, some of which have been explained and some not, whatever the conclusions of this Committee might have been, the Government have decided now that the whole of the new irrigation should be in the Tanjore district. I think, Sir, that if this Committee did come to that conclusion or whatever might have been the reasons that might have led the Government to decide finally that the whole of the new irrigation should be in Tanjore, this House, I believe, would never accept this decision. The claims of districts like Salem and Trichinopoly, not to speak of Coimbatore, have often been pressed in this House, and the hon. Member in charge of Irrigation has told us that experts are against a redistribution of the ayacut, contrary to ideal distribution. Take, for instance, Sir, the case of the Salem district which is a district badly provided with irrigation sources. Famines have been frequent there, and while Government have very often been trying to find new sources of irrigation, they have so far failed in their search; for the obvious reason that the existing irrigation sources in the district have all been practically utilized and the only source the Government can turn to if they are really anxious to find out a new irrigation source to Salem must be the Cauvery river. And if, therefore, the Government are going to come to a final decision that not a drop of Cauvery water more than is at present utilized in that district is to be given from the new Mettur reservoir, it is a matter of the most serious moment to that district."

"For this reason particularly that in a district which is liable to frequent visitations of famine there is a necessity for new irrigation schemes, it is very regrettable that Government should come to the decision that not a drop of Cauvery water from the present Mettur project is to be utilized in these districts. Well, this House may admit that the Government should look to the revenue side; but I submit there is a higher aspect than the revenue side, namely, the humanitarian side. (Hear, hear.) That is, apart from the question of revenue, Government is bound to build irrigation works for the district of Salem to prevent the recurrence of famines from which it has been suffering so that the inhabitants of that district may have a share of the general prosperity."

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"The case of Trichinopoly is not so bad, but still next to Salem this district must receive consideration. I shall for the present moment not refer to Coimbatore which is likely to receive development of large schemes of irrigation from other sources. For instance, we have the Bhavani from which it is possible to develop new irrigation. So that if the Government decides not to give a single drop of water from the Mettur project, this district will have scope for development of irrigation from these other sources. It follows therefore if you look at this question of the ayaout distribution from the Mettur project from the standpoint of the requirements of the districts, surely the districts of Salem and Trichinopoly must be given the first preference.

"With reference to the question of opening new canals for the districts of Salem and Trichinopoly we have been told in this House that Government experts have given their opinion that the cost of the alignment of these canals will be altogether so excessive that Government could not consider that scheme. With reference to that hon. Members representing that district have often said that they are prepared to pay much higher rates of revenue as compared with those proposed for the Mettur project. As for the question of levels there is no difficulty (hear, hear) in the districts of Salem and Coimbatore. The earliest proposal for the utilization of the Cauvery water was from an anicut at Nerinjipet for irrigation in the Salem district. The next scheme was for a reservoir at Nerinjipet. Thus in both cases the idea was for irrigation within this district. And the idea of irrigation for the Tanjore district came up at a later date.

"With reference to the possibilities of revenue development there is one aspect of the matter I should like to deal with. The proposals for second crop in the Tanjore district were prepared by Mr. Wallace, who is now one of the Justices of the High Court of Madras, when he was put on special duty by the Government of Madras. His estimate is now many years old. I believe if the matter is enquired into carefully at present, Government will come to a very different conclusion. His estimates are illogical and inconsistent. I think the percentage of second-crop lands in the Tanjore taluk is 45 per cent, in the Kumbakonam taluk it is 38 per cent, in the Nannilam taluk it is 25 per cent, in the Mannargudi taluk it is a little less and none in the other taluks. I do not know on what basis Mr. Wallace drew up his estimates. When such is the case I would be loath to accept it. It is primarily a question of supply of water available. I note also that Mr. Wallace has gone into the question of manure. He lays special emphasis on the difficulty of obtaining manure in this district. But it passes my comprehension how this difficulty can be overcome in some taluks and not in others. It is obvious that for second crop there is no outlay on works. So that if for instance a proposition is put forward that if Government instead of utilizing money to bring under cultivation new first-crop lands they were in for a proportionate area of second-crop lands where single crop is already raised it follows that extra revenue will be got with a smaller outlay. I say by all means reduce first-crop lands but increase second-crop which means larger revenue to the Government; and if therefore Government spent any sum on new canals in Salem and Trichinopoly it will be compensated by the receipt of larger revenue in second crop in Tanjore.

"There is one other point I would mention before I close; and that is about the recent decision for the use of cement. We have had a good deal of discussion about this. The hon. Member in charge of Irrigation at one of

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the previous meetings of this Council promised to place the whole matter before the experts of the Government of India. I believe it was done but as far as I am aware the question whether cement ought to be used in preference to lime was never placed before these experts. I challenge the hon. Member in charge of irrigation to contradict my statement. I once more say that so far as I am aware the question referred to the experts never included the fundamental question whether cement should be used in preference to lime, but the question referred was whether a cement dam could be built. (Hear, hear.) Sir, our whole experience in this country has been that lime is a satisfactory material for the construction of dam. We have had in this country construction of dams previously, dams much higher than the Mettur dam, and they are still standing and not one of them has failed. (Hear, hear.) When I looked into the notes of these experts some of them have been almost apologetic, and some seem to plead that instead of cement lime is a more satisfactory material.

"Then, Sir, about the reasons that have been put forward on behalf of the use of cement. It has been stated that if cement is used the period of construction would be shortened and that the shorter the period of construction the sooner the realization of revenue from the land. The Government experts first of all expected an increase of 3½ crores in revenue; this came down subsequently to 2 crores and the final estimate is about 1½ crores. I don't know whether the revenue experts have given their opinion; and when they come to bestow thought upon it the anticipated increase will dwindle to nothing.

"With reference to the question of cement there are many aspects that require consideration. It is said that by the use of cement the construction of the project will be accelerated. If the acceleration of the construction falls to the ground, as it must, the Government cannot get any extra benefit from the use of cement; but the cost of the project will go up possibly by about 2 crores of rupees. But if there is no corresponding increase in revenue the case of cement fails. About the acceleration of the completion of the scheme I believe experts have not admitted the possibility of acceleration. They doubted the working programme, the number of working days, the daily hours of work and the estimates based on these. They have said that they felt that the data on which the proposed acceleration of the scheme was based are wrong. They also criticized the provision for machinery. On the floor of this House, Sir, the question of the use of machinery has been discussed. And from my own personal experience I can say that so far as the use of excavating machinery in this country is concerned we have a sorry tale to tell. (Hear, hear.) It has been in all cases not possible to carry out work at competitive rate with manual labour. Our estimates for earthworks and excavation have always been higher in the case of imported machinery than in the case of manual labour.

"If in addition to this we include depreciation charges and things like that we will see that in a country like ours where manual labour is available cheaply the use of machinery is premature. Machinery has been successful in other countries where manual labour is very costly. Speaking from personal experience I should say that in every case where excavating machinery has been used the cost has been much larger than the cost with manual labour. Then, Sir, if in addition to the estimated provision a large addition is made, as I believe it has been recommended by the experts, the

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estimates will be considerably increased and I do not know what the ultimate cost will be. It is for that reason I say that when the final estimates come to be made up for the use of cement and machinery the scheme might be found not to satisfy the requirements of a remunerative project. All these points require very careful examination and I hope that the hon. Member in charge will recognize that it is not even at the present day too late to go into the whole question again so that the State may not embark on a project of so large a magnitude and so costly, which at the present moment seems to run the risk of involving the State in annual recurring losses. These matters require very careful consideration and I hope the hon. Member in charge will, in any manner he likes, cause such examination of the matter to be made as will safeguard the higher interests of the State." (Applause.)

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, I am glad that my hon. Friend from South Kanara has given me an opportunity of expressing my views on this matter. This has been before the House a number of times and the last occasion when this came up here was when the question of cement versus lime was discussed on an adjournment motion brought forward by my hon. Friend, Mr. Venkataramana Ayyangar. It was pointed out then that the use of cement would make the dam stronger and would speed up the construction by two years. I then asked whether lime or cement was used in other dams in India and whether the samples of lime and the materials from which lime was manufactured were sent to the experts for chemical examination, and I was told that the lime which could be manufactured from the materials available near the dam in this province would not be suitable for the construction of the dam."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Who gave the reply ? "

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member in charge of the department.

" Now the hon. Member, Mr. Arogyaswami Mudaliyar, says that this point was not submitted for examination. That is a matter on which I can say nothing.

" There are one or two matters mentioned by my hon. Friend, Mr. Arogyaswami Mudaliyar, with which I am unable to agree. He said that instead of extending double crop cultivation in all the taluks which are now irrigated why extend wet cultivation in non-deltaic parts. My hon. Friend said that if it was possible to cultivate 45 per cent of wet land with double crop in Tanjore taluk it ought to be possible to cultivate 45 per cent in Shiyali taluk also and the question of double crop depends only on the availability of water. But what about the availability of labour, the fertility of the soil ? If the soil in Tanjore taluk can stand a double crop, the soil in the Mayavaram taluk may stand double crop. It also depends on the availability of manure. There may be more waste lands from which green manure can be got and greater number of cattle in Tanjore taluk than in the Mayavaram and Shiyali taluks and therefore there may be more manure available in Tanjore taluk than in the other places. All these things must be taken into consideration in the case of double crops.

" Then he said : ' Why extend wet cultivation in Pattukkottai taluk instead of realizing the same from the Tanjore, Mayavaram, Kumbakonam and Shiyali taluks ? ' But how much of the total cost of the scheme is spent

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on the head works up to the Tanjore limit and how much of it is spent in digging channels to bring it to the Pattukkottai taluk ? If I am convinced that the cost is out of all proportion to the total revenue I shall agree with the view of the hon. Member, Mr. Arogyaswami Mudaliyar. I think that at the most only about 2 crores out of the 7 crores of the total estimate is spent in the channels in the Tanjore district, and for that we are able to irrigate 300,000 acres. It is a very profitable thing to irrigate 300,000 acres at an extra cost of 2 crores.

" My hon. Friend said that the details regarding the levels of the districts of Coimbatore and Trichinopoly which showed that it was not possible to irrigate those districts with this water were wrong. I would be glad to know if really the details placed before this House were wrong. On a previous occasion in the committee appointed by the Government of which my hon. Friend from Coimbatore was a Member . . . (Mr. C. V. Venkataramana Ayyangar : You too were there) came to the conclusion rightly or wrongly . . . "

Mr. C. V. VENKATARAMANA AYYANGAR :—" Did it ever come to that conclusion ? "

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" On a former occasion when this matter was discussed I said that I would be the last person to deny water to Trichinopoly, Salem and Coimbatore if it was possible to take water there. But the opinion of the engineers then was that it was impossible to take the water there owing to the level. Supposing it is possible I am quite willing to admit I am wrong."

Mr. S. SATYAMURTI :—" You are wrong to-day."

* The hon. the PRESIDENT :—" Order, order."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" On a previous occasion it was pointed out in the House that it would be possible to irrigate Coimbatore and Salem districts with an extra cost which would bring the water rate to Rs. 82."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Rs. 27 to 29."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" As regards Trichinopoly there was no definite conclusion arrived at and it was said it was unnecessary to investigate it further. If now after further investigation it is found possible to irrigate those districts, as a representative of the Tanjore district. . . "

Dr. B. S. MALLAYYA :—" Not to-day."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" I would be the last man to deny that.

" The resolution of Mr. Saldanha for the purpose of appointing a committee to go into the whole question and come to a conclusion—personally I should be very much in favour of and I like to support it."

* Mr. T. M. NARAYANASWAMI PILLAI :—" Mr. President, Sir, we are all glad that Diwan Bahadur Arogyaswami Mudaliyar has been released from the silence imposed upon him by the office he held and has been able to place the result of his experience and knowledge of engineering at the

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disposal of the House. (Hear, hear.) I am not going to trouble the House with the question of cement and machinery; but I shall content myself only with referring to the distribution-side of the scheme and the great loss sustained by Trichinopoly on account of the denial of water to that district. Now the distinguished engineer has told us that it is not impossible to give the benefits of the scheme to Trichinopoly. I have taken some pains to go into the history of the scheme and I find that as far back as 1902 the people of Trichinopoly were crying for water under this scheme. Even in 1910 when the scheme was finally investigated, of several alternative schemes the one that would give water to Trichinopoly was preferred. Trichinopoly was always promised the benefits of the scheme. I am at a loss to understand why the opinion of such a distinguished engineer who investigated the scheme has been passed over in favour of a scheme which confines the benefits exclusively to Pattukottai. I have also read the report of Mr. Wallace and I find no arguments therein compelling the restriction of the benefits of the scheme to Pattukottai alone. Taking all the criteria which Mr. Muthiah Mudaliyar has laid down, namely, the fertility of the soil, availability of labour and manure, nearness of markets, certainly the scheme which includes Trichinopoly is preferable. As a matter of fact doubts were entertained in 1924 when this scheme as it is at present—was first laid before this hon. House for approval. The hon. Member in charge then distinctly made a promise that the alignment of the channel would be settled in consultation with the Committee to be appointed by the House. That was, if I remember right, in August 1924. The Committee sat for two years and the claims of Trichinopoly were pressed before the Committee. Early in March 1926, before the dissolution of the last Council the Committee met with the hon. Mr. Campbell, the Member in charge of the subject in the chair and it was decided that at least 50,000 acres should be given to Trichinopoly. Investigation was ordered and investigation was made and no engineering difficulty was found; no revenue difficulty was found. While for the whole scheme extending the benefits to Trichinopoly the rate came to Rs. 15-8-0, for the Pattukottai Scheme alone the rate was Rs. 15. In spite of these favourable circumstances I do not see why the Government have not thought it fit to have an alignment of the canal in such a way as to benefit Trichinopoly. In December 1926, on the report of the Chief Engineer stating that as far as Trichinopoly was concerned there was no engineering difficulty, Government passed an order. The hon. Member from Coimbatore tabled an adjournment motion and I pointed out that at least so far as Trichinopoly was concerned the decision of Government was unsatisfactory. The hon. Member promised to investigate the question with the help of some experts, I believe from Poona. The experts and the investigation are yet to come. I press upon the Government that it is imperative that the investigation of the scheme at least with regard to the distribution side of it should be undertaken at once.

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“The Government will kindly appreciate our difficulties. It is a case of now or never. With regard to Coimbatore it was stated that they might have the benefit of some scheme or other later on. With regard to Salem the hon. Member in charge stated that it was imperative; with regard to Trichinopoly also he said that it was imperative. If we once let slip this opportunity we could never have that opportunity. So it is I request the Government that a proper investigation may be made. With regard to Trichinopoly because there are no engineering difficulties and because the

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revenue forecast is alright I implore the Government to undertake distribution of water and see that the benefits of the scheme are given to Trichinopoly.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“Sir, I shall try to confine myself to a few words, because I wish to give an opportunity to other hon. Members to speak on this point. I appeal to the hon. the Irrigation Member not to commit himself or the Government to any conclusions as arrived at by the Government. Because I know that his personal conclusions will probably be against the scheme from his long experience of the districts. If he sticks to his original idea and to those we may put forth here to-day, and if he agrees to follow them he will be able to arrive at a very satisfactory conclusion. I am also glad that the hon. Member Mr. Arogyaswami Mudaliyar has been able to put forth his views to-day. Those views are not those of to-day but were expressed by him long ago. This scheme was prepared several years ago. So far as the history of the scheme is concerned it is a very old scheme and it had its origin in the year 1884. The idea then was, as was very well stated by Mr. Mudaliyar who is our leader in this matter, to have a number of anicuts across the Cauvery between Cauveripuram, the northern extremity of Coimbatore district and Bhayani 35 miles off. The idea was to irrigate Coimbatore and Salem districts and to give water for second crops in Tanjore district. This idea held good till the end of that century. Then various representations were made. The idea afterwards was to have a dam constructed at Murangapettai 29 miles from Erode. The Engineer then in charge stated that Salem and Coimbatore might be given water for irrigating 50,000 acres of land, and this, Sir, is the land between the river and the mountain ridge on each side. Afterwards in 1905 or 1906 the present scheme was started to have a dam 26 miles from Bhayani which is itself nine miles north of Erode. So far as distribution of water is concerned I do not want to say anything more, except that Mr. Mudaliyar was a little partial against Coimbatore. The hon. Member Mr. Muthiah Mudaliyar stated that the committee agreed to give up the scheme of irrigating Coimbatore and Salem districts. I challenge him to say whether the Committee came to that conclusion. The Committee with the hon. the Irrigation Member, the Secretary of the Department, the Chief Engineer and others came to the conclusion throughout that water to irrigate 50,000 acres should be given to Salem and Coimbatore. The only thing that was stated at that time was that it would be very costly. As was stated by my hon. Friend Mr. Narayanaswami Pillai it was decided that water to irrigate 50,000 acres should be given to Coimbatore and Salem districts and about 100,000 acres to Trichinopoly, and 1½ lakhs of acres to Tanjore which I believe has got 8 lakhs of irrigated area. It was stated then that the whole cost of giving the benefit of the scheme to Coimbatore and Salem and reducing the quantity of water to be given to Tanjore would be only half a rupee more per acre. All the ryots bordering that area said through their representatives and through various mahazars submitted to the Government that they were prepared to pay whatever the cost might be. We were told that we would have to pay Rs. 27 and 29. We took the word of the Government, toured along to villages on the borders of the river, held meetings and sent mahazars with a large number of signatures undertaking to pay increased rates. We were prepared to pay Rs. 27 because we have no water. This particular plot on both sides of the river has no well irrigation either unfortunately, because the soil is rocky down below. Therefore we

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were prepared to pay Rs. 27 and Rs. 29 per acre provided we got water. I appeal to the hon. Member in charge to read a long letter written by me to the hon. the Law Member wherein I have given reasons, economic and otherwise, why preference should be given to Salem and Coimbatore. I do not want to repeat the reasons given in that letter as to why we should have preference. The hon. Member Mr. Arpudaswami Udayar said we were against the scheme. He said that his districts Tanjore and Trichinopoly should be benefited. If it is a provincial and national scheme we do not want that it should be sacrificed on account of the interests of any particular district. In 1924, the Secretary of State insisted on a scheme being prepared and a resolution passed by this House in favour of the scheme. The hon. the Law Member said then that a resolution should be passed. He thought perhaps that we would object to it on some ground or other, or that one district did not get the benefit of the scheme. It was practically agreed then that the ryots whose houses and lands were to be submerged should have first priority. The hon. the Law Member said 'we will appoint a Committee; we will abide by the decision of the Committee'. Under these circumstances we were prepared to agree to this resolution being passed; it was passed unanimously. What was done? Breach of trust again. A Committee was appointed; a number of meetings were held; experts were consulted; we arrived at certain conclusions. All on a sudden we received a Government Order when we got up from our bed one fine morning to the effect that the experts said that it was not only very costly but it was impossible. It was then that I moved an adjournment motion. Another promise came then from the hon. the Law Member representing the Government. He said 'no, no; we are not finally committed to this view.' He had a Government Order to the effect that the Chief Engineers of Bengal and of Bombay will be appointed as members of a Committee to deal with such question and he said he would appoint a Committee on that matter. It is more than a year now and the Government forgot everything about it. The memory of the Government is very easily erased. The Government finally say that they had finally committed themselves to the previous scheme and thus they ignored the claims of the ryots of Trichinopoly and Salem and Coimbatore. They say that they could not give even one drop of water to those districts. The hon. the Law Member said 'we will give you the Upper Bhavani project which will irrigate 200,000 acres of land although the Engineers say that the scheme would be very costly.' Our mouths watered then; but we got no water actually. Hon. Member Mr. Arogyaswami Mudaliyar described the way in which Revenue Officers condemned schemes that had been practically approved by the experts. It was agreed previously that the Upper Bhavani project was feasible and that it could be worked out. Mr. Priestley, I.C.S., was appointed to report on the financial side and said 'all these schemes are wrong from the beginning to the end; opinions of the expert Engineers are wrong and the Revenue experts who said that they would get large revenue are wrong'. The hon. the Law Member said that he would ask Mr. Priestley or some other officer to reconsider the matter. That promise also made on the floor of the House was not kept up. Therefore I would ask the hon. Member in charge now not to make any promise now. The Secretariat is able to do more things than the Legislative Council. That is how the Upper Bhavani project which was to benefit Coimbatore was condemned. All these facts show that we want water, that we want a Committee to see whether the scheme is sound financially and otherwise. Various places for the construction of the dam were fixed; finally

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the experts said that the present site was the safest place. My hon. Friend, Mr. Saldanha, showed me some books to-day. In the course of a previous discussion I pointed out that this very particular place which has been selected now was once chosen and condemned. The present site of the dam is one mile above Mettur. They did not find out the weakness of the old site of the Mettur dam until the heavy floods of 1925 occurred."

* The hon. the PRESIDENT :—"The hon. Member said that he would give time for other hon. Members to speak; I do not fix any time limit; I only remind him of his promise."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"This is a case in which we are very much interested. We have to see whether the scheme is financially and otherwise sound. If the dam is breached at any time, there will be much danger to the villages nearby; it should be guarded against. Where is the guarantee of the Government for that? Their own experience has proved false to them. The previous site was considered to be the safest till the floods of 1925. There may be another flood in 1931. It may show that the present site also is not safe. Therefore it is very desirable that the site itself should be carefully selected with the advice of the experts, if necessary. My hon. Friend, Mr. Koti Reddi, pointed out how we should consider whether one big scheme was productive or not. I agree with him. Such schemes become useful after decades and even a costly scheme will be useful to the country after some years."

"When we were told that by importing machinery the work would be completed earlier, we were satisfied. We are told to-day that it would take two years more to get the machinery. Sometimes the machinery that is got does not work well. I know these facts being interested in some industrial concerns myself as our hopes are not always realized. Therefore a committee consisting of some members of this Council and impartial experts should be appointed. I have no objection to the Chief Engineers of other Provinces being on the committee. Big officials are inclined to think that machinery obtained from their own country and their men are the best under the sun. I am of course against that view. Anyhow we are prepared to have some committee appointed. It would be stated that there would be delay by so doing. We have to wait for two years for getting machinery. Delay is sometimes inevitable. I do not think that the Government will lose anything by taking the commonsense point of view and appoint a committee with one or two experts who will go into this question carefully."

"So far as my district of Coimbatore is concerned, Sir, it has had several troubles. Lands were purchased and leased out on a rental of 4 per cent on the purchase price but now it has been increased from 4 per cent to 6 per cent. The introduction of machinery is to replace labour and labourers driven away from their lands are now to run away from the district itself. The men are driven away in fact from these places, landless and penniless. All these are the benefits of expert opinion. Sir, expert opinions are never to be trusted. The tyranny of expert opinion is really dangerous and full of risk."

* Mr. V. I. MUNISWAMI PILLAI :—"Sir, it was the day before yesterday while the Exoise demand was under discussion, an hon. Member from my group said that drink was a solace to the depressed classes. Sir, I do not agree with his statement, but I may say at once that the Mettur Project which

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has been wisely launched by the Government at a time when the country is faced with famine; it has really afforded a certain amount of solace to the members of the depressed classes. Sir, the Government Administration Report for the year 1926-27 states that emigration to Ceylon and other places from India has increased by 50 per cent. But due to the restriction of rubber production, the outlet has stopped and consequently the labourers are returning to India. A special officer has been appointed to look after their interests. I would appeal to the hon. Member in charge of this portfolio to kindly give facilities for the depressed class members to be employed on this important project. I am not here to discuss the details of the scheme. But I may say that instead of exporting a large amount of machinery from England and other places, wherever possible depressed classes and other labourers may well be used for these purposes as a matter of encouragement.

"Again, Sir, the monopolising of the rank and file of the services in the project has caused a certain amount of discontent amongst our fellow-brethren. For instance, men working as supervisors after having had several years' experience in laying trainlines and such other things, have been sent away from the service without notice from the Cauvery Project headquarters. I would appeal to the hon. Member in charge to see that the interests of the depressed classes are safeguarded in this respect.

"Coming to what fell from my hon. Friend, Mr. Narayanaswami Pillai, I am of opinion that, if a canal is constructed at Kattalai and water distributed to Pattukotta and other adjoining taluka, it will give facility to the depressed classes people who are having small holdings there to get water for their dry lands. It will also afford facilities for people who own a certain amount of holding in that particular district."

* Mr. S. SATYAMURTI:—"Sir, I beg to associate myself, respectfully, with my hon. Friend from Trichinopoly in his well-deserved congratulations to my friend representing the Central Districts, Christian, on the freedom he has acquired to place his well-known experience of irrigation matters at the disposal of this Council, freedom from officialdom, and the use he has made of it this morning. He has given the Government, Sir, with the moderation which is characteristic of him, a scathing indictment of the manner in which the project is carried on. As for the project itself as such, there is nothing in the hon. Member's or any other Member's speech against it. But, undoubtedly, every one in this House has the right to criticise the manner in which the project is being carried on.

"Sir, I have the privilege of representing no district in particular in this House; therefore I can afford to be impartial on this question. Sir, I represent, among others, the districts which are involved in the possibilities of the project, viz., Coimbatore, Salem, Tanjore and Trichinopoly. Therefore I agree with my hon. Friend, the Member for the Central Districts, Christian, in his statement, that the Government in framing a programme of Government irrigation works must not be governed merely by considerations of revenue, but must also take into consideration the humanitarian claims. A Government ought not to exist merely for the purpose of continuing to increase revenue returns. It must provide water for the people who because of want of water are actually starving or are living on starvation limits or are otherwise emigrating from this province to other places and suffering untold miseries in those outlying places to which they go. Sir, the criticism is

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rightly levelled against the Government for the methods they pursue in these matters. There must be a programme for at least 20 or 30 years of major irrigation works in this province to irrigate all parts of the province and secure for them just and equitable treatment at the hands of the Government, according to a time-table. Instead of that, Government only want a section of the people to be benefited while other people are starving without a drop of water. This action of the Government is not likely to command the universal approval of this House or the people of this Province, especially when Government want to invest large capital outlays on these schemes. The real point which my friend made and which has not been so far met, is the mentality of the Government of Madras. My hon. Friend with the responsibility of one who till the other day was a Member of the Government charged the Madras Government with breach of faith. Sir, my hon. Friend, the Law Member, made a speech on the last adjournment motion in the course of which I was led to believe, and many other Members were under that impression, that the experts deputed by the Government of India who looked into the question had advised the Madras Government that cement was superior to lime. But, Sir, my hon. Friend has let the cat out of the bag to-day. My hon. Friend said that he was speaking from memory. I have since verified it by looking into the speech which Sir C. P. Ramaswami Ayyar made on behalf of this Government.

"And then, Sir, he said:

'When this topic was raised on the floor of this House some months ago, I said,—and I am glad to see that the statement has been repeated—that I did not see any reason why the most careful enquiry and investigation should not take place as to the relative merits of cement and lime especially when I realized that many dams had been constructed in this country and elsewhere out of lime, that the question of using cement concrete and its advantages in such construction would be very carefully scrutinized and that a decision could be reached only after the most careful balancing of advantages. Although the actual decision was reached when I was not here, I may say that the decision in which the Government of Madras have participated is a decision which cannot but be regarded as inevitable.'

"After referring to what happened between this Government and the Government of India, he adds—that is the conclusion which the hon. the Law Member then expressed and it bears out what my hon. Friend has just now said:

'All these four Engineers have come to the unanimous conclusion that the modern policy that has been pursued in every country in the world which has been embarking on projects of this magnitude is to use what they call cement concrete instead of any other materials.'

"This is irrelevant.

'That is the recent practice; not only that; there is what may be called the time factor also. It is calculated that four years' saving is effected by the choice of cement concrete as against lime. It is not necessary for me to go into details of this subject. There may be other occasions for that, but we have been advised in short, advised by a body of experts whose competence cannot be gainsaid, that the time factor is undoubtedly in favour of using cement.'

"Therefore on the main question as to whether the Government of India was consulted on the relative advantages of using cement as against lime, my hon. Friend's statement stands uncontradicted. Why then was it supported by this clever speech of the late Law Member, if the Government of India were never consulted? But whether they embarked on the use of cement without their submitting their proposals to the Government of India or not, I do not know what they have done with regard to the specific object of the adjournment motion, as to whether they would have cement manufactured or supplied by Indian firms or whether they are going to have it from outside this country.

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"My hon. Friend made another point, namely, that the use of excavating machinery has always been a mistake, considering the low wages of the labourers of this Province and that that has always been his experience. I think that the Government must therefore have considered whether it was right to import excavating machinery. It was a double wrong to this country in that it means the sending to England of our hard-earned savings and the depriving of unfortunate poor coolies of some small wages which will go a long way to relieve their starvation and poverty. It seems to me to be almost criminal on the part of Government to waste money in this way, when human material is plentifully available and comparatively cheap. If the Government have any commonsense, they will listen to the advice of the hon. Member who has had a long experience in the Engineering department and knows what he is talking about.

"Then, Sir, as to whether this project is going to be a paying concern or not, the less said about it the better. Sir, there is one paragraph in Appendix II of the Budget Memorandum which is condemnatory of any Government, which has any sense of shame about it. But this Government has no sense of shame. 'During the year it has become obvious that there will be an excess of perhaps one crore in the cost of Headworks.' I ask hon. Members whether the Government is justified in keeping a day longer any officer of the department who cannot frame an estimate correctly. 'The dam will have additional height in consequence of the storage permitted by the Mysore Agreement; the foundations will go an additional depth, as sound rock in some places is lower than anticipated; the 1924 floods require additional surplus facilities; the extra cost under this head may amount to 40 lakhs in all. Forty lakhs! a sum we cannot conceive of. Then again: 'The subsidiary services were omitted or underestimated in the case of communications, e.g., the Salem broad-gauge connexion is a new item, drainage was entirely omitted.' What are Engineers for? And the Commissioners and Collectors! What are they paid for?

1 p.m. "Housing is inadequate.' Why? 'Coolie lines are inadequate.' Why? With the water works abandoned, are the people to live on nothing? The sanitary and other minor amenities are insufficient. Under all these heads there is 50 lakhs. Forty plus 50, there is 90 lakhs. These are the experts for whom we are asked to pay year after year.

"Then, Sir, I have only one word to say with regard to my hon. Friend, the Second Minister. Not very long ago on the 2nd November 1927 my hon. Friend replying, before he changed his mind, to the then hon. Law Member said: 'Is he in a position to place before this House the considerations and the arguments both in favour of lime and cement and who were the exponents of lime and cement? Let us see what were the various arguments that were urged by the experts before the Government of India and what were the materials on which they came to the conclusion. It is a question of the relative strength of lime and cement. Were the experts in a position to see the materials before they came to any conclusion and may I ask whether the lime stones and the lime that can be manufactured with lime stones that were available near Mettur were exhibited and sent for the examination of experts?' But if my memory did not fail me I thought my hon. Friend just now said that they had to give the opinion on the lime available in Madras and therefore they came to the conclusion. . . ."

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The hon. Mr. S. MUTHIAH MUDALIYAR:—"In my speech I repeated the very same thing."

MR. S. SATYAMURTI:—"Either my knowledge of English is defective or my friend's powers of expression are defective. I heard my hon. Friend distinctly say that the opinion of the Government of India was based on lime that could be manufactured in or near Mettur and the materials available were such that preference should be given to cement. If he is still of the same opinion I am glad and I hope he will vote with us."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I said, I wanted further investigation in the matter."

MR. S. SATYAMURTI:—"I will come to that presently. There was one scathing criticism of the arguments of the then hon. Law Member in favour of the time factor, that magic phrase, for which he advocated both importation of excavation machinery and also the use of cement. Further my hon. Friend said on that occasion, 'The Law Member has said before that if machinery is used then the time will be diminished by two years.' Then the hon. the Law Member said that if cement is used the time will be reduced by four years. Are we to understand that it will be completed before 1929 and the lands in the Tanjore district will be getting full water in 1929? I cannot put the case higher than that. As regards my hon. Friend's voting it is a matter between him, the Reserved side and the Governor. I want to point out to the House that the motion runs thus: 'For criticizing the extravagance in the expenditure and the partiality shown to British machinery and plant at heavy loss to the Indian tax-payer and for pressing for the election of a Council Committee to enquire and report into the alleged extravagances and irregularities and waste, and make suggestions for modifying the scheme and carrying out the scheme in the most economical way and to the best advantage of the public.' If my hon. Friend votes for it, I shall be delighted. But I want to point out to him that in the Joint Committee report they have laid down that the members of the Reserved half or Transferred half should neither speak nor vote against one another. I therefore respectfully ask him to resign and cross the floor of the House, rather than wait for the ignominious dismissal. If he is going to be true to his words let him cross the floor of the House and not any longer betray the Congress to which he belonged." (Hear, hear).

*The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, this discussion began with the criticism of the revised estimates and a desire for more information as to the details of the revised estimates. It then gradually developed itself into a general debate on the whole question of the merits of the project, whether other projects should not be preferred, whether this project could not be of a different nature to that planned and so on. I would suggest that there is not much practical use in going into all these questions because this is a project which has been sanctioned and is in operation and its main lines—although details may be altered—can hardly be altered.

(A voice: 'Has the dam been sanctioned?')

"In its essentials, it is a storage project designed to store water which would otherwise run uselessly to the sea and to supply the existing works of the Cauvery delta or rather to supply the existing works and the additional channels taken from the same headworks to a larger area as

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planned. The object of the main project is two-fold. It is to supplement the existing irrigation so as to enable two crops instead of one crop to be grown and to irrigate a larger and fresh area of 300,000 acres in Pattukkotta taluk. That is one aspect of it. You must not also forget that a storage work is necessary in the interest of the existing delta itself as has also been explained in the report on the project which is available to the House. The question has been raised whether distribution to other districts should not be a new variation to the scheme. That matter I was under the impression had been dealt with here and outside some considerable time ago. I have in my hand a report of the committee which discussed this matter and that contains a statement comparing the various proposals made by the committee and reviewed by the Chief Engineer showing what the cost would be of the additional schemes devised to supply water first to Trichinopoly, and then to certain areas of Salem and Coimbatore and then the order of the Government which stated as follows :

"The proposed extensions of the Canvery irrigation so far as they relate to the Salem and Coimbatore districts are beset with practical difficulties. The schemes have not been surveyed. This means delay which will add heavily to the capital cost by way of interest. High water-rates would be necessary to make the project productive. Terracing would be required as the country proposed to be irrigated in those districts is undulating. Soil is poor and would need much preliminary work before the land is fit for cultivation. The growth of irrigation will be very slow and the duty much less than in the delta."

"To irrigate additional land in the Trichinopoly district does not present similar engineering difficulties but it would require a rate of Rs. 20 per acre to bring in a productive return on the extra expenditure necessary of Rs. 43 lakhs. The Chief Engineer after careful consideration of the several aspects of these extension proposals advised that they should be abandoned. I would respectfully submit that it is rather late to reopen the matter. (A voice : 'A promise was made by the Law Member during the adjournment motion') It is not right to suppose that the Government is in any way opposed to the proposition that we should consider the claims of other districts that need irrigation. It might have been a question whether it would not have been better to take up a project on the Tungabhadra river. But at the stage we now have reached it is surely too late to revise radically the Mettur project. As a matter of fact we are not dropping the Tungabhadra project. Investigation on it has begun and will certainly be proceeded with. But as regards this particular matter of irrigating either Salem, Coimbatore or Trichinopoly I do not know what further considerations we can adduce for a change of the Mettur scheme to supply water to areas which were not contemplated in the original project. As regards Coimbatore, of course, the House is aware that there is proceeding the investigation of an irrigation scheme from the lower Bhavani. It has not presented the difficulties that have rendered it impracticable to proceed with the upper Bhavani project. At the same time I do not wish to be regarded as barring local consideration of any workable proposal that can be devised. It is the practical difficulties of taking a channel from the storage reservoir to Salem and Coimbatore that stand in the way. I do not at all see how such arrangements can be made with the project as at present designed. After all it is a question for the engineers and if any practical suggestion is made I will give it my consideration."

"I will now come to the increased estimates. The additional cost involved in these revised estimates will of course make the cost of making any supply to the Coimbatore district also greater."

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Mr. C. V. VENKATARAMANA AYYANGAR :—"We will pay for it."

The hon. Sir NORMAN MAJORIBANKS :—"Before I come to the variations in the estimate, there is another matter referred to which I should like to say a word about, and that is the question of cement. Statements were made by two hon. Members, one quoting the opinions that were given by the engineers and the other quoting from the speeches of my predecessor who was in charge of this particular portfolio. I do not want to suggest that Mr. Arogyasami Mudaliyar's inferences were without basis, but what he inferred was certainly not the impression that the opinions of the Engineers' Committee conveyed to my mind. (Mr. C. V. Venkataramana Ayyangar : 'Not all of them, but one or two.') To my mind the engineers distinctly advocated the use of cement. The opinions, however, have been published in full and hon. members can peruse them and judge for themselves."

"Now, with regard to the variations in the estimate, the Mover of the Resolution was very indignant and said that these variations should have been foreseen, and he stressed that these matters should be looked at with common sense. Well, with such sense I possess, Sir, I do not see how anybody could have foreseen that there would be such a flood in 1924 which is reported to be the heaviest for a century past. (Voices : 'Oh'!) There having been such a flood, it is surely our business to make provision for the safe discharge of the surplus water due to such a flood, and it is for that reason that the surplus, which has been provided on the left bank being found to be insufficient, another surplus has been provided on the right bank. Well, that means considerable additional cost. As for the foundation, I am not an engineer myself and cannot say how far it ought to have been possible to foresee extra depths in places. For the foundations, the usual plan is, I believe, to dig trial places here and there and it seems to me that even after you have done that you may find places where the foundations will have to go deeper. (Mr. Venkataramana Ayyangar : 'Therefore there is the risk.') There is risk in all these matters, and we must be prepared for the further expenditure and unexpected charges whenever we undertake a project of this magnitude."

"As regards the drainage which was referred to with some indignation, the drainage referred to is the drainage of the camp in Mettur and not the drainage of the irrigation system. We have adopted at the instance of the Director of Public Health a far higher standard of sanitation than was contemplated by the original framers of the estimates. I do not wish to lay undue stress on the point, but the additional expenditure under this head is due to the fact that we have adopted the highest standards in this matter. The Director of Public Health insisted on more efficient arrangements and the Government are glad to take his advice."

"The railway is a matter on which it is doubtful to say whether it should be regarded as a part of the cost of the project. The estimates require careful scrutiny to see what should be taken as real additions to the cost of the project as being necessary to the work. The Government have not yet reviewed the estimates in detail and satisfied themselves as to the necessity of each item. Some of the details have not yet been completely reported to the Government. I am told the complete revised estimates are now being printed; they have not been examined yet by the Government. The revenue estimates have reached the Government Secretariat but no member of the Government has actually seen and considered them. What I propose to do is, as soon

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as the revenue and expenditure estimates have been examined by Government, to send copies of their detailed estimates of expenditure and revenue to every Member of this Council. But it is difficult to understand these estimates as they appear on paper. You can understand them only if you go to the actual works and see what each item is meant for and what has been done in that direction. If, after getting and studying the estimates, two Members or so from each party of this House will go to Mettur and satisfy themselves and make any recommendations as a result of their inspection, that will be very useful to the Government. We have not the slightest desire to keep anything back from the House or to delay the scrutiny of any matter. It is for that reason, although we have not got the revised estimates completely either for expenditure or for revenue, we put into this budget the available information as to the changes that are probable. Finally, during this debate occasional references were made to my distinguished predecessor Sir C. P. Ramaswami Ayyar, and I think I ought to say—this is my first opportunity to speak about it—that at the completion of ten years or even a shorter time, it is my conviction that everybody will realize with gratitude, the ability, the energy and the stout optimism of Sir C. P. Ramaswami Ayyar to which this project largely owes its inception and progress."

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 26. Mr. C. Marudavanam Pillai. |
| 2. Mr. C. D. Appavu Chettiyar. | 26. " M. Narayana Rao. |
| 3. " R. Nagan Gowda. | 27. " A. Parasurama Rao Pantulu. |
| 4. " T. M. Narayanaswami Pillai. | 28. " C. Ramasomayajulu. |
| 5. " C. R. Parthasarathi Ayyangar. | 29. Basheer Ahmad Sayeed Sahib Bahadur. |
| 6. " Ramanath Goenka. | 30. Mr. P. Baktavatsalu Nayudu. |
| 7. " W. P. A. Soundara Pandia Nadar. | 31. Briman Biswanath Das Mahasayo. |
| 8. " Chavadi K. Subrahmanya Pillai. | 32. Mr. A. Kaleswara Rao. |
| 9. " S. V. Vanavudaiya Gounder. | 33. " R. Srinivasa Ayyangar. |
| 10. " U. Ramaswami Ayyar. | 34. " K. Koti Reddi. |
| 11. Syed Tajuddin Sahib Bahadur. | 35. " L. K. Tulasingam. |
| 12. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 36. " K. R. Karant. |
| 13. Mr. Sami Venkatachalam Chetti. | 37. " K. Madhavan Nayar. |
| 14. " S. Satyamurti. | 38. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 15. " C. V. Venkataramana Ayyangar. | 39. The Raja of Panagal. |
| 16. " P. Anjaneyulu. | 40. Rao Bahadur Sir A. P. Patro. |
| 17. " J. A. Saldanha. | 41. Diwan Bahadur M. Krishnan Nayar. |
| 18. " C. S. Govindaraja Mudaliyar. | 42. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 19. " G. Harisarvottama Rao. | 43. Rao Bahadur S. Ellappa Chettiyar. |
| 20. " C. N. Muthuranga Mudaliyar. | 44. Muhammad Khadir Mohideen Sahib Bahadur. |
| 21. Abdul Hamid Khan Sahib Bahadur. | 45. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 22. Mr. K. V. R. Swami. | 46. T. M. Moidoo Sahib Bahadur. |
| 23. " D. Narayana Raju. | |
| 24. " B. S. Mallayya. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 8. Mr. G. T. Bong. |
| 2. The hon. Khan Bahadur Muhammad Usman Sahib Bahadur. | 9. " A. MoG. C. Tampoe. |
| 3. The hon. Mr. T. E. Moir. | 10. " S. H. Slater. |
| 4. " A. Y. G. Campbell. | 11. " C. B. Cotterell. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 12. Mr. R. Foulkes. |
| 6. Mr. F. B. Evans. | 13. The Zamindar of Seithur. |
| 7. " H. A. Watson. | 14. Mr. N. Siva Raj. |
| | 15. " M. V. Gangadara Siva. |

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Noes.

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| 16. Rao Sahib L. C. Guruswami. | 21. Mr. A. T. Luker. |
| 17. Mr. K. Krishnan. | 22. " S. Arpudaswami Udayar. |
| 18. " Kenneth Kay. | 23. Swami A. S. Sahajanandam. |
| 19. " W. O. Wright. | 24. Mr. R. Srinivasan. |
| 20. " C. R. T. Congreve. | |

Neutral.

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| 1. The hon. Mr. M. R. Seturatnam Ayyar. | 6. Mr. V. Ch. John. |
| 2. " S. Muthiah Mudaliyar. | 7. " J. Kuppuswami. |
| 3. " Dr. P. Subbarayan. | 8. Subadar-Major S. A. Nanjappa Bahadur. |
| 4. Mr. P. J. Gnanavaram Pillai. | 9. Mr. V. I. Maniswami Pillai. |
| 5. " J. Bheemayya. | 10. " D. Thomas. |

Ayes 46. Noes 24. Neutral 10. The motion was carried.

(At the time the poll was being taken, Mr. Arpudaswami Udayar stood up in favour of the motion when Mr. Venkataramana Ayyangar loudly expressed his surprise by voicing the name of the Member.)

* The hon. the PRESIDENT:—"I do not think it will be in order at the time the vote is taken for any hon. Member to make any observations. I request the hon. Members to keep silence when the voting is carried on."

The demand (*minus* No. 100) was then put and carried and the grant made.

The Council adjourned for lunch.

After lunch (2-30 p.m.).**DEMAND VIII—GENERAL ADMINISTRATION—HEADS OF PROVINCES.**

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move

'for a grant not exceeding 6'32 lakhs under General Administration—Heads of Provinces.'"

* Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I move

'for the reduction of the allotment of Rs. 19,200 for Private Secretary to His Excellency the Governor by Rs. 100' (to discuss the grant of Provincial autonomy with adequate safeguards for the rights of minority communities).

"Sir, this subject has often been discussed on the floor of this House. If nevertheless I press it upon the consideration of the Members of this Council it is because, standing as we do on the threshold of impending political changes, it is better for this Council to avail itself of the lessons which seven years experience of the present working of the constitution have forced upon them. Sir, responsibility to the electorate is a fundamental principle which governs all democratic institutions. The Ministers are expected to look to the Members of the Council for support and the Members of the Council are naturally expected to carry out the pledges and promises to which they stood committed when they sought popular franchise."

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Mr. S. SATYAMURTI :—“ Oh, Commend it to the new Ministers.”

* Mr. S. ARPUDASWAMI UDAYAR :—“ The Ministers should derive their support from the strongest party in the Council and should also derive much support and much inspiration with regard to suggestions relating to policies and ameliorative programmes from the majority of the Council. Therefore the natural course for the smooth and successful working of a democratic constitution is this kind of relationship existing between the Ministers and the Council and the Council and the electorate outside. Should however this order be reversed and the Ministers look to the Government party in the Council, which forms indeed a part of the Council but is not a popular machinery and was purposely devised to act as a check and a clog to regulate and slacken the pace of popular machinery, in that case the forms of democracy may survive, but its spirit have fled and it will tend to become an oligarchy. It is not necessary for me, at this distance of time, to refer to the causes and circumstances which led to the famous Montagu-Chelmsford report introducing this kind of dual administration. Sir, at a time when self-governing institutions had to be introduced and started on the way to the realization of self-government by progressive stages, I can understand the difficulty experienced by the framers of the constitution, the difficulties they had to meet with. To meet all kinds of objections, it was found by the authors of the Reforms that the only possible course for them was to effect a compromise and a compromise always means the imposition of certain checks and certain restraints. It implies a cautious policy and an attempt to afford more time for those who are expected to handle this machinery to acquire experience, skill and ease in its use by practical and successful manipulation. Further, the first stage was certainly an experimental stage. Now after seven years' working of this machinery it is left for us to see whether this machinery has done the work which was expected of it, has fulfilled our expectations and whether it is not possible for us to proceed a step further and democratise the constitution. Sir, in this province this diarchy was alleged to have been successfully worked but even those who were mainly responsible for this successful working had to admit its failure. The report of the leader of the strongest party which worked this constitution successfully is published in the Muddiman Committee Report and on the floor of this House the Raja of Panagal said that this instrument was too delicate and too difficult to be successfully handled. You know, Sir, that I am the last person to introduce irrelevant details or drag in personalities. I will only say that speculatively considered and granting that there are two factors in the Council, one representing the popular electorate and the other acting as a kind of check, there is every possibility and probability of this element becoming the dominant element and exerting a potent influence on the policies and programmes of the popular representatives. Where Ministers are really turned out of their office not for their failure to carry out the mandate of the Council, nor for forfeiting the confidence of the House, but for other reasons, where Ministers look up to parties, whose programmes and policies are opposed to those for which their party stands, there will be always room for political opinions and creeds undergoing changes with meteoric rapidity and kaleidoscopic variety (hear, hear). Sir, I remember the time when from the north of India down to the south there was one cry that diarchy was on its trial. That was when the Swarajist party defeated the party then in power and when some time after, this party fallen from power passed a self-denying

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ordinance refusing to accept office until provincial autonomy was granted. Expectations were high in many quarters that the Swarajist party with this addition would surely end this form of government. I quite well remember also the words of certain journalists and politicians that those who were going to wreck the constitution were not the Swarajists but the followers of Abdur Rahim in Bengal and the followers of the Raja of Panagal in this Presidency. But, since that time much water had flowed under the bridges of the Coom and under the bridges of so many other rivers in other districts and I don't think that any striking change has been brought about. I think that it is quite possible for a party or for Ministers who are naturally expected to represent the wishes of the electorate to continue to function provided they have the strong support of the dominant element in this Council. Sir, I have not dragged into the question personalities, but I merely spoke of the probabilities and possibilities of the present working of party Government. In my opinion, the remedy for all this is provincial autonomy. (Mr. Abdul Hamid Khan :—“ What is provincial autonomy ? ”) This fixes the responsibility on the Ministers, the Ministers having to administer almost all the departments will have to enlighten the public, to carry the public with them, to chalk out their programme, to make the public realize how far it is possible to carry out this programme and in all matters look to the majority party in the Council and to the electorate outside the Council for success or failure in carrying out these programmes. Again, Sir, seven years have passed and we are on the eve of great political changes and surely the public men in this country and Members of the Council who have held distinguished posts have administered transferred departments as Ministers, have acquired sufficient political experience and know responsible government is to be worked in order to promote the greatest good of the largest number. We have also had the experiment tried of entrusting important portfolios to Indian Members of the Reserved half and we know how they have risen equal to the occasion and how they have successfully discharged the responsibilities which were put upon them. With these years of political experience, I think, in this province men will be found who can work all the various departments very successfully and I believe the recommendation will be made to grant provincial autonomy.

“ Sir, I represent a minority community. The only question is what will be the position of the minority communities under these changed conditions. It is quite possible for certain conventions to be formed as I know such conventions have been formed in the Dominion of Canada. I know, Sir, that in Canada there is a large Catholic population and also a large Protestant population. Conventions have been formed as a result of which we find a just and adequate representation of the members of both communities both in the services and in the Councils. These distinct denominations have their just claims and aspirations fully met. We find also conventions regulating the appointment of various special officers. Therefore, if in a country like Canada, healthy conventions could be formed and the popular machinery smoothly worked, with a concession here and a concession there, there being an understanding that as regards representation there ought to be a certain number, and this machinery has been working without causing the slightest hitch, affording satisfaction to all, I think in this province also, it is quite possible for us to have healthy conventions and also to lay down important safeguards for protecting the rights of minorities to have statutory provisions and safeguards.

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[Mr. S. Arpudaswami Udayar]

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"I know, Sir, I am not blind to the fact, that in the matter of appointments or in the matter of nominations to local bodies, minorities like the Indian Christians are nowhere. But, when their vote is sought for and when by the remodelling of the franchise, certain large numbers of them are expected to be enrolled in the electoral bodies and when Members realize that responsibility means that they should also consult the welfare of all sections of the people, of minority communities, especially, who must be specially encouraged and helped to take their just and adequate share in the administration of the province, with all these safeguards laid down statutorily and also springing up as a result of healthy conventions, I think this full responsible government introduced into this province will be the best solution of these evils. There will be no longer anything tending towards oligarchy. It will be as far as possible a pure democracy, resting upon the suffrage of the electorate and making its will assertive and its views prevail with the Ministers and the Members of the Council."

MR. ABDUL HAMID KHAN :—"Mr. President, Sir, this motion has been tabled and moved by my hon. Friend, Mr. Arpudaswami Udayar, representing the Christian community with the object, I dare say, of taking the vote of this House on the question of further reforms that we in this country have been fighting for. But, I believe, the hon. Member has pitched his daisire in the lowest key, and I think it was his intention to secure the vote of such of his colleagues as are prepared only for the minimum advance for the country that he thinks possible. Sir, this motion combines in itself two principles. One of them is with regard to the political advance of the country and the province as a whole and the second principle that he wishes to introduce in his motion is with regard to his anxiety to see that the minority communities and interests are safeguarded under the system of government that he wishes to usher into this province by this motion. With regard to the main question of provincial autonomy, I might say this : that it is a thing which has been talked of rather thoughtlessly and I know that the interpretation that has been put upon this phrase 'provincial autonomy' has been different with different groups of people and with different classes. The hon. Member, Mr. Arpudaswami Udayar, may have one idea of provincial autonomy and the hon. Mr. Moir may have another view of it. Mr. Arpudaswami Udayar may think that with provincial autonomy it may be a system of government which will be entirely in the hands of the people of this province and that the Cabinet consisting of all Ministers, will be entirely responsible to this House, the Legislative Council. But to another person who does not think like him, provincial autonomy may rightly mean a system of government which may have all non-Indians as Ministers and yet they may not be altogether responsible to the House. Even that, in the opinion of some, may be regarded as provincial autonomy. These are things which may be interpreted according to the times and according to the people. Provincial autonomy will not satisfy the requirements of the people of this province and much less the people of this country, because as it is well known that provincial autonomy will not be anything better than this diarchic system of government because even there you will have these safeguards which are regarded as safeguards for the maintenance of law and order, for the maintenance of good government, for the maintenance of the interests of the depressed classes, which certainly are worth being safeguarded. These are considerations which weigh with us on this side for not accepting this vague phrase, provincial autonomy, as our next political step."

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[Mr. Abdul Hamid Khan]

"Mr. President, Sir, as the House is aware, we the Congressmen will not be satisfied until we have full responsible government for the whole country."

"With regard to the next point, Sir, that this question has raised, namely, the safeguarding of the interests of minorities, under that system of government of provincial autonomy—Mr. Arpudaswami Udayar's intentions are indeed very good, but he wishes to lay down that the minority communities that inhabit this land particularly this province such as the Muslims and the Christians and other minority communities get equal justice. I am sure he does not insist on retaining the pernicious system of nominations, which has been doing such terrible mischief to all these communities, for which these nominations have been sought for. He has, I dare say, when he moved this motion stated very clearly that he is not for retaining nominations. Unless and until these minority communities who wish to have their interests safeguarded so far as the legislatures and local bodies are concerned make up their minds as to whether they are going to have their representatives in these bodies through election or through nominations as we have been having hitherto, those communities cannot hope to advance. No minority community will really progress as long as it wishes to have this pernicious system of nomination, by which the whole community is sought to be politically demoralized."

"Then, Sir, so far as the services are concerned, Mr. Arpudaswami Udayar would like to see that some safeguards are also provided for preserving the interests of the minority communities. On this question there have been two opinions. The first is, so far as the services are concerned, the aim should always be efficiency and then only communal representation. The other opinion has been that efficiency apart all the communities that inhabit this province should have equal and equitable representation in the services. These are the two opinions that have been expressed so far as I know. They seem to be apparently contradictory, but in my opinion there does not seem to be much difference, if only one would see to it that without affecting efficiency no injustice is done to any community or communities that inhabit this province."

"Sir, there are several minority communities which have been neglected under the present Government. What has been done is to put up minority communities to defend the interests of the Government. Very little has been done by way of advancing the interests of these minority communities either by the bureaucratic system of government or by the system of government that has come into existence during the last six or seven years."

"Particularly, the Muslim community has not received that amount of attention that it should have received. For instance, Sir, even in the matter of representation in local bodies they have been grossly neglected. Ministers came and Ministers went, but there is very little to show that the Mussalmans got their due share of representation on these local bodies, and nothing has been done either by the Muslim councillors that were here before us or even by the Ministers to see that sufficient representation by election was given to the Mussalmans in the various local bodies in this province."

"With regard to the services also, nothing has been done to see that equal justice was done to the Muslim community. This motion seeks to safeguard their interests when we, according to the mover, have provincial autonomy installed in our province. This question, I may tell the House, Mr. President,

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cannot be settled by our moving a resolution of this kind in this House; but this question will have to be settled among the various communities meeting at a conference outside this House and settling these things amicably, so that there may not be a third person in our midst to say that we do not come to an understanding. Therefore, it seems to me that it will not serve any useful purpose if we hand over this most important task to a third party to settle what should be the representation of the minority communities, either the Mussalmans or the Christians or the depressed classes, whether in the matter of representation in the local bodies or representation in the services. This is a question which affects the very future of this country. Therefore, as has been done with regard to the whole country by an All-Parties Conference which has been sitting from day to day, I believe that any result in this direction that will be useful to the country can be achieved only by having a conference of all the communities that inhabit this province sitting together and coming to some understanding; by that alone, I think we can settle this question."

* Mr. V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I should like to offer a few remarks on this subject of the grant of provincial autonomy to our province. Sir, ever since we discussed last year in this House the grant of further reforms, may I ask whether the country has advanced further as regards the betterment of the depressed classes? Personally speaking, I think provincial autonomy is really a good thing; but from the point of view of the depressed classes, I do not think the time has yet come when we can ask for it. Sir, when discussing the question of the grant of further reforms last year in this House, Dr. Muthulakshmi Reddi clearly stated 'Live and let others live.' But going round the districts, I do not see even an atom of change in the mentality of our caste brethren. Sir, in the National Congress, a very important body, when it met in this great city in December last, its President, Dr. Ansari, pleaded for the amelioration of the depressed classes; but, Sir, I fail to see whether a resolution in regard to the advancement of the depressed classes was recorded in the minutes of the proceedings of this great assembly."

"Sir, coming now to the question of illiteracy which exists among the masses, are we justified in asking for any advancement in the political field? Taking the census of 1921, I find among the depressed classes the male literates were only 4½ per cent while the women literates were 67 per cent. (Mr. P. Bhaktavatsalu Nayudu: 'Who is responsible?') Of course, unless we are given political power in the Government, we are certainly at a loss to ask for further reforms. My hon. Friend, Mr. Hamid Khan, was telling us something about the evils of nomination. But, Sir, had it not been for the courtesy extended by the Government, looking to the danger of the depressed classes who are in a minority, being left unrepresented, of nominating a few of them to represent their cause and to express their grievances in this House for redress, we would have been in a very bad plight. The other day, Sir, in Tiruppur taluk, when a member of our community sought election to the panchayat court, he was able to get through; but what happened next was that the huts of the depressed classes in that place were burnt. Sir, under these circumstances, can we ask for further reforms unless the mentality of our people in the various districts is changed? During the last year's debate, my hon. Friend, Mr. Thomas, of Tinnevely enquired whether we should all wait until the minority communities came to our level and then ask for more reforms."

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A few days ago when he was talking about the representation of the depressed classes in the various services, he clearly stated that, unless 50 per cent of the depressed classes were admitted into the various departments, there would be no satisfaction to the depressed classes. Sir, there are various things which stand to-day as stumbling blocks in our joining those people who ask for more reforms at present. So I am saying that the time has not yet come when we can ask for provincial autonomy. Even if provincial autonomy is granted, unless we find a member of the depressed classes in the Treasury benches or among the Ministers to safeguard our interests, I do not think it will be a step in the right direction."

* Mr. C. R. PARTHASARATHI AYYANGAR:—"Mr. President, Sir, the question now raised by my hon. Friend of the depressed classes is a very difficult and delicate one on which it is well that this House should come to some clear understanding. The experience of the last few years since the Reforms were granted must have clearly left an indelible impression upon the minds of every one of us that the whole system as has been devised is highly unsatisfactory. Either the House should be responsible to the people of the country at large or it should have no responsibility at all. We would rather have no diarchy and revert back to the original state of things than have this anomalous position. Sir, we do not know what our leaders will do in the next moment. Sometimes they plunge us into unknown depths where even angels would fear to tread. And here we are to-day in a very pitiable predicament where our leaders are, like marionettes, dancing to the tune of different sets of people working behind, and not even having the courage to come forward. Here we have got leaders who will not safeguard our interests but who will simply say that they are Ministers; but they are not Ministers at all. They are not the Ministers chosen by the people. I make bold to say that the present state of affairs, especially during the last few days, have proved so ludicrous that we are inclined to think that, whether we are to get a further amount of Reforms or not, it is better to go back than have the present state of things. Going deep down to the very hearts of the people, we find that there is a burning indignation and a dreary feeling in the minds of our people. Are there not people in this House who burn with the feeling that we should liberate ourselves from these fetters? Do not they feel that the political life of the people is something degrading, demoralizing? We are here to reconstruct a beautiful State, a good State which will be an example to the rest of the world and not to seek plums of office of this kind or that kind or to be satisfied with promises which are given to us now and then for all sorts of things. I would now request, Sir, that we should consider and very carefully consider two points. The first point I would suggest for your consideration is that if provincial autonomy is to be had it should be had at once. We cannot afford to wait for even one minute. We are not at all satisfied with the present state of affairs which clearly shows that this diarchy should be abolished. We are not going to put up with the present state of affairs any longer. My hon. Friend, Mr. Arpudaswami Udayar, has raised the question of provincial autonomy. I say we must go on some principle. There must be something definite on which we should go. The most important point is that we must be entirely responsible in the making of Ministries. That is the point which I want to emphasize very strongly. We cannot have these Ministers any further. These Ministers should be in a position to carry out the will of the people, and they must not be people who

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will say that they are not responsible. They must be prepared to say 'These are the changes that we are going to bring about' and they must have the power to carry out what they consider is best for the people. If they are not able to do that, it is better that we do not have them at all as Ministers.

2-15 P.M. "Sir, all of us say that we want provincial autonomy and at the same time some of us declare that their interests should be protected adequately. In this no one is more vehement than the depressed classes. I ask my friends belonging to the depressed classes to join us as only then we make an impression that we are all united."

* Mr. K. KRISHNAN :—"Sir, I do not quite understand how this question of discussing the propriety of granting of provincial autonomy with adequate safeguards for the rights of minority communities comes within this grant of Rs. 19,200 to the Private Secretary to His Excellency the Governor. The grant of provincial autonomy is a broad question and I do not see."

The hon. the PRESIDENT :—"Is it a point of order that is being raised?" (Laughter.)

* Mr. K. KRISHNAN :—"No, Sir, I am only saying that I do not see the propriety of discussing this subject in connexion with the grant to the Private Secretary to His Excellency the Governor. As far as the question of provincial autonomy is concerned I am in favour of it provided sufficient safeguards are provided for protecting the interests of the minority communities. That is a question of wider issue and we have to consider various aspects of the question before we can say one way or the other. No doubt reforms in proper directions will be welcomed by any Member of this House. (Hear, hear.) But as has been pointed out in this motion the question of the protection of the minority communities has seriously to be taken into consideration. If provincial autonomy is to be granted the question of nomination goes. As a nominated Member of this House, I am not pleading for the castes which I represent, but I say in general that sufficient safeguards should be made, and it is a question that will baffle statesmen. But I do not know whether this question will be solved if we are prepared to grant special representation to the various communities. Then another question will arise—how many allied communities may be put together and whether a particular community will fall under a particular category. I do not on that account say that reforms are unnecessary. What I do say is that these are various aspects of the question which have to be considered. I am not to be put down as one who is reactionary when I say that certain interests have to be taken into consideration. Yesterday we saw a great deal of crocodile tears being shed over the fate of the depressed classes when the question of excise was taken up. It was said that great temptations have been put in their way. But those hon. Members did not realize how much of unemployment will be created by the abolition of that department, to which so many persons owe their bread. (Cries of Oh!) I do not say that I am against prohibition. But I do say that before we abolish that department we should provide work to those officers."

* The hon. the PRESIDENT :—"Order, order, the hon. Member will not be justified in introducing his views on prohibition."

* Mr. K. KRISHNAN :—"I am only saying that representation of these communities is not adequate."

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Mr. S. SATYAMURTI :—"What are you here for?" (Laughter.)

* Mr. K. KRISHNAN :—"I want more men (Laughter), whether it is by election or nomination so that the interest of my community and others may be safeguarded. If all these interests are provided for and if the conditions are such that the grant of provincial autonomy will be for the advancement of the people of the country I am not against it. (Laughter.) I hope when the framers of the future constitution put together all the vested interests of the innumerable minority communities they will find their difficulty. Under such circumstances although I do not subscribe to this motion I am in favour of provincial autonomy if all the safeguards are provided for and if it will not interfere with the smooth administration of the country." (A voice : 'Thank you.')

Mr. S. Venkiah then spoke in Telugu.

After Mr. S. Venkiah had finished his speech, Sriman BISWANATH DAS Mahasayo rose up and said :—"Mr. President, I request you to translate the speech of the hon. Member in English."

* The hon. the PRESIDENT :—"It only means delay. Suppose a Member speaks in Tamil then it has to be translated. It is allowed in the Central Provinces. I have no objection if any special arrangement is made. If we are to allow translation then as Mr. S. Venkiah does not know English all the speeches will have to be translated into Telugu. (Laughter.) It will be better if we translate every speech in all the four languages." (Laughter.)

Sriman BISWANATH DAS Mahasayo :—"Madras with four different languages calls for a special and preferential treatment in this."

* Rao Sahib R. SRINIVASAN :—"Mr. President, Sir, we members of the depressed classes and especially their representatives here have been dragged from here to there to join one party or other. A strong agitation is being got up for the abolition of nomination. We say we want universal suffrage and larger representation in a modified form. But I fear the mass of the people in the village do not know even the rudiment of these things. And this is more so in the case of the Adi-Dravidas."

"Now taking a friendly attitude I shall put before you an instance."

"The Government that was 50 years ago is not the same Government now. There are more Indian elements even in higher service than there were before. Young men of the depressed classes who have passed their school final and entered service in mufassals suffer intolerably at the hands of the caste Hindu officers. A young Adi-Dravida who was in the Chittoor Collectorate has been transferred to the Labour Commissioner's office. The depressed classes men who were competent to enter service had to enlist themselves as caste Hindus or Christians. The service is filled with caste Hindus."

"Take the case of the karnams and village headmen in the ryotwari and zamindari villages. They are many in number. But the number of such officers belonging to the depressed classes can be counted on one's fingers' ends. I don't think there will be more than a few of them. The power of the karnam and the village headman is great not only in the villages of which they are the monarchs but also in the Revenue Board and even in the office of the Secretary of State for India, Sir. A Collector can more easily dismiss or suspend his head clerk, sarishtadar, whereas in the case of a village karnam

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he has to think half a dozen times. If provincial autonomy is granted, who will govern? The whole government will be in the hands of these people who belong to the upper castes. Most of the hon. the elected Members of this House are under the thumbs of the village munsif. Did we not see so much support given in this House to the increase of salary and to increase the numbers of these village officers? They are a very powerful people. They will rule the country.

"Again, Sir, take the Police department. Out of 20,000 policemen, I believe not more than 200 members are of the depressed classes, in the whole corps. If in the circumstances provincial autonomy is granted our fate is doomed and the caste system will be strengthened. Hon. Members who know the condition in the villages will bear me out of what I said. It is all easy to talk of provincial autonomy and to say that we should have our own government. But look at the poor people, look at the ryot. Would it be a government of the people, Sir? We, the depressed classes, are the sons of the soil and we have a right as everybody else; we want our country to be ruled by ourselves (Hear, hear) but then we are not fit. (Cries of 'Oh'! and 'we are fit'.) Our policy is to pull down the caste Hindus from the political ladder, till they raise us, the depressed classes, in the social ladder."

* Mr. D. THOMAS:—"Mr. President, Sir, I have been listening carefully to the speeches of the members representing the depressed classes."

Mr. ABDUL HAMID KHAN:—"They do not represent the depressed classes."

A voice:—"They misrepresent the depressed classes."

* Mr. D. THOMAS:—"They have spoken on behalf of the depressed classes. I do not yield to any hon. Member in this House in sympathizing with the just claims and rights of the depressed classes. But I am sorry that the real issue is sought to be confounded by irrelevant matters. The question of provincial autonomy is one of national import; and it ought not be decided from the view point of a particular community or communities. I belong to a minority community and whether my community enjoys its just claims and rights or not, I for one will not stand in the way of the country's just claims and rights to provincial autonomy being secured. Far better will I take the chance of our just rights and claims being lost sight of or ignored in an autonomous provincial government rather than continue under the present diarchic system of administration. Admittedly the present system is a transitional expedient and we must either move forward or go back to the old state of things. I hope that even my hon. Friends who spoke on behalf of the depressed classes would not favour a retrograde step. The only other alternative is to go forward and the minimum demand in the present state of things is provincial autonomy. The position of the depressed classes in a provincially autonomous constitution will be more favourable to the enjoyment of their just rights than now. My hon. Friend, Mr. Muniswami Pillai, referred to my suggestion the other day that for the social upliftment of the depressed classes 50 per cent of the recruitment for constables should be from the depressed classes. But under the present constitution all our resolutions on the subject are mere recommendations to the hon. Member in charge of Police and they have no binding effect on him, as it would be if he were a minister amenable to the vote of the House under a provincially autonomous constitution. Therefore under a provincially autonomous constitution there will be

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greater opportunities for the depressed classes to more effectively and rapidly obtain their rights than under this system of Government. My hon. Friend complained against the other sections of the House, because at the present moment these members representing other communities are not providing their just rights. But we members belonging to the other communities are not able to have an effective voice in getting these just rights under this constitution. Is not a change in the constitution desirable so that all the communities may have their just rights secured? What better way, what more effective way of achieving this right could be found than by provincial autonomy. In a provincial autonomous constitution where there will be no reserved half in the Government not amenable to the vote of the House, the depressed classes will have effective representation and will have all their grievances heard and considered by the Government effectively, and their just rights and claims will be established. I hope that very shortly we shall have an autonomous provincial constitution and my hon. Friends will have the just rights and claims of their communities established."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, it has fallen to me to answer this motion. It seems to me rather hard at first sight that some unfortunate clerk in the Private Secretary's office should be deprived of his pay because the House is in favour of provincial autonomy. As I said on a similar occasion last year, this is a Provincial Government, a subordinate Government and we did not make the constitution and we have no power to alter it."

"We cannot make recommendations unless we are invited to do so. I would only say that when the time comes to make our recommendations we will consider carefully the speeches we have made to-day which are most interesting."

* Mr. S. SATYAMURTI:—"Sir, George Meredith defined cynicism as intellectual dandyism without the cock-comb's feathers. I think that description suits my hon. Friend, the Revenue Member, excellently well. He has no cock-comb's feathers; he is a cynic. I have heard him here often. Nothing seems to me to affect him; he is not affected by anything which goes on here and the last few days he has been regaling me across the table with remarks which show cynicism such as I have not seen anywhere else. Therefore he is a cynic; his cynical answer is 'I have no views on the matter; you have made excellent speeches; I have not been invited to make any recommendations; I have no views on the subject.'"

The hon. Sir NORMAN MARJORIBANKS:—"I did not say that I had no views on the subject."

* Mr. S. SATYAMURTI:—"Sir, it means that his cynicism is more profound than otherwise. He has his own views; he will not give us the benefit of his views; he will have it for his own benefit. He is so cynical of the House and the debates therein that he will not waste his breath in giving two minutes to give expression to his views in this Council. He says 'the speeches made are very interesting; I will report them to the proper authorities; I am content; I will sit down.' I will ask him one question which I hope he will answer but which I think he will not answer. What is the evidence he is going to put before the Simon Commission? Because, I find they are going to co-operate with the Commission in spite of us. What is the case they are going to place? Are they going to say that provincial autonomy should be given? Are they going to take back the reforms or

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perpetuate the present state of things? (A voice: 'Confidential'.) Of course they are confidential.

"Coming to the merits of the motion, my hon. Friend, the Mover of the motion, need not have laboured the point because, if my memory serves me right, this matter is *res judicata* so far as this House is concerned. This House has raised this question and decided that provincial autonomy is the next step that ought to be given. But I was very glad to hear my hon. Friend the Mover's speech. He has discovered and he has told this wondering House and the still more wondering outside world, that Ministers must be responsible to the Council and that the Council must be responsible to the electorates. I am glad that that discovery has been made by him though somewhat late. But I hope the discovery will not fleet away, but would stay with him in this and future Councils of which he may happen to be a Member. I was very glad to hear his references to election pledges. Due to recent events I think some hon. Members including the recent occupants of the Treasury Bench need to be reminded of the solemnity of the election pledges. I am, therefore, glad that my hon. Friend mentioned that election pledges were meant to be kept up and not to be broken in spite of the temptation of ministerial offices. I am glad also, Sir, that he has now seen under diarchy we have all the forms of democracy without the real spirit of democracy. I congratulate him again on that discovery though somewhat late. I hope again that the discovery will remain with him. With his accustomed Christian charity to see the other man's point of view always he has laid down that diarchy was a compromise and therefore was unsatisfactory. He has also given a certificate to himself and to his late colleagues that diarchy has worked successfully in this Province. But there have been difficulties which have been admitted. He has even gone to the extent of saying that he doubts if even the small element of real responsibility exists after the recent happenings in this House. Sir, I do not propose to go into that now; I shall reserve it for a later and more appropriate stage. But meantime this afternoon I merely want to say that the events of the last few days have destroyed two contributions of the Justice party to the public and political life of this Province. The Justice party had, in their days, achieved two items of political progress, first, the principle of joint responsibility among Ministers and secondly the principle of leaders of political parties being summoned to take up ministerial offices. The events of the last few days have destroyed both those principles. What is the part several parties of this House have taken in that undertaking I do not say this afternoon but this I do say that the achievements of the Justice party from the political point of view are very great, firstly the appointment of political leaders as Ministers and secondly that Ministers must stand or fall together. Both those principles have been destroyed within the last few days. It remains to be seen whether the Justice party is going to disclaim its own children as the time comes later on as it must.

"Then, Sir, my hon. Friend also said that Ministers must have the support of a dominant party in the Council. I am glad again to hear that discovery though somewhat late. But I am particularly anxious that that thing should be tested as early as possible. Then my hon. Friend said, 'We want provincial autonomy.' But as we are somewhat doubtful about the meaning of this phrase, I will be delighted, and we should like to know from my hon. Friend whether he means full responsible government without any reservation whatever. That commentary seems to be all the more necessary after the strange

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unheard-of dictum laid down by the hon. the Minister for Education, Local Self-Government and Religious Endowments since the other day, viz., that total prohibition is not only a reserved subject but a reserved Central subject. When we have got such constitutional dicta on the Treasury Bench, I think it becomes all the more necessary to know exactly what is meant by the phrase 'provincial autonomy.' Unless, therefore, that phrase is defined a vote on provincial autonomy may mean anything or nothing. It may mean that even the small control which the Secretary of State and the Government of India now exercise over the irresponsible half may be abolished and it becomes decreased not only against us but against the superior powers. Therefore that phrase does not take us very far.

"Then his out also refers to the question of minorities. I want to deal with this question of minorities without any desire to harm anybody's susceptibilities; for I feel that this is a matter on which the representatives of those minority communities feel very keenly and very justly so. I do not want to say anything which may wound the feelings of the one side or of the other. But, Sir, I do ask very respectfully to-day without casting any reflections upon the present Members of the Legislative Council who have come in by the door of nomination—they are doing their best against tremendous odds—whether their hands will not be considerably strengthened by their feeling that they have an electorate behind them, on which they can fall, to which they can appeal and whose support they can get for the measures of social and political reforms which they want to promote in this country or elsewhere. After all, Mr. President, they are here for the purpose of representing the interests of the various depressed classes. Under the Legislative Council Rules, 10 persons ought to be appointed to represent the following communities, so on and so forth. They are here to represent those communities and the Governor may, in his discretion, make regulations providing for their election by the communities concerned. Therefore, the Government of India and the Secretary of State contemplate even under the existing regime rules being framed to provide for the election of these representatives by the communities concerned. It seems to me that it will be much better from their point of view if they are elected and are present in this House as elected Members. But the hon. Mover has raised the larger question of adequate safeguards for minorities under any scheme of provincial autonomy or of Swaraj. I am at one with him in that matter. In this country inhabited unfortunately by different religions and different communities you are never going to have harmonious and efficient working of Swaraj or Self-Government unless all communities learn to trust one another and have confidence in one another. I agree with him. (Mr. N. Siva Raj shakes his head in dissent.) But my hon. Friend need not be cynical. Cynicism is cheeky. But I do suggest to him to repose faith in humanity. He is an honoured, educated and cultured representative of a community which has received unjust treatment in the past. He does not serve his community by being cheeky. He ought to try, according to his own humble mite, to help that community to assert itself not only as against others, but to raise itself and play its rightful part in the full national life of this country. More particularly I ask him to-day not to use the condition of his unfortunate community for the perpetuation of foreign domination over us. I want cultured educated Members like the hon. Member who must be equal to all the elected Members and superior to some of them not to depend upon Mr. Slater to protect their interests but to depend upon themselves and their communities, to have more faith in

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themselves and say 'this is my country and I will rule it'. Who is there to prevent it?

"What do we ask for to-day? We ask for complete Swaraj with adult suffrage and you will have 26, 40 or 60 millions of votes."

Mr. N. SIVA RAJ:—"We will act when the time comes and not talk."

* Mr. S. SATYAMURTI:—"People who say that they will act when the time comes will not act at all. I find he talks quite as often. He does not follow his own precept. I follow his example rather than his precept. He may give a lecture to us some time later. But meantime let me tell him that the time has come for sinking our differences. The time has never come to those who will act 'when the time comes'. The time has come. It has come long ago. No doubt you have been here for 18 months. What have you done? I ploughing the sands? It seems to me that these unfortunate gentlemen who want to use their community for merely perpetuating foreign domination are not taking necessary steps to improve themselves, their communities and their country. Our proposition is this: We want Swaraj and adult suffrage. Twenty, 40 or 60 millions of the depressed classes will have their potent voice in the election of representatives to the Councils and to the Assembly."

"Then my hon. Friend Mr. Srinivasan said that the unfortunate Adi-Dravidas could not read, they could not vote and they had no opinions. I think and I know that they can express their opinions. The mere knowledge of the three R's is not necessary to enable a man to find out exactly what is good for him or bad for him. If an Adi-Dravida can choose his lawyer, his doctor, etc., he can also choose his representative for the Legislative Council. I therefore suggest to my hon. Friends that they are casting unmerited slur on their own communities when they say they cannot vote. They can vote just as well as many others who are supposed to belong to the higher castes."

"On the larger question, apart from the so-called depressed classes, of Muslims, Christians and other minority communities my own personal opinion is that all communities will stand to gain by accepting the principle of joint electorates with reservation of seats for minorities on population basis. Speaking on behalf of the Indian National Congress, I may say at once that Congressmen realize that this solution need not be forced down the throats of any minority community whatever. We are going to suggest this principle to the minorities. If the minorities accept it, well and good. But if the minorities think that the time has not come, we will not force this principle down their throats. I may assure Christians, Mussalmans and all minority communities that their interests will be amply safeguarded and protected, consistent with the interests of the nation as a whole, under Swaraj and therefore they have nothing to fear from Swaraj."

"The Swaraj that we contemplate is not a Hindu Swaraj or a Muslim Swaraj or a Depressed Classes Swaraj, but an Indian Swaraj in whose affairs members of all the communities will have an equal voice."

"Sir, I would like to suggest to my Friend, the Mover of the resolution, that the mere passing of this resolution and asking for provincial autonomy will not cut any ice. Although we have passed so many resolutions, we will never be able to do anything unless we are able to develop the sanctions to

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enforce these demands. I may also add that long before my hon. Friend thought of tabling this resolution, the three leaders of the Justice party wrote in their minute to the Muddiman Committee that nothing short of provincial autonomy will satisfy them."

"Sir, we are exactly where we were. I also agree with the hon. the Mover that this *Trisanku Swarga* must go. Even the pre-reform days were better. But, Sir, I have no time to develop this theory. As a matter of fact, to-day, under diarchy the bureaucracy is stronger than it was before the introduction of diarchy; for the reason that there is no possibility of two people governing one country; either Great Britain has got to rule us, or India has got to rule India. Sir, the bureaucracy is pretending to let Indians rule India, without giving the power in their hands. This can deceive nobody."

"My hon. Friend the nominated Member from Octacamund complained that no resolution was passed at the Congress. Does he expect the Congress to pass a resolution on the subject at every session of the Congress? The President of the Congress has referred to it. And I may point out here that at Vaikom and recently at Tiruvannamalai the Congress took up the cause of the Adi-Dravidas and sent them men and money. I claim no credit for it, but these instances will show that we are interested in the welfare of the so-called depressed classes and are trying to help them to the extent to which our resources and opportunities permit. If we are unable to do more, it is because we are powerless. Sir, what happened to Lala Lajpat Rai's resolution in the Assembly asking for a crore of rupees for the education of the depressed classes? The Government opposed the resolution. To my friends of the depressed classes who pin their faith in the bureaucracy, I say the sympathy of the bureaucracy will last only for eight months more till the Simon Commission leaves India. Government will give them promises, pledges and what not. They will shed tears for their sufferings. They will say: 'We are your friends, not those rascals. We are angels.' After eight months are over, will emerge the iron hand. This game they are playing and will continue to play. I would request my brethren of the depressed classes, in the name of Mother India, not to walk into their parlour."

"Then, Sir, my hon. Friend Mr. Muniawami Pillai referred to the social evils and said that they must be remedied before we can have provincial autonomy. This is arguing in a vicious circle. This reminds me of the story of the man who was told that he will not get married unless he got sane and he will not get sane unless he got married. In the end the man got neither married nor sane. (Laughter.) The depressed classes are going to have these social evils removed along with the achievement of Swaraj. These social evils are going to be removed by themselves. Sir, no community can depend upon another community; it must and will depend upon itself under Swaraj. Then my hon. Friend said we shall have seven ministers, and we shall have one from the depressed classes. I ask 'Why are you so very modest? Why not have more ministers?' Sir, the whole of the speeches of the representatives of the depressed classes seemed to smack of an inferiority complex."

"Then, Sir, my Friend Mr. Kotieth Krishnan told us that his sympathies were with Swaraj, although he would not vote for this out. This brings to my mind the retort the late Mr. Gokhale gave to Mr. (now Sir) Maneckji Dadhabhai when he spoke on his Elementary Education Bill. Mr. Gokhale was making a strenuous campaign for his Bill and he made a speech on the

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first reading of the Bill. Mr. Dadhabhai got up and professed sympathy with the Bill, but ended by opposing it. Mr. Gokhale then said 'Your Excellency, I have some use for the sympathy of the Government with my Bill for I can occasionally translate it into rupees, annas and pies, but I have no use for the sympathy of the non-officials.' The cause of Swaraj has no use for the sympathy of Mr. Kotieth Krishnan. He said that he was satisfied with the present mal-administration and did not want Swaraj. Sir, I have no use for such people.

"My hon. Friend Mr. Srinivasan complained that they are being dragged hither and thither by all sorts of parties. I sympathize with him. The only way to remove them is to have your own party and electorate and to have a mandate behind you. You can have no principles or programmes or policy, so long as you give away your votes for the mere asking to my hon. Friends the Ministers. In the course of a day or two, the new Ministers will come to you and will say that they will do this; they will do that. They will promise all sorts of things, appointments to temple committees, local boards, etc. I would appeal to you: Do not listen to them. (The hon. Mr. M. R. Seturatnam Ayyar: 'I am not doing this.') Then you are a fool, if you do not canvass support for yourself."

The hon. Dr. P. SUBBARAYAN:—"Sir, on a point of order. Has the hon. Member got any right to call another Member fool?"

The hon. the PRESIDENT:—"Did the hon. Member use the word?"

* Mr. S. SATYAMURTI:—"Yes, Sir, I did, but in a Pickwickian sense."

The hon. the PRESIDENT:—"The hon. Member must withdraw the word."

* Mr. S. SATYAMURTI:—"I do, Sir."

Sir JAMES SIMPSON:—"Apologies."

* Mr. S. SATYAMURTI:—"Sir James Simpson is not yet the President of this House."

"Then, Sir, the question of the representation of the depressed classes and minorities in the services was also brought in. I submit, Sir, this is the proverbial red-herring. I recognize that minority communities have a just claim to be adequately represented in the public services of the country. I am one of those who believe with the Congress that the public services ought not to be the monopoly of any community. All communities should have, subject to minimum standards of efficiency, equal opportunities of serving the country. But, Sir, this is not going to be solved or gained by using it as an argument against Swaraj. On the other hand, it is going to be solved only under Swaraj."

"The last argument of the members of the depressed classes was: We are for provincial autonomy. We want to rule this country ourselves, but we are not ready. Sir, even in the Joint Committee Report they point out that it is not possible for any person or nation to learn to govern except by making mistakes, and suffering the consequences. Even assuming for the sake of argument that we are unfit to govern ourselves, to my mind the only way to learn to govern this country is to attempt it. Make the mistakes and then learn to rule this country effectively. For the matter of that, is any country fit to govern itself? Is England fit? (Cries of 'No'.) According to England, is Russia fit? or Egypt? Sir, no country can be the judge of the capacity of any other country to govern itself. We must be the judges of our own fitness. We ought to be, and we are, quite fit."

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"These are the arguments, Sir, which were advanced. So far as our position as the Congress Party in this Council is concerned our demand is for complete and full responsible government in British India and at once. That demand has been reaffirmed by the All Parties' Conference at its recent Session in Delhi and the representative of the Justice Party has subscribed to it. In fact, Sir, there is not one party that has not subscribed to it. Sir, my friend Mr. A. Ramaswami Mudaliyar whose presence I very much miss here represented the Justice Party at the Conference, and, as a member who took a prominent part in its deliberations, he is for the immediate attainment of full responsible government by India. We cannot therefore accept that policy and at the same time say that provincial autonomy is our goal."

"As regards the protection of minorities, I have stated our position quite clearly. We are prepared to make all reasonable concessions to minorities so that they may feel they have ample safeguards for justice and due representation, whether in the Government of the country or in the public services of the country."

"Sir, we are for the attainment of full and complete responsible Government by this country. That being the position, we have decided as a party to remain neutral on this motion, leaving it to the Independents and the Justice Party to do what they please. Sir, we have so decided, but we would invite all parties in this House to co-operate with us in asking for nothing less than Swaraj under which alone all communities can live and prosper happily."

* Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Sir, with your permission I would like to say just a word or two. We have listened to a good deal of eloquence on the motion before this House. Sir, I may say at once that, with most of what has been said, myself and my party are in entire agreement. (Hear, hear). But I fail to see, Sir, how by reducing the salary of the Private Secretary to His Excellency the Governor we are going to get any the nearer to the attainment of provincial autonomy or Swaraj. May also I ask, Sir, in all humility whether we are going any nearer to that goal by calling the Ministers there 'traitors' and 'fools'? Sir, we shall only be bringing discredit to ourselves by indulging in that kind of discreditable talk."

"Sir, I was listening rather very carefully to the hon. the Deputy Leader of the Swarajya Party. But, Sir, I was at a loss to know whether he was speaking in support of the motion or against it. At the end of the discourse, however, I found that as a party they are going to remain neutral. In this respect, I may say that we are going to copy their example. (Hear, hear); not certainly for the reasons that he has given but for the very simple reason that by passing this out and reducing the salary of the Private Secretary we shall certainly not get nearer the goal of provincial autonomy than we are now. Long before all this display of eloquence by the Swarajists on this subject, provincial autonomy was put forward by our Ministers in their memorandum to the Muddiman Committee as their minimum demand. That is our irreducible minimum still. Then, the Deputy Leader of the Swarajya Party was all praise to the Justice Party and its Leaders. But I may say, Sir, that we are not in need of any praise from that quarter. (Mr. S. Satyamurti: where do you look to then for praise?) However, we are thankful for it. I know why all this praise was bestowed on us to-day. He himself did not make a secret of it. In a day or two he says that he is going to put to the test the principles which we have been advocating all this time."

[Mr. S. Kumaraswami Reddiyar] [17th March 1928]

4-15 p.m. "I am sure, Sir, we are quite prepared for that test, (Hear, hear) and will easily come out of it as unscathed as any respectable political party can. (Hear, hear). In what we do we would be justified by the principles we have accepted; and by those principles we stand. I would only say this with regard to this question of the attainment of provincial autonomy. If only the hon. Members who sit above the gangway were more consistent in their demand than they have been in the past, perhaps we will be nearer to it than by passing a motion of this kind. Conditions do arise when even a very notable member of that party, who is inspired by the purest kind of nationalism, thinks that diarchy is not after all a barren tree. He made a pronouncement, Sir, not long ago that in diarchy after all he discovered a tree which was not barren. That was at a time not when these three hon. Ministers were sitting there but at a time when a different trio of Ministers were sitting. And we had revelations from members of that party, who have no doubt since rebelled against that party, as to what really the implication of the statement of the hon. the Deputy Leader was. So far as we are concerned the tree has been the same. If it was barren before, it is barren even now. If it was fertile before, it is fertile even now. A good deal was said, Sir, as to the vagueness of the expression, provincial autonomy. When the hon. Member, Mr. S. Arpudaswami Udayar was speaking on the motion I heard a member of the Swarajist Party saying, 'what is provincial autonomy?' May I, Sir, with the same feeling of doubt, ask the hon. Members who spoke on this side of the House what 'complete independence' and 'full responsible Government' mean? Well, Sir, after all these are phrases and I am sorry to have to say that, in the present state of our political development, unfortunately we very often become slaves to phrases. It is not unnatural that it should be so. All these apart, I say that we are as much in favour of provincial autonomy as the most nationalistic of our friends sitting up there. If, therefore, we remain neutral on this it is for the reason, Sir, that by reducing the salary of the Private Secretary by Rs. 100 or any amount we are not going to get provincial autonomy."

* Mr. N. SIVA RAJ :—"I did not want to speak here this evening. But after hearing the eloquent speech of the hon. Member for the University, I want to say a few words on this question. He sought refuge under patriotism and started calling those of us, who honestly differed from his political views, cynics. I do not want to defend myself against that charge. But his argument is the argument of those who have been very rightly said to be extremists in politics and conservatives in social reforms. Now, in this country, Sir, people are trying their best to draw a distinction between political questions and social questions and they go further and say that the political advancement of the country does not depend upon the solution of the social problem. But I am one of those who believe—that, unless these social questions are really and practically solved, there is no bright future for our country. I am an Indian myself and should feel like an Indian (Hear, hear). If I should fight for the freedom of India I should feel like an Indian. (A voice: 'Do you feel?'). Do you believe that it is not possible for me to feel like an Indian at all having been born and lived in India? 'If I do not feel like that I say, it is not my fault. (A voice: It is the fault of your agitation'.) In this country social boycott is resorted to as a method of forcing down one's political opinion upon another. Do you think there is any hope of political freedom for this country? We really and honestly feel, Sir, that unless this question is solved, India is not fit for a system of

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government under which we are all supposed to be free. People who have got wealth in their hands, who have caste, education and culture will always form a great source of burden to us. Perhaps in the interests of India I have to oppose the grant of provincial autonomy. Such an autonomy even if got, we may not be able to retain. For aught we know, taking the present circumstances and past sufferings we might fall a prey into the hands of the Bolsheviks as in Soviet Russia. Then India will be a country not worthy to live in. That is the aspect that suggests itself to me at the present moment. My friend concluded by saying that even the Justice Party are now claiming full provincial autonomy. Might I remind him that people who were once afraid of the 'flying column in advance' have now joined the 'flying column in advance' themselves. We feel we ought not to join with those people sitting beside him at the present moment. (A voice: 'Why don't you join it?') My hon. Friend suggested that we shall have separate electorates. On this question of electorate, though in theory any man may say that electorate will solve all difficulties and we might really represent the public opinion, in practice, it will prove the opposite. I will prove my statement and challenge any member to deny what I say—that an electorate is really no good to us at the present moment. Supposing you have an electorate what really happens in the outskirts of the district is this. We are people who are not educated, who are highly indebted and are under the grips of Mirasidars and landlords who can get all these depressed classes vote in any way they like. (A voice: 'So long as there are toddy shops there.')

I am just coming to that. I was merely going to say that the representative will be just those who can always hang on to those caste people. (A voice: Why not men like you stand?) I am certain my hon. Friends know just as well as I do that at the present moment it is not possible in our country. (A voice: 'You are not in touch with your own people'). Hon. Members with knowledge of the conditions existing in the mufassal will agree with me in saying that at present the representative will really be a representative of the caste people. I dare say these people will just put up those candidates who are suitable to them and not suitable to us. (A voice: 'You put up'.) (Another voice: 'You want Government to put you up?') Not at all. I am not in the least suggesting. . . . (At this stage there were many interruptions which were inaudible in the reporter's gallery.) I do not catch my hon. Friends' interruptions."

The hon. the PRESIDENT :—"I do not like that the speaker should be interrupted like this by long sentences. If members persist in this I will have to enforce rule 17 to my very great regret and maintain the discipline of the House."

* Mr. N. SIVA RAJ :—"An impression is evidently going round that we the members of the depressed classes are working against the interests of India and the Indian nation. At least the responsibility is upon the hon. Members of this House who call themselves elected members to make us feel like Indians and act like Indians. When the time comes, Sir, as I told you and the hon. Member for the University when we feel and act like Indians it is not in this way we shall fight and not in this place. It will elsewhere and it will really be for India. India will never get her freedom unless and until we feel and act like Indians. I say that the real battle of Indian freedom will have to be fought and won by us in this country. (Voices: Doomsday? Doomsday?)"

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* Sir JAMES SIMPSON :—" When I entered the House this afternoon I had not the slightest intention of taking part in this debate. Not even the theatrical and vehement performance of the de facto Leader of the Congress Party drew me to my feet. I think we all recognize that he was 'intoxicated with the exuberance of his own verbosity.' After the same speech of Mr. Kumaraswami Reddi I would just like to say this. It is a great pity that so many hours have been wasted on a debate such as this only to learn that one leading party will remain neutral, and an other important party also would do the same. I would like to say on behalf of this bench that we are in favour of provincial autonomy (Hear, hear) with due safeguards. But in view of the unreal and insincere nature of this debate, if the motion is to be pressed to a division, this bench will vote against it."

* Mr. J. A. SALDANHA :—" I shall only say a few words as to the remarks made by the nominated members on the other side. What I find among them is that they are really conscious that some great revolution in the matter of the constitution is at hand. Mr. Siva Raj spoke of Bolshevism being established in this Presidency. But if Bolshevism were to come to this country it won't be from the higher classes. It will be from the classes to which my hon. Friend belongs (Hear, hear). Because how was Bolshevism established in Russia? It was not by the higher classes. It was by the depressed classes which correspond to the depressed classes in this country. If after having established Swaraj we repress the lower class surely we shall deserve the worst. If such a condition of things happens then Mr. Siva Raj or his descendants will first try to establish Bolshevism. Now what is our aim? A constitution has been drawn up by the leading members of our party and the most advanced constitution framed is that of Mr. S. Srinivasa Ayyangar.

4-30 P.M. " There is a general provision in it that representation should be given at the rate of at least one for two lakhs. Our friends of the depressed classes number about 6 millions in this Presidency. Now if all the six millions have one representative for every two lakhs, they will have 30 representatives in this Council, out of about 250 representatives of all classes in this Council. They will all be elected. As regards the franchise, it is for them to decide and it will be given to them according as they wish. But if they insist on separate electorates, surely nobody will force the reservation of seats. I am glad my Friend Mr. Arpudaswami on the other side voiced the best feelings of his community in noble language. We want provincial Swaraj for the whole of India and autonomy for the provinces. We shall confine ourselves to this presidency in voting on this motion. We are all agreed with the principles. It is well I think if the Mover of the motion would withdraw it as several points have been raised over this motion from different sections of the House which require calm consideration."

The hon. Mr. T. E. MOIR :—" Mr. President, Sir, in speaking on this motion, I do not propose to press further the protest against some unfortunate clerk being deprived of his emoluments in order to further the cause of provincial autonomy. Nor do I complain of this resolution being raised on this appropriation, because, of course, it is a legitimate opportunity for any member to raise the question on this grant.

" My hon. Colleague the Revenue Member has been accused of giving the most cynical replies to the questions which were put to him as to what the attitude of the Government would be. May I say that we on this bench looked forward with considerable interest to this discussion, because undoubtedly the question of the future of Reforms in this Presidency is one

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which in all probability will come under our consideration, both individually and possibly collectively (Hear, hear), and I think we have listened to this debate this afternoon in the full expectation that from this debate we might gather valuable material which would aid us in forming our conclusions on this very important matter. I may say frankly, Sir, that I am somewhat disappointed in the result. I also thought that we should get a definition of provincial autonomy; and when the hon. Member for the University twitted the mover of this reduction on the fact that he did not define his ideas about provincial autonomy, I thought I was going to get from the hon. Member for the University a definition of it for which I have long been seeking. While urging objections to the position taken by Mr. Arpudaswami Udayar, he entirely forgot to give his own definition; and I am still in the dark as to what he implies by provincial autonomy. I had hoped for example that on an occasion of this kind I might have some light as to the conception which the hon. Member for the University has as to the relations which in future ought to exist, say, between the Provincial government and the Central government. I am very anxious to get information on that point, and to get suggestions which will help us in considering the measure when it comes before us. I have not heard one word to-day which went to elucidate that very important issue.

" Then, turning to the second point with which the motion deals, that is, the position of minorities we did get valuable information from the hon. Member for the University. He concedes in the first place that the depressed classes must have separate representation. As to the method of that representation, of course he had criticisms to make. I do not suppose any one in this House differs from him when he suggests that nomination is not the most satisfactory or the final method in achieving that object. But, to my knowledge, when the present constitution came into force, there was no possibility, or material from which electorates of the depressed classes could be formed. When that question is again examined, it may be found that sufficient progress has been made in the last nine years to enable such electorates to be formed in part or in whole. At any rate some progress has been made in the case of the depressed classes which might warrant the abandoning of the method of representation by nomination. Then, if I understood him aright, the position as regards other minorities is this, it is a matter which entirely rests with them; if they want separate representation under the constitution to be framed by the hon. Member for the University, they shall get it. That of course is a very valuable statement from him, and will be very useful material to myself and my Colleagues when we in turn have to consider that very important question.

" Then turning to the question of safeguards—a very important question of course—a small community may consider that a representation of one or two per cent in this House while a valuable privilege in itself is hardly equivalent to a safeguard. That of course again is a question for them. My hon. Friend Mr. Thomas may consider that political representation by itself is quite a sufficient safeguard for his community. On the other hand, when I tried to find from the speech of the hon. Member Mr. Satyamurti any definite idea as to any other safeguards that might be inserted in the new constitution for communities not so satisfied. I could find none. It was so vague that my hon. Colleagues and myself have to be left to our own resources in examining that question.

" Then again, turning to the members representing the depressed classes here to-day, he asked them to be satisfied with the assurance that he gave

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them that if they would only trust him and his community all would be well. (Mr. Satyamurti: 'Trust in us'.) I may say it would be a great relief to any one who is in the slightest degree responsible for the shaping of the future of this country if that solution of a very important question could be adopted. Unfortunately, the greatest obstacle to its adoption is the hon. Member for the University himself. He never speaks, directly or indirectly, to the representatives of the depressed classes without rousing fierce indignation. I do not wonder at it. He speaks to them like a schoolmaster rating school boys with an arrogance bordering on contempt as if they had behaved impertinently in taking part in our debates and putting forward their views as if they had no business in any sense to claim equality even on the floor of this House. (A voice:—Question:.)

Mr. S. SATYAMURTI:—"On a point of personal explanation, Sir. The hon. the Finance Member is entitled to quote me but not to misrepresent me. I challenge him to show any phrase in my speech in which I said directly or indirectly that those gentlemen who spoke on behalf of the depressed classes were impertinent or that they had no business to take part in the debates of this House."

The hon. Mr. T. E. MOIR:—"It is not what the hon. Member says, it is what can be implied from the hon. Member's tones. (Voices: 'Invention', 'Imagination'.) Yes, but hon. Members of this House understand and know well to what I refer. And the unfortunate thing is that this impression for which he is responsible is not confined to the hon. Member for the University; for he is regarded as speaking for the whole community from which he is drawn I can imagine nothing as more unfortunate especially on this issue connected with the depressed classes than that such an impression should be created as regards their attitude by the speeches of one of their own community."

Mr. S. SATYAMURTI:—"On a point of personal explanation, I ask my Friend the Finance Member to substantiate what he is charging me with. He deliberately misrepresents me as referring to the depressed classes representative as impertinent in speaking for their own class. Instead of answering me, he refers to my tone and his own inference, which is mischievous. (A voice: 'Perversion'.)"

The hon. the PRESIDENT:—"The hon. Member has got every right to put his own interpretation regarding the voice of another Member of the House. As to the inference drawn by the Finance Member regarding the effect of his speech on the community to which the representative of the University belongs, it cannot be a matter for personal explanation."

Mr. S. SATYAMURTI:—"With reference to my voice, may I submit that my voice is not my community's but what is given to me by my lungs?"

45 p.m. * The hon. Mr. T. E. MOIR:—"I have said that I regard it as most unfortunate because I feel sure that in these matters the hon. Member does not represent his community and if it were a question of my citing instances to the contrary I could cite them. Apparently there are individual members of the depressed classes who are not prepared to accept the assurances given by the hon. Member for the University as safeguards. I could have wished that they in their turn had been able to place before this House more clearly their definition of what they regard as safeguards. The amount of materials available for the consideration not only of the Government but of every Member of this House would then have been more valuable and more satisfactory. I can only hope that these Members will be given other opportunities for

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declaring their views or putting forward their opinions as to the nature of these safeguards. The only safeguard that has been mentioned in the debate—and here perhaps I may refer to the speech of the hon. Mr. Thomas—he said "Why don't you adopt my suggestions, you have a very large police force, at least 50 per cent of the depressed classes may be recruited to these subordinate ranks?"

Mr. D. THOMAS:—"On a point of personal explanation, Sir, what I said was 50 per cent of the new constables to be selected may be taken from the depressed classes and not 50 per cent of the depressed classes." (Opposition laughter).

* The hon. Mr. T. E. MOIR:—"I don't intend to quarrel with what the hon. Mr. Thomas said on that point. I know that he referred to fresh recruitments from the depressed classes. But the point is one of the safeguard which was referred to by the hon. Member for the University, namely, that the efficiency of the services must be maintained. That is the one safeguard to which he referred in the course of the day's proceedings. I would ask, how is that safeguard going to work in the case of the depressed classes. Everyone knows that a head constable or a constable must have a certain amount of education. (Here Mr. Saldanha interrupted). There have been many complaints in the past might I remind the hon. Member from Mangalore, of the lack of education on the part of subordinate classes in the Police Department and we have been urged to see that better educated men are recruited to that department. It seems to me that the one safeguard which has been mentioned in the course of the day's debate is the one safeguard that could prevent the proposal of the hon. Mr. Thomas from being put into execution, and I should have been glad if a really practical proposition had been put forward and that is that we should spend very much more money on behalf of the depressed classes in order that they might be educated so as to aspire to places not only in the Police department and not only to the subordinate appointments in the Police department but also to appointments in all departments and in all ranks. Then again, the hon. Member for the University informed the Members of the depressed classes that our interests in their welfare was of a very recent growth, that it came into birth with the arrival of the Simon Commission and would die down with its departure from these shores."

Mr. S. SATYAMURTI:—"On a point of personal explanation. Sir, I did not say it started with the arrival of the Simon Commission. I said that it would die with the Simon Commission and that it started with the starting of the reforms with their representatives here."

* The hon. Mr. T. E. MOIR:—"The question of the depressed classes and the establishment of the Labour Department was one that had been under the anxious consideration of the Government long before anything was known of the Montagu-Chelmsford Reforms. We had hoped against hope that the aims which we had in view might have been achieved by the operation of social forces and by the awakening and enlightenment and a spirit of sympathy on the part of the people of this country. But we found that it was no use hoping any longer that any substantial advance would thus be made and that is why finally Government determined that if the interests of the depressed classes were to be served, it was necessary to establish a separate department to work for them and that was done."

Mr. S. SATYAMURTI:—"After the reforms."

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* The hon. Mr. T. E. MOIR :—"It may be that we have not effected what the majority of this House would wish in respect of the expenditure on that department, but as hon. Members know, we have many claims upon us. I can also say that while we had many pressing demands for increased expenditure from various quarters of this House on other objects, the demand for increased expenditure in respect of the Labour Department has been of a somewhat fainter character. But, whatever may be our position, even if it be that we should stand here to-day in a white-sheet in that respect, what about the hon. Member for the University? He has had during the last nine years unlimited opportunities for working for the depressed classes. Why could he not from his seat there come forward to urge their claims and demand money for them and use his vote in their case not to cut out money which is at present his invariable practice, but to demand more money to be spent on them."

Mr. S. SATYAMURTI :—"On a point of personal explanation, Sir, at budget time I can only cut off money, but I cannot vote for more money."

* The hon. Mr. T. E. MOIR :—"The hon. Member says he cannot do it, and yet for the last three days we have been sitting here listening to speeches full of demands that more money should be spent on this, on that, on irrigation and other objects. Where is the constitutional impediment to a member getting up and demanding that say half a crore should be placed at the disposal of the Government for the education of the depressed classes when members have demanded that larger sums should be spent on irrigation, etc. There is no impediment at all, Sir."

Mr. S. SATYAMURTI :—"We have demanded it (Voices from the Swarajist benches : 'What about Lalaji's demand in the Assembly?')"

* The hon. Mr. T. E. MOIR :—"It is not too late yet for the hon. Member to show his sympathy. We have discussed here to-day very important questions which have to be decided within a comparatively short period of time and if the hon. Member for the University wishes to press his views as to how the future constitution of the country should be regulated, if he wishes to show his practical sympathy for the depressed classes, let him come forward and take a hand in the framing of the future constitution. Let him rise now and say that he is prepared to come before the commission, which has been sent (Voices from the Swarajist benches : 'No, no, we have been denied our rights'), and which has specially come to take evidence as to how the people and the various communities in this country should be represented, what safeguards are best suited to the interests of the minority communities, what can be done to give the depressed classes a proper status in the constitution and to wipe out their fears and apprehensions. Let him take the opportunity now. I have no doubt that one who holds such a high position in the party which he represents would be received with the utmost consideration and that his suggestions and proposals would be fully examined." (Loud applause).

Mr. S. ARPUDASWAMI UDAYAR :—"I do not press the motion, Sir."

The motion was by leave withdrawn. The demand was then put to the House and carried.

The House adjourned to re-assemble at 11 a.m. on Monday, the 19th March 1928.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

THE MAORAS LEGISLATIVE COUNCIL.

Monday, the 19th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT :

Marjoribanks, K.C.I.B., C.S.I., I.C.S., The hon.
Sir Norman.
Usman Sahib Bahadur, The hon. Khan
Bahadur Mubammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Campbell, C.S.I., C.I.E., C.B.S., V.D., I.C.S.,
The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Sethurathnam Ayyar, The hon. Mr. M. R.
Abbas Ali Khan Bahadur.
Abdul Hye Sahib Bahadur, K.
Abdul Razack Sahib Bahadur, Khan Bahadur
S. K.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur
R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsulu Nayudu, Mr. P.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Biswanath Das Mahasaya, Sriman.
Boag, C.I.E., I.C.S., Mr. G. D.
Chidambaramatha Mudaliyar, Mr. T. K.
Congreve, Mr. C. R. T.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Derai Raj, Rajkumar S. N.
Ellappa Chettiyar, Rao Bahadur S.
Evans, C.S.I., I.C.S., Mr. F. B.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. C.
Hamid Khan Sahib Bahadur, Abdul.
Hampayya, Rai Sahib M.
Harisavottama Rao, Mr. G.
John, Mr. V. Ch.
Kaleewara Rao, Mr. A.
Karant, Mr. K. B.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohsin Sahib Bahadur, Muhammad.
Koti Reddi, Mr. K.
Krishnao, Mr. K.
Krishnan Nayar, Diwan Bahadur M.
Kumara Raja of Venkatagiri.
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppaswami, Mr. J.

Laker, Mr. A. T.
Madhavan Nayar, Mr. K.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravattar Bahadur, K. P. V. S. Muham-
mad.
Moidoo Sahib Bahadur, T. M.
Muniswami Nayudu, Rao Bahadur S.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur
A. M. M.
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raja, Mr. D.
Narayana Rao, Mr. Motbay.
Narayanan Chettiyar, Mr. A. I. Ar.
Narayanan Nambudripad, Rao Bahadur
O. M.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parthasarathi Ayyangar, Mr. C. R.
Petro, Kt., Rao Bahadur Sir A. P.
Raja of Jeypore.
Raja of Panagal, K.C.I.B.
Raja of Ramnad.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Ramanath Goenka, Mr.
Ramasomaya Julu, Mr. C.
Ramjee Rao, Mr. V.
Ramaswami Ayyar, Mr. U.
Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur
C. S.
Sabajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Simpson, Kt., Sir James.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Slater, C.M.S., C.I.E., I.C.S., Mr. S. H.
Soundarapandia Nadar, Mr. W. P. A.
Srinivasa Ayyangar, Mr. R.
Srinivasan, Rao Sahib R.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam
Dubash Kadir Sahib.
Tajudin Sahib Bahadur, Syed.

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PRESENT—cont.

Tampoe, I.C.S., Mr. A. McG. C.
 Thomas, Mr. D.
 Tulasiram, Mr. L. R.
 Uppi Sahib Bahadar, K.
 Vanavudaiya Gounder, Mr. S. V.
 Venkatapathi Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.

Venkataramam Nayadu, Mr. C.
 Venkataratnam, Mr. B.
 Venkiah, Mr. S.
 Watson, I.C.S., Mr. H. A.
 Wright, Mr. W. O.
 Zamindar of Gollapalli.
 Zamindar of Mirzapuram.
 Zamindar of Beithur.

I

QUESTIONS AND ANSWERS

STARRED QUESTIONS

Public Health

Right of private practice to the Medical officers.

* 1774 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) why the Government allows the right of private practice to its medical officers alone, while the men in other departments like that of engineering are denied any such privilege; and

(b) whether there are instances of medical men in the service of the Government being consultants of particular chemists' shops or the owners of such shops and whether these officers could run any business of a remunerative nature?

A.—(a) The Government consider that until the independent medical profession in the Presidency is in a position to satisfy the medical needs of the people, the latter should not be deprived of the services of Government medical officers.

(b) With regard to the first part of the question, the Government have no information. As regards the second part, a Government servant may not, without the previous sanction of the Local Government, engage in any trade or undertake any employment, other than his public duties.

Mr. A. B. SHETTY:—"Sir, regarding clause (b), am I to understand whether Government will get information on this matter?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"May I suggest to the hon. Member, Sir, that instead of starting a fishing expedition as regards this question, if the hon. Member would give a few instances of the kind he suggests, it would be easier to get the information and take the necessary action?"

Local Boards

Proposals by taluk boards to open libraries of an itinerant nature.

* 1775 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether any taluk board has sent proposals to open libraries of an itinerant nature; and

(b) if so, what are the detailed schemes proposed by such local boards, and what action the Government propose to take thereon?

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A.—(a) & (b) Proposals have been received from the President of the Nuzvid Taluk Board and have been referred to the Director of Public Instruction for remarks.

Betting

Legislation for combating the betting evil.

* 1776 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state whether the Government have come to any conclusion regarding the report submitted by the Committee appointed to consider the question of legislation for combating the betting evil?

A.—The Government have decided to introduce suitable legislation.

Irrigation

Irrigation facilities in the Chidambaram taluk, South Arcot.

* 1777 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Member for Revenue be pleased to state—

(a) whether in the channel constituting S. Nos. 77, 78, 79 of Pannapat village, Chidambaram taluk, there were any authorized or recognized kondams;

(b) whether the water flowing into the said channel has been diverted away into a channel constituted in S. No. 15 and further east by the erection of a masonry dam;

(c) whether the dam has been erected by the Government and, if so, at what cost;

(d) whether there were any objections raised by some landholders against the said action of the Government;

(e) whether any responsible officers of the Government visited the spot; and

(f) what orders have been passed on the objection petitions, and whether any enquiry was made regarding the grievances of the petitioners?

A.—The Government have not received any representations about the case. The question and answer will be communicated to the Collector of South Arcot.

Mr. V. I. MUNISWAMI PILLAI:—"With regard to the answer, Sir, may I ask if the Government will find out from the Collector of South Arcot whether he has received any such petition?"

The hon. Sir NORMAN MARJORIBANKS:—"Will the hon. Member kindly repeat his question, for I did not hear it?"

The hon. the PRESIDENT:—"The hon. Member will kindly repeat his question."

Mr. V. I. MUNISWAMI PILLAI:—"I asked, Sir, whether the Government will be pleased to find out from the Collector of South Arcot whether he has received any such objection petition?"

The hon. Sir NORMAN MARJORIBANKS:—"Yes, Sir. I would do so, as soon as he has looked into the matter as suggested in the answer."

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UNSTARRED QUESTION

Civil Justice

Exemption from attachment of houses and sites occupied by agricultural labourers.

1778 Q.—Swami A. S. SAHAJANANDAM : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the provision [section 60 (c) of the Civil Procedure Code] exempting the houses and sites occupied by agricultural labourers from attachment and sale is often defeated by what are called pannaiyal agreements; and

(b) whether the Government propose to take any steps to see that the provisions of section 60 of the Civil Procedure Code are not so defeated?

A.—The Government have not definite information that the practice exists but will make enquiries.

II

COMMUNICATION TO THE COUNCIL.

The Secretary laid on the table copies* of the return of officers under the Government of Madras who held permanent, temporary, acting or probationary appointments on the 1st April of each of the years 1924, 1925, 1926 and 1927.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND IX—GENERAL ADMINISTRATION—LEGISLATIVE BODIES.

*The hon. the PRESIDENT :—"The Council will now take up Demand No. IX."

*The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

'for a grant not exceeding 8.17 lakhs under "General Administration—Legislative Bodies".'

*The hon. the PRESIDENT :—"The question is that Government be granted a sum not exceeding 8.17 lakhs under General Administration—Legislative Bodies."

*Mr. BASHEER AHMAD SAYEED :—"Mr. President, Sir, I move

'that the grant of Rs. 42,400 be reduced by a sum of Rs. 100.'

"In moving this amendment, Sir, my object is to urge the necessity for immediately placing at the disposal of the Legislative Council all the accommodation in the ground floor of the Secretariat. Sir, I need hardly point out to the hon. Member concerned that there is not enough space for the Legislative Council and the various parties and their office-bearers at present. Even for holding the Select Committee meetings, if more than one Select Committee meeting is held simultaneously, there is not enough space

* Printed separately.

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Besides, the greatest difficulty is felt at the time of the election of members of this House to the various committees—Finance, Public Accounts and other committees—and often the Secretary's room is taken up for the purpose and people find a lot of inconvenience on that account. Further, the number of parties in the Council has increased and there are more parties to-day than there are rooms and places allotted for this purpose. The Leaders have become more than their original number and each Leader may require a room for himself and so also the Secretaries and the Whips. Further, the Advocate-General is in great need of a room for himself. I have seen him sitting always in some room or other without having a room for himself. Further, the visitors do not have any special accommodation for them to wait for hon. Members of this House before they are ushered into the various galleries; especially so is the case with lady visitors, who do not find any place to rest in the interval between their coming into the galleries in the Council and their staying out. I therefore urge, Sir, that as soon as may be possible, the whole ground floor of the Secretariat may be vacated and left to the Council for the various necessities that I have pointed out just now."

*The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, as hon. Members are aware, two wings are being added on to the western side of the Secretariat to enable as large a portion of the ground floor as is practicable to be set apart for the use of the Council. It is hoped that these extensions will be completed shortly and I have no doubt that it will result in a considerable alleviation of the inconveniences which the hon. Member has laid stress on."

*Mr. BASHEER AHMAD SAYEED :—"I do not press my motion, Sir."

The motion was by leave withdrawn.

*Mr. J. A. SALDANHA :—"Sir, I propose

'to reduce the allotment of Rs. 42,400 for pay of establishments by Rs. 100.'

with a view to criticize the present arrangements for improving the acoustics of the House and the necessity for enabling Members to speak from a convenient raised place.

"Sir, when we Members enter this Chamber, we feel a sort of stinking sensation." (Laughter.)

*The hon. the PRESIDENT :—"Order, order. Before the hon. Member proceeds, I want to know whether the rule of repetition will apply to it or not, because his amendment to the Standing Order suggesting a rostrum from which Members could speak was negatived by the House during the current session."

*Mr. J. A. SALDANHA :—"Sir, I shall not go into the question of the rostrum at all. I will address myself only to the other point."

*The hon. the PRESIDENT :—"What is the other point?"

*Mr. J. A. SALDANHA :—"I wish to draw attention to the state of acoustics in this House."

*The hon. the PRESIDENT :—"The hon. Member will therefore speak only on the first portion."

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* Mr. J. A. SALDANHA :—" Sir, we fear that however loud we may speak in this House, our voices will be drowned as it were and our troubles increase especially when some Members, particularly on the Treasury Benches, talk so low that most of the Members here cannot hear them, unless, of course, when they are quite indignant and in their indignation they raise their voices high. But, luckily or unluckily, that is rare. I feel sometimes that instead of meeting here, we may meet on the beach. There, I think our voices will be better heard than in this Chamber. Recently arrangements have been made for improving the acoustics of this House, but I think they are very unsatisfactory and a failure. I therefore press on the attention of the Leader of the House and of Government that steps should be taken to provide in this Chamber all the necessary improvements and equip it with instruments so that we shall have no more the trouble, first of all, of our own voices being drowned and difficulty in hearing one another."

* Mr. ABDUL HAMID KHAN :—" Mr. President, Sir, this is a matter which should draw the attention of the Member concerned immediately. I say it, because, if there is any section of the audience in this Council that is most affected by the inadequate acoustic arrangements, it is the Press. The Press has suffered much even before these new arrangements were brought into existence—and the voices amplified so as to reach the Press gallery. Especially when Members with low voices speak, even with the new arrangements that have been made, the Press does continue to suffer. I think the seating arrangement in this House is largely responsible for this drawback. I do think that certainly steps will be taken as soon as possible in order to change the arrangements of the seats, so that this difficulty which is experienced not only by the Press but also by the visitors who sit in the galleries and who come here with a view to hear every Member who speaks, may be done away with. I am sure that a great deal of the difficulty experienced by these various classes of people will thus be obviated."

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, as the House is aware, this matter has been explored several times and structural alterations were examined and found not to be practicable. The method which is now under experiment is the provision of 'loud-speakers' in different parts of the House. If there is any other practical suggestion that can be put forward, the Government would be only too glad to explore it."

* Mr. J. A. SALDANHA :—" Sir, I withdraw the motion."

The motion was, by leave, withdrawn.

* Mr. BASHEER AHMAD SAYEED :—" Mr. President, Sir, I move

'that the sum of Rs. 42,400 for pay of establishments be reduced by Rs. 100.'

" My object in doing so is to point out the necessity for the appointment of a special librarian on a salary of Rs. 200 for the growing library of the Legislative Council. I say this, Sir, without prejudice to the claims and the abilities of the present librarian. Since a few years the library has been growing, and we want a librarian who would be able to cater to the needs of the Members from time to time. We want not merely an attender and a librarian who have to do much work, as at present. The librarian is not at present available to all the Members of the Council. Besides, a librarian

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who has at least a knowledge of all the books, though not their contents, is very essential in order to help the Legislative Council Members who assemble here and who have to resort to the library now and then. I do not want to say much, Sir, on this matter except to express the hope that the Government will realize the necessity for a librarian who will be able to help the Members of the Council, to find out at least the proper places where information on particular things could be obtained, if not himself possessing a knowledge of all the contents of the books in the library."

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, there was some complaint on the ground of lack of sufficient library staff on the last occasion, and an establishment of six additional persons was sanctioned, and at present there is a librarian on Rs. 70—175 scale of pay, an attender and persons. So far, there has been no complaint that the staff is inadequate, nor has the House Committee made any representation on the matter. The Government will be prepared to refer this question to the House Committee and consider any proposals that they may make."

* The hon. the PRESIDENT :—" Does the hon. Member wish to press his motion ?"

* Mr. BASHEER AHMAD SAYEED :—" I do not press it, Sir."

The motion was, by leave, withdrawn.

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I beg to move

'that the allotment of Rs. 1,55,000 for allowances be reduced by Rs. 100' (in order to suggest the payment of halting allowance to Members for a day before and a day after the meeting of the Council).

" In the Legislative Assembly, Sir, halting allowance is paid for three days before and three days after the meeting of the Assembly besides the days on which the Members attend meetings at Delhi or Simla. I propose that in the case of our Council also we should be allowed allowance for an extra day before and after the meeting for this reason : that most of us who have to study papers in connexion with the meeting have to be here a day earlier. On the first day of the meeting we have scarcely time to go home straight from the station and after taking breakfast, to attend the meeting. Moreover, on arriving here after travelling a long distance, we find it very difficult to study the papers either at home or in the library with the necessary books. So, I think I may rightly urge that as in the case of the Assembly we should be allowed halting allowance at least for a day before the meeting. As regards allowance for a day after the meeting, I may say that after the meeting is over, we take actually at least a day more for getting our papers and other things together and preparing the necessary materials for the next meeting ; and we require a day of rest for this purpose. I think this concession should be reasonably allowed to us, especially for the mufassal members who have to travel long distances at great inconvenience. It has also to be borne in mind that many of us have to attend to our own business in our homes and our profession does not allow us much time to study papers at home relating to the Council meeting. It is only after coming here that we can devote some time to the study of those papers. I therefore urge this proposal for the acceptance of all the Members of the House and of the Government."

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* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, this question, the Government feel, is one for the House to decide. The Government would be glad to have a vote taken on it, so that they may know what the view of this House is. The official Members will not vote."

The motion was put to the House and declared carried. The hon. Mr. Moir demanded a poll which was taken with the following result:—

Ayes.

- | | |
|------------------------------------|--|
| 1. Diwan Bahadur P. Kesava Pillai. | 14. Mr. S. Satyamurti. |
| 2. Mr. P. J. Gnanavaram Pillai. | 15. " T. Adinarayana Chetti. |
| 3. " B. Foulkes. | 16. " J. A. Balanha. |
| 4. " J. Bharmayya. | 17. " G. Harisvottama Rao. |
| 5. " Kenneth Kay. | 18. Abdul Hamid Khan Sahib Bahadur. |
| 6. " W. O. Wright. | 19. Mr. K. Uppi Sahib. |
| 7. " O. R. T. Congreve. | 20. " C. Ramasomayajulu. |
| 8. Rajkumar S. N. Dorai Raja. | 21. Basheer Ahmad Nayood Sahib Bahadur. |
| 9. Mr. S. Arpudawami Udayar. | 22. Mr. A. Kaleswara Rao. |
| 10. " Abdul Hye Sahib. | 23. " K. R. Karant. |
| 11. Rao Sahib R. Srinivasan. | 24. " B. Venkataratnam. |
| 12. Syed Tajudin Sahib Bahadur. | 25. Diwan Bahadur M. Krishnan Nayar. |
| 13. Mr. Sami Venkatachalam Chetti. | 26. Mr. T. K. Chidambaramatha Mudaliyar. |

Noes.

- | | |
|-------------------------------------|--|
| 1. Mr. V. I. Muniswami Pillai. | 6. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 2. " W. P. A. Soundarapandia Nadar. | 7. Khadir Mohideen Sahib Bahadur. |
| 3. " C. N. Muthuranga Mudaliyar. | 8. Rao Bahadur B. Muniswami Nayadu. |
| 4. " P. Bhaktavatsalu Nayudu. | 9. Kumara Raja of Venkatagiri. |
| 5. " B. Ramachandra Reddi. | |

Ayes 26. Noes 9.

The motion was carried.

* Rajkumar S. N. DORAI RAJA:—"Mr. President, Sir, I beg to move

'that the allotment of Rs. 1,55,000 for allowances be reduced by Rs. 100.' (in order to discuss the absence of Swarajist Members from the Legislative Council').

"Sir, I move this motion not with a light heart, but with a very keen sense of my responsibility."

* Mr. S. SATYAMURTI:—"On a point of order, Mr. President. I speak subject to correction, but I am merely submitting this for your consideration. I submit that our motions—I may preface my submission by saying that we are prepared to face this if you rule that this is in order, but I am merely submitting in the interests of the efficiency and harmonious working in this House—that budget motions are intended to influence or censure the policy or actions of the Executive Government, whether on the Reserved or on the Transferred side. I have a very grave doubt, Sir, whether budget motions can be used for the purpose, by hon. Members, of criticizing the conduct of their own non-official Colleagues in this Council. At that rate, Sir, supposing one hon. Member can give one or two names of Members who have been continually absent for months together—who belong to no party at all—in that case, can a motion be made, Sir, to censure their absence in this House? I am raising the whole point whether budget motions can be used by hon.

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Members to censure the conduct of their own non-official colleagues when they have no object of censuring or influencing the policy of the Government in one way or the other. I leave this to you for your considered ruling."

* Rajkumar S. N. DORAI RAJA:—"Sir, these our motions are meant to show the disapproval of one section of the House of the conduct of the other section, be it official or otherwise." (Mr. P. Bhaktavatsalu Nayudu: 'We don't care for your disapproval.')

The hon. Sir NORMAN MARJORIBANKS:—"I am unable to make any useful remarks, because I do not know what line the Mover is going to take in this matter."

* The hon. the PRESIDENT:—"All motions on the Budget are intended 11-30 to discuss or criticise the administrative actions of the Government. Any criticism to be offered by one member of a party against another section or the members of another party does not come within the strict purview of Budget discussions. But if the hon. Member is able to point out how his motion is ultimately intended to criticise the administration, I shall be able to come to a decision. If the hon. Member fails to convince me that his motion is however remotely connected with the administrative side of the Government, I think I shall not be in a position to admit the motion. The hon. Member will kindly explain how it is connected with the administrative side of Government."

* Rajkumar S. N. DORAI RAJA:—"It is connected in this way. We are asked to attend a committee meeting on a motion brought forward by a Swarajist member. After coming here, after wasting a great deal of people's money we are told that a particular Member withdraws and we can go to the Dickens for all he cares. It is only from this administrative point of view that I want to criticise."

At this stage Mr. R. Srinivasa Ayyangar and Mr. S. Arpudawami Udayar rose up and said that there is another point of order involved in this motion.

* The hon. the PRESIDENT:—"If hon. Members wanted to raise any point of order they ought to have raised it earlier. Now since Mr. S. N. Dorai Raja has explained himself, I am in a position to give my ruling. I don't think the hon. Member is in order in discussing this motion."

* Mr. D. NARAYANA RAJU:—"Mr. President, Sir, I move

'that the allotment of Rs. 4,000 for supplies and services be reduced by Rs. 100.'

"I wish in this connexion to draw the attention of the Government to the unsatisfactory nature of the G.O. No. 1631 W., dated 29th July 1927, regarding postal concessions to Members of the Council.

"Mr. President, you are aware that hon. Members of this House were enjoying certain privileges with regard to postal rates. Those concessions were subsequently withdrawn by the Government on the ground that the Government of India took objection to that practice. We were told that the objection taken by the Government of India related to one of the rules regarding postal rates. But the Government of India did not take any objection to this Government making any arrangement of their own in giving postal concessions to the hon. Members of this House. This point

[Mr. D. Narayana Raju] [19th March 1928]

was brought to the notice of the Government previously through questions and in the budget discussion of last year. Government have since published a Government Order on this matter and there it is stated as follows:—

‘The Secretary, Legislative Council, is informed that the Government have considered the several suggestions that have been made in regard to the concessions that should be granted to non-official Members of the Madras Legislative Council in the matter of their correspondence on matters of Government. The Government consider that the needs of the case will be met if, whenever a communication is addressed to a Member to which a reply is required from the addressee, Government or the Secretary, Legislative Council, sends a stamped envelope for his reply along with the communication. The Member will forward his reply to the communication in this stamped envelope.’

“Sir, this provision does not seem to be based on any intelligible principle. The correspondence that hon. Members carry on with the Government relates to duties they have to discharge in the interests of the public. We are entitled to postal concession just as any other public servant. Government say that they will give this concession only when they want a reply from the Members. I submit that any correspondence that they may carry on with the Government or with the Secretary is in discharge of their public duties. Our sending in questions, notices, bills, or amendments to resolutions, etc., are in discharge of our public duties, and therefore postal concessions should be extended to us. There is no practical difficulty in the matter. We may be allowed service stamps and we may be asked to account for them afterwards. Just as any other public servant serving the State is entitled to carry on correspondence at the expense of the Government, so hon. Members of this House should be allowed to carry their correspondence at the expense of the State.”

Mr. S. ARPUDASWAMI UDAYAR:—“Mr. President, I too have tabled a motion on this subject and I request that this concession be extended to all Members of this House. I remember, Sir, that on a discussion of this very question last year, the then Law Member gave us an assurance that the matter would be inquired into especially with regard to the supply of stamps.”

“Apart from the question of correspondence, I find the Council Library growing larger and larger every day. There are a number of magazines and journals in the library which only hon. Members of this House residing permanently in Madras can adequately make use of. Mufassal Members who attend the Council have only very short time to spare and therefore they can have only a cursory glance. I very often think that the primary intention of the Government and of the responsible officers in charge of these matters is that the library is to be used by all Members of this House. And if this concession is extended to the hon. Members, if we are allowed, certain books may be circulated among the Members. Such an arrangement exists in certain libraries, for example, the Asiatic Society Library and the Connemara Library. I think Government will be well advised in not considering the cost at all in this matter, in view of the fact that the library is for the benefit of the Members and also in view of the fact that by using the books they become conversant with all topics of interest and thus fully equip themselves for the onerous task of discharging their duties in the Council.”

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* Mr. T. ADINARAYANA CHETTIYAR:—“Sir, in supporting this motion, I shall adduce only one or two reasons. In supporting this motion I am not to be understood that Members grudge paying for stamps. What I say is that very often when any matter of interest is brought to their notice they have to wait for a long time till stamps are available to correspond with the Government. But if they could at the very moment write to the Government, the chance of forgetting is removed. I would suggest the idea of supplying Members with service stamps, should the Government raise the objection that postal matters belong to the Central Government and that this Government have nothing to do with it. As regards the Government Order just quoted it was stated that Government would send a stamped envelope for the reply. Very often the Member has occasion to send a reply when the Government think that there is no need for a reply. Therefore, although such a provision exists on paper in the Government Order it is of no practical value. Hence I urge that this concession of sending letters service bearing should be restored or that service postage stamps should be supplied to the Members of this Council.”

* Mr. C. RAMASOMAYAJULU:—“Mr. President, I am disposed to think that there is an implication in the Government Order which we are entitled to resent. Apparently it gives us a concession; but what it implies is that our legitimate business as Councillors, so far as correspondence with Government is concerned, consists of only responding to communications from Government. I resent that sort of implication and therefore I wish to support this motion. I conceive, Sir, that with reference to our activities several times correspondence with Government as well as with others has to be initiated by us and carried on. That is our legitimate activity and we used to have full concession formerly.”

“It is not a matter of money that is really concerned but the implication in the Government Order. Therefore I hope the whole House will vote in favour of Mr. Narayana Raju's motion.”

* Mr. K. V. R. SWAMI:—“Mr. President, it seems to me that this concession is absolutely necessary. On many occasions we feel it. If we refer to previous resolutions of the meetings and study them, there may not be occasion for so many doubts and so many interpellations and so many mis-statements in the Council. Before we move a resolution or give a cut it will be very essential to Members to know what all happened in the previous sessions of the Council and the Assembly. After coming to the Council we seldom have any time to study even subjects of the utmost importance. In regard to other matters also, it is but proper that this concession should be given to Members so that they may correspond with the various departments regarding various matters. No one will deny the benefit of this concession.”

“I do not suppose the Government will oppose this motion. On the other hand, I am sure they will agree to the concession being granted to the Members.”

* Mr. J. A. SALDANHA:—“Mr. President, Sir, while generally supporting this motion, I should like also to point out the difficulty in issuing service stamps and having a correct account of the stamps used by us. Instead of using service stamps and asking the Member concerned and the Government to keep careful accounts of the stamps used, I would suggest another method which is simpler. The Members will use their own stamps to send their letters

[Mr. J. A. Saldanha]

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and packets to the Government. The Government will make arrangements to preserve the cover or the wrapper used by the Member and note down the value of stamps used by the Member and credit it to his account. At the end of each month or six months, as it is convenient, a refund of the amount equal to the value of the stamps used by the Member may be made to him. Perhaps I am one of the Members who trouble the Government with correspondence more than any other Member and I suggest that this method may be adopted instead of issuing service stamps to the Members and necessitating the keeping of strict accounts both by the Members and by the Government.

"I think we are entitled to this concession. Members of Parliament enjoy this concession, though I think the Members of the Assembly have not thought about it. However small the amount may be, I think it is in consonance with the dignity of a Member of this House that he should be allowed the right of free correspondence. The amount will not be on the average more than five or six rupees a month for each Member; but the concession is one which belongs to the dignity of a Member of this House. I do not want that this concession should be extended to our correspondence outside the Secretariat; for it would give too much trouble to the Collectors and other district officers and they cannot be expected to keep an account of the stamps used by the Members. I remember how one officer flatly refused to receive a service bearing letter and returned the packet. I suggest that some device like the one I have suggested may be adopted."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I am glad that my hon. Friend from West Godavari has tabled this motion. The Government Order is really an insult added to injury. This House had the privilege of free correspondence with the Government and its officials and this was withdrawn for some technical reason pointed out by the Government of India. But it was open to this Government—there is plenty of intellect in this Government, the Finance Member is there—to have preserved this right. The Government Order evidently shows that the Members of this House are mere ornaments and that they have merely to answer to the correspondence at the call of certain Government officials when they choose to make a call. But my conception of the duties of a Member of this House even under this most imperfect constitution is different. I have as great a responsibility in regard to the administration of my district as the administrator himself. People might say that non-co-operation does not mean taking part in administration; but non-co-operation does not mean that the people should not get the best under the present constitution until we get Swaraj. As a Member of the House, it is my bounden duty to study every detail of administration in my constituency and to do all that I can by correspondence with the authorities concerned and by further action in this House. If really an hon. Member of this House takes his duty seriously, I am sure he will find much more work than any Minister on the Treasury Bench may have to do in his office, or any bureaucrat sitting on the Treasury Bench. These have plenty of assistance in the form of Secretaries, Assistant Secretaries and Superintendents down to the village magistrate and karnam. They get the whole information and they have a perfect machinery to work. But an unfortunate Member of this House has to get only such information and through such channels as are available to him. And one of those is the channel of communication with the Government and its officials both in the headquarters and outside. This involves a great deal of postage to the

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Member concerned. This is a material question, no doubt. In addition, every Member cannot be expected to be always going about for stamps here and there. If the Government consider this House as part of their administration, if they consider the Opposition is entitled to criticize and advise the Government on all matters of administration, it is their duty to provide facilities for the discharge of their duty as Members of this House. I am afraid that this restriction of postage has been imposed in order to put limitations upon the work of the Opposition. I am afraid there is an unconscious feeling that the Opposition is growing and that the Government will be pestered with a large amount of correspondence and the minimum that could be done to avoid such correspondence is to remove this privilege. I do not want to be uncharitable, but I am afraid that this is not a very desirable attitude of the Government. I do take this Government Order as an insult for the simple reason that it puts a premium upon my intelligence and initiative with regard to the correspondence; it makes the Government official my teacher. If the Government say that this was not their intention and that no such thing was at the back of their mind, I am prepared to accept that position—for I know that there is always a great deal of unthinking and unimaginative work carried on by the Treasury Bench. If they have done this in an unthinking and an unimaginative manner, let them correct it and let us have the privileges of the Members of this House revived.

"The hon. Member from South Kanara suggested a system and said that we might use our own stamps for sending letters and packets and that the Government should preserve the covers and the wrappers and credit the value of the stamps used by the Members to the account of the Members once in a month or once in six months. He said that this would avoid the difficulty of accounting for service stamps. But I submit that we should be prepared to receive service stamps and do business in a businesslike manner. I urge upon the Government either to revive the old system of sending letters without stamps or to make proper arrangements with the Postal department or with other authorities to supply us service stamps and make the necessary adjustments. Let them restore the old privilege to the Members of this House."

* Diwan Bahadur P. KESAVA PILLAI:—"Mr. President, it used to be the practice some time ago to send letters 'Service bearing' and it does not seem to be the practice to-day. It is not only the Members of the Opposition, but also the Members on other sides of the House, that would be better able to do their duty by the grant of this concession. All of us are not rich people who can afford not to take even travelling allowance batta. If this facility is given to the Members, I think the Government will not be troubled with too much of uninformed criticisms; and hon. Members will come prepared to deal with the questions that come before the Council. I therefore urge on the Government the necessity of restoring this old privilege."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, the practice of sending correspondence by 'Service bearing' obtained for some time till it was pointed out by the Government of India, on a reference made to them, not by this Government but by one of the Governments in Northern India, that it was not a proper use of the rule of the Postal department and that the rule was not intended to be used in that way and

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that they would not permit us to do so. The 'Service bearing' concession is therefore no longer in force as regards Members of the Legislative Councils.

12 noon. "The question is what is to be done now. One suggestion is that service stamps should be supplied. Of course we have to pay for service stamps to the Government of India and it is not a question of opening any account. So far as the Local Government are concerned we have to pay money. If service stamps are supplied to each Member as suggested by Mr. Saldanha, it is necessary that they should keep accounts. He thinks that the trouble of keeping accounts will be irksome. He suggested that the accounts might be kept in the Government offices. On the other hand, another hon. Member points out that in his opinion Members concerned should keep an account. I venture to say that any keeping of accounts will be very troublesome and will give rise to a lot of questions. I should be disposed to suggest that a certain sum should be given to each Member to defray his expenses in this matter. What that sum should be, whether that would be a proper solution, or whether service stamps should be supplied and whether accounts should be kept are matters, I venture to suggest, that must be explored by the House Committee, who may make proposals to the Government as to the best method of meeting the wishes of the Members in this matter. I hope that the House will agree to the House Committee being entrusted with the examination of this matter."

Mr. D. NARAYANA RAJU:—"I beg to withdraw the motion."

The motion was, by leave, withdrawn.

* Mr. J. A. SALDANHA:—"Sir, I move

'to reduce the allotment of Rs. 2,80,800 for Legislative Council by Rs. 100 . . .'

* The hon. the PRESIDENT:—"Will the hon. Member point out how the executive is responsible for the Standing Orders not being perfect and for a committee not being appointed to revise them?"

* Mr. J. A. SALDANHA:—"I think you are right in pointing out that difficulty."

* The hon. the PRESIDENT:—"I am glad that the hon. Member agrees with me. The motion is therefore out of order."

* Mr. A. KALESWARA RAO:—"Sir, I move

'to reduce the allotment of Rs. 25,000 for elections for Indian and Provincial Legislatures by Rs. 100.'

"My object is to express the opinion that we should have universal adult suffrage for the elections to the Legislative Councils . . ."

* Mr. J. A. SALDANHA:—"Sir, I cannot understand how this point can be discussed in connexion with this grant. This question of adult suffrage has to be decided by the Government of India. It cannot be settled by this Legislative Council. You pointed out one difficulty with regard to my motion. This is another."

* The hon. the PRESIDENT:—"What is past is past. Let us dispose of this matter."

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* Mr. J. A. SALDANHA:—"I think this matter cannot be discussed here."

* The hon. the PRESIDENT:—"Perhaps, the hon. Member not having any other opportunity wants to discuss the matter here and present the case of universal adult suffrage to the executive so that they may make their recommendation to the proper authorities."

* Mr. A. KALESWARA RAO:—"The Indian Legislatures have shown great regard to the interests of women and have granted woman suffrage without any suffrage movement and without beating Ministers and without breaking doors of Legislative Councils, etc. Let Miss Mayo take note of this. I want that the franchise should be given for all and I want that every man or woman who is not insane but who is more than 21 years of age, whether literate or illiterate, without distinction of caste or creed, should possess the power of voting without any property qualification being necessary. I remember, Sir, when Mr. Montagu came to India in connexion with the last constitutional reforms the Andhra Provincial Congress Committee expressed the opinion that it was desirable to have franchise of Rs. 5 annual value of land. If it had been so, the number of voters would have been treble or at least double. By having a high qualification for franchise the upper classes have advantages. The Brahmins and Vaisyas have, I know, more votes in proportion to their numbers. The depressed classes, though they are one-fifth or one-sixth of the population, have very few votes. The Mussalmans also have proportionately much less number of votes. I do not want that either the Brahman or the non-Brahman aristocrats by birth or by wealth or by landed interests should trade in the name of democracy. I want that the power should go to the real masses of the country, to the peasants and labourers of the country. Fear was expressed that if we had universal adult suffrage illiteracy of the masses would be a handicap. No doubt it might be a handicap. But illiteracy cannot be blotted out from India unless we get real power of the purse and the power of adjusting the expenditure of the State. That is my humble opinion. Unless we, representatives of the people, are able to reduce wastage in departments like the Army and spend much more money for universal elementary education, illiteracy cannot be blotted out. I have great faith in the robust common-sense of my countrymen. They can, I am hopeful, exercise their votes properly. I think, Sir, that the larger the number of votes, the purer will be the elections. Opportunities of debauching the electorates will be much less. I therefore think that it will be very good if we have a lower franchise and a larger electorate. The Leaders' Conference that is being held now in Delhi has expressed itself in favour of universal adult suffrage being the basis for the future constitution of Swaraj in this great country. Provided that the elected representatives of the voters have real power with regard to taxation and legislation of the country and provided that the executive is subordinate to the legislature, vote is a real power and I want that all my countrywomen should have the power of the vote and should be real partners in the government of this country. With these few words, I place the proposition before the House."

* Mr. P. C. VENKATAPATI RAJU:—"Mr. President, Sir, I heartily support the out motion moved by my hon. Friend, Mr. Kaleswara Rao. The present franchise is neither limited nor extended to full democratic extent,

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Polling is even now done mostly by people who are illiterate for which illiteracy they are not responsible. It is the Government that have kept them illiterate after a rule of 150 years. Therefore, the argument that any extension of the franchise will mean the inclusion of illiterate people does not hold water. Further, persons who are employed for preparing the electoral rolls are very negligent of their real duty. We find that many qualified electors' names are not included in the list. The names of people who are not really voters are included in the list. It may be by mistake; pseudo names and false names are included in the list. If we have universal adult franchise, it will purify the elections to a great extent. We find designing people manipulating the voters' lists, including all and sundry in places where they got support. People who do not resort to such means are at a great disadvantage. Limiting the franchise to a certain extent and not extending it to universal suffrage has led to many election offences being committed without being detected. There is false personation; there is bribery; there is corruption; there is undue influence since the sphere is limited. It is a pity. It is a scandal in public life that so much temptation is put unfortunately in the way of people who want to get into the Councils by making it easier for them to manipulate the voters' lists by bringing undue influence or pressure over the voters in places where they are amenable. There can be no disadvantage in extending it to adult males and females. It is gratifying to note that equal franchise was given in our Presidency both to men and women from an early date. If we introduce adult franchise, we will be purifying public life and we will be paving the way to real democracy in this country."

12-15
P.m.

Mr. K. MADHAVAN NAYAR :—" Sir, I beg to support the motion. I believe that the salvation of India lies in the masses of this country, and the political consciousness of the masses can be awakened only when you give universal adult suffrage to them. Only then is it possible for the masses to take a real, active and intelligent interest in the political activities of the country. For that reason, more than anything else, universal adult suffrage ought to be introduced at the earliest possible opportunity.

"There are certain other reasons also which prompt me to support this motion. As the previous speaker pointed out, there is a good deal of possibility for corruption in the present system of electioneering, which it is not possible to detect. We must make it impossible for any person to go on exercising undue influence over or giving bribes to the voters in order to secure their votes. Such questionable practice will be impossible if the electorate is large.

"Sir, it may be argued that the introduction of universal adult suffrage will make election campaigns much more difficult than they are now. Sir, this is based upon a fallacy. At present, Sir, candidates who have got an electorate of forty thousand or fifty thousand have to spend enormous amounts of money to canvass votes. Individual canvassing will be impossible if adult suffrage is introduced and it will have to give place to an education propaganda among the electorate which will be much less costly and considerably more effective and useful. Sir, I am of opinion that, so long as the present system continues, it is mostly candidates who have got the influence of birth or wealth or power that can get into the Councils. That ought not to be so. The present system is a pernicious system and it ought to be destroyed and made to give way to another which will enable even a

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poor man if he is beloved of the people to get into these Councils. This object can be achieved only if universal suffrage is introduced. Sir, I have great pleasure therefore in supporting this motion."

Mr. B. Venkataratnam spoke in Telugu.

* Mr. S. ARPUDASWAMI UDAYAR :—" Sir, I think that the arrangement proposed by my friend there is an ideal one. But I do not think that we are in a position to work out that ideal. Sir, I will point out the disadvantages. First of all, this will result in the separate electorates becoming a permanent feature. (Hon. Members: Why, why?). One of the effects will be that the candidates put up by minority communities will be swept away by the large masses. (Voices: There are other safeguards.) I remember the hon. Member for Vizagapatam telling us about the unsatisfactory nature of the electoral rolls. I, too, admit the evils he complained of. But I think these evils are of a minor character compared with the other evil which he also pointed out, namely, the pressure brought to bear upon electors by men of social standing, especially when they want their voters to give them open votes. These devices are resorted to by very many candidates with the result that the voters are forced to mention the name of the particular candidate to whom they want to vote, in the presence of the officer. Even in cases where the voters can actually read and write, they are forced to say that they cannot sign their names and can give only open votes. Such are the circumstances under which we are working at present. Persons who are aristocrats by birth, or parentage, wealth or possession of landed property will sweep the polls. Sir, even if adult suffrage is introduced, it will be very easy for these people to force the hands of their tenants and servants. Sir, the system that is proposed is an ideal one, one of those ideals which the Provincial Legislatures and the Government should work for; yet it is not the kind of arrangement that is suited to our present conditions. If at least he made an exception in the case of the minority communities and the depressed classes, there would be some force in his argument. Because at present on account of the insistence of property qualifications, it is only a very small number of the members of the depressed classes who are entitled to vote. If, in their case, and in their case alone, the provision is made, the depressed classes who are in large numbers will be able to influence representation. But to extend this all along the line is, I think, bound to result in confusion. It is too premature to urge this point of adult suffrage."

* Sriman BISWANATH DAS Mahasaya :—" Mr. President, Sir, my hon. Friend has done less than justice to the depressed classes, for he said that the depressed classes will suffer under a system of adult suffrage. I think the depressed classes number about six or seven millions in this presidency. If that is so, they will get far greater representation and their representatives will be far more responsible to them than they are at present, if the adult suffrage is accepted. Sir, I represent, as a member from Ganjam, having many constituents, a large number of the depressed classes. From my experience, I knew that they are the people who know best how to vote and whom to vote for. Sir, they have got their caste guilds and those decide and give their decisions, and nothing can persuade or dissuade the voters to adopt any other course of action than the one decided upon. It is therefore an injustice to them, Sir, to say that they do not know how to vote or whom to vote for. This is my experience and I believe it is the experience of many of the hon

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Members who come from rural constituencies. Of course, I cannot speak for the towns. There the influences may be different. I cannot speak for labour also. But I know in rural constituencies you cannot have a stouter set of voters than these gentlemen who have helped me up in spite of threat, financial inducements and, need I say, assaults in a few cases.

"And then, Sir, he said that separate electorates would be necessary. I do not know why. If you give universal adult suffrage with proportional representation on the basis of population, I do not find any reason why separate representation is necessary, unless you mean that people who play to the tune of Government may find no chance. On the basis of population every community, every minority community, will have its due share of representation, unless any minority or any community wants more representation than it is entitled to, like the Muhammadans in this Presidency. The Muhammadans and Christians have been given at present more representation than they are entitled to. In such a case there will be and there may possibly be a cause for complaint. Because, when the Lucknow Pact was put up, the Government of India put forward very strong objections to its acceptance on the ground that the Muhammadan community get more representation than they are entitled to. For instance, in Madras they have 250 per cent more than they are entitled to.

12-30
P.M.

"So in such cases where minorities have already got adequate representation or more representation than they are entitled to, certainly there may be some objection. But in cases like the depressed classes where at present representation is not adequate nor responsible, I think there adult suffrage is more than anything else what the people require. So my hon. Friend is not speaking on their behalf, on behalf of the depressed classes when he opposes this. As for Christians, I think their representation is more than their number would warrant. (Voice: No, no.) I shall prove it from the despatches of the Government of India. I think this has been referred to in the second or third despatch of the Government of India. I am referring to one of those despatches where it is said that this interest has been given more representation than it is entitled to. There may be some excuse for the members of the depressed classes to oppose the motion. But there is no reason why a learned member of a learned constituency should oppose a very desirable proposal as this. With these words I support the motion."

* Mr. V. I. MUNISWAMI PILLAI:—"I would like to associate myself with the motion on the floor of the House. So far as adult suffrage is concerned, it is a welcome thing from the depressed classes point of view. If the Opposition is earnest and businesslike in respect of the uplift of the depressed classes, I am sure they will press this to the very core. As some of the Members of the Opposition said, there is a certain amount of corruption in the present elections that go on. On the basis of that, I do not think it will be advisable to keep the adult suffrage away any longer. My hon. Friend, Mr. Srinivasan, the other day at the Provincial Conference of the Depressed classes held in Madras in January last, clearly said that in recommending several measures to the Parliamentary Commission adult suffrage must be one. (Hear, hear.) But I feel a certain amount of difficulty whether the country has reached that stage to receive adult suffrage. My honest opinion is that universal education must precede adult suffrage. As my hon. Friend, Mr. Arpudawami Udayar, just stated, there are difficulties in the way. But

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adult suffrage must be extended to the depressed classes two or three terms earlier than it is extended to the whole country. It is only then, I think, it will work satisfactorily. What obtains now is that many of the illiterate voters are carried away by many influences by people who seek their suffrage. I did not seek suffrage to this Council through any electorate. But I have got a certain amount of experience in having sought election to the local bodies and I know what the mentality of the illiterate people is. Whatever it may be I welcome this."

* Swami SAHAJANANDAM then spoke in Tamil as follows:—"தற்போது எங்களுக்காக வந்துள்ள பிரதிநிதிகள் எங்கள் சமூகத்திற்கு பெற்றுப்பாள் களால். எப்படி முனிசிபல் ராமினேஷனுக்கு ஊரிலுள்ள பெரிய மனி தர் சிபார்சின்பேரில் டிப்டி கலெக்டர் எழுதுவதே கலெக்டர் வாயிலாக அங்கீகாரம் ஆகிறதோ அதுபோல் சட்டசபை நியமனங்களும் ஜில்லாவி லுள்ள பெரிய மனிதர்கள் சிபார்சின்பேரில் கலெக்டர் எழுதுகிறபடி நியமனமாகிறது. ஆகவே அவர்கள் ஜனங்கள் எதேனும் கேட்டால் அதற்கு கட்டுப்பாட்டோடு என்சூரர்கள். ஆனால் அவர்கள் தங்களை எந்த அதிகாரி ராமினேஷன் செய்தாரோ அந்த அதிகாரிக்கு பொறுப் பாளராகிறார்கள். உதாரணமாக, எங்கள் குடியைக் கெடுக்கிற மதுபான விஷயமாக ஓட்டுகொடுத்துவிட்டுப் போனோன், எங்கள் ஜனங்கள் என்னைத் திட்ட ஆரம்பித்துவிட்டார்கள். யான் எலக்ஷனில் வந்திருந்தால் எங் கள் ஜனங்கள் நன்மையை நாடியிருப்பேன். நியமன அங்கத்தினரை யிருந்தபடியால் எங்கள் சமூகத்தின் அபிப்பிராயத்திற்கு மாறாக அரசாங்கம் தோல்வியடையக்கூடாதென ஓட்டுக் கொடுத்தேன். என்மனம் என்னைச் சுகிறது.

"எங்களை நியமன அங்கத்தினர்கள் என்று எல்லோரும் பழி தூற்று கிறார்கள். எலக்ஷனில் வந்தால் அந்தப் பழி யொழியும். அன்றியும் எலக்ஷன் வந்தால் மற்றவர்கள் எங்களைத் தழுவுவார்கள்; சர்க்கார் அதி காரிகளுக்கு தற்போது ராமினேஷனால் நாங்கள் அடிமையாக இருக்கிறோம். இரண்டு மூன்று நாட்களுக்கு முன்னர் ஒருவர் மறுமுறை ராமினேஷன் வரைக்கும் தற்போதுள்ள தோல்வியை மெம்பர் கனம் காண்பதூர் ஊஸ்மான் சாகிப் பகதூர் இருப்பாரா என்று கேட்டார். மறு நியமனத் திற்கு இப்பொழுது அடி கோலுகிறார்கள். எலக்ஷனியிருந்தால் அவர் கள் ஜனங்கள் தயவை நாடுவார்கள். நாங்கள் இந்த சட்டசபையில் எத் தனையோ கேள்விகளும் தீர்மானங்களும் கொண்டுவந்தோம், எதற்கேனும் சரியான பதில் கிடைத்ததா? எந்த தீர்மானமேனும் நிறைவேறி அனுப வத்தில் வரக் கண்டோமா? நாங்கள் எலக்ஷனில் வந்திருந்தால் அதிகாரி கள் எங்கள் குறைகளை உடனுக்குடனே கவனிக்கமாட்டார்களா? எங் களுக்காக ஏற்பட்டிருக்கும் லேபர் டிபார்ட்மென்டின் குறைகளை நினைக் கும்போது வயிற்றெழுகிறது, இரத்தம் கொதிக்கிறது. அது முழுவதும் மிஷனரி டிபார்ட்மென்டாயிருக்கிறது. அதைத் திருத்தவேண்டு மென்று நிபகினேன். எலக்ஷன் மெம்பராயிருந்தால் ரால் சாதேயப் ஆர். சீனிவாசன் அதைக் கண்டித்திருக்கமாட்டார்.

"எங்களுக்குள் அதிக ஓட்டுரிமையிலேயென்று சொல்லலாம். கனம் அற்புதசாமி உடையார் சொல்லியதைப்போல் ஓட்டுக்கு எவ்வளவு

[Swami Sahajanandam]

[19th March 1928]

வரி செலுத்தவேண்டுமோ அதில் மூன்றிலொரு பங்கு எங்களுக்கு வைத்தால் எங்களில் வாக்காளர் பெருகுவார்கள். பணமும் ஏழைகளின் உழைப்பால் வந்தது. பணக்காரருக்கு எவ்வளவு உரிமை இருக்கிறதோ அதை அதனை உண்டாக்கும் ஏழைகளுக்கும் இருக்கிறது. ஆகையால் முதலாளிகளும் தொழிலாளிகளும் ஒட்டுசிமை சமத்தான். இருபது வயதிற்கு மேற்பட்ட எல்லோரையும் வாக்காளராகக் கொள்ளவேண்டும். எலக்ஷனில் வந்தால் உண்மையான பொறுப்பாளர்கள் வருவார்கள். நான் முனிசிபல் எலக்ஷனில் ஒரு அனுபவம் கண்டேன். ஒரு வார்டில் 4 பேர் நின்றதால் ஒரு பணக்காரர் மூன்று பேரை வாபிஸ் வாங்கிக்கொள்ளச் செய்து போட்டியின்றியில் வந்து விடுகிறார். அதுபோல் எங்களில் தேர்தலில் நின்றவரோ தேர்ந்தவராவார். அல்லது பலர் கின்றாலும் உண்மையான உழைப்பாளி வருவார்.

“எங்களுக்கு வேண்டிய உண்மையான நீர் திருத்தம் தனி ஒட்டுசிமையும், தனித்தேர்தலுமாம். இது விஷயத்தையே கனம் சைமன் கமிஷனிடம் தெரிவித்திருக்கிறோம். வேதாந்தத்தில் எந்த ஒன்றை அறிந்தால் அடைந்தால் எல்லாவற்றையும் அடைந்ததாமோ அது பரம்பொருள். அதுபோல் இந்த சபையில் எங்கள் ஜனத்தொகைக்கேற்றவாறு ஆறிலொரு பங்கு பிரதிநிதித்துவம் கொடுத்தால் நாங்கள் நினைப்பதெல்லாம் அடைந்தவர்களாவோம். எங்கள் விஷயத்தில் நேற்றைய வாதத்தில் காங்கிரஸும் அரசாங்கமும் அனுதாபத்தோடு பேசியது. அது வாஸ்தவமாக உடனே எங்கள் ஜனத்தொகைக்கேற்றவாறு ஆறிலொரு பங்கு பிரதிநிதித்துவம் எலக்ஷனில் வரும்படி செய்ய ஜனாபரே தீர்க்கிறார்கள் அரசாங்கமும் முயற்சிக்குமென்று கருதுகிறேன்.”

Mr. S. Venkayya addressed in Telugu.

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p.m.

* Rao Sahib R. SRINIVASAN :—“ Mr. President, Sir, though the depressed classes are illiterate, they are not wanting in intelligence like savages or semi-civilized people. There is an opinion among the educated section of the depressed classes that a separate electorate is necessary. I think a separate electorate with certain modifications as to education and property qualifications with certain safeguards so that the rich and influential communities might not interfere and take advantage of the illiteracy among the depressed classes, would be desirable.”

* Mr. K. V. R. SWAMI :—“ Mr. President, Sir, the subject before the Council is a very important one, whether adult franchise should be introduced in this country, how far it would be useful and whether there are any objections to it from the point of view of the depressed classes. Two or three gentlemen of the depressed classes have spoken on it and Mr. Venkayya has given his opinion that the nomination business was very undesirable and that their freedom of vote was very often interfered with. Swami Sahajanandam spoke to the same effect. Mr. Muniswami Pillai said that adult franchise should be granted to them in the first instance and it may be extended to others later on after seeing how it worked. It was very gratifying to me to hear that my friend has proposed the introduction of adult franchise first among the depressed classes. That shows the depth of feeling even among our friends of the depressed classes. But there are some who are afraid of this franchise; for instance, Mr. Siva Raj would not have anything of it. It may have been unfortunate for some individuals to have this franchise introduced

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but if really anything good can be done for the good of the depressed classes it can only be done if adult franchise is introduced into that community. There are ten representatives of the depressed classes here and they could not try for a place in the Ministerial Bench because nomination stood in their way. They have also expressed their opinion with regard to the interference of certain Members of the Government. There may be some doubt as to how far this franchise will be used properly by illiterate persons. But I have got considerable experience in these matters which goes to disprove all those misgivings. If we go and ask for votes in the remote villages among the illiterate voters, they say ‘What is the good of going to the Council; you have been there for so many years, the Justice party gentlemen were there, the Congressmen were there, what have they done? Whatever resolution you pass, the Government say they won’t care for it; then there is an end of the matter; why are you wasting your time in this business.’ This is said by persons who are illiterate. That shows how literacy need not be a primary qualification. What is the other test? Paying taxes. Unfortunately in every other country as it is here, the wealth is produced by one class and it is enjoyed by other classes. The real persons who are producing the wealth of the country, have no franchise qualification whatsoever. It is not merely by paying a few rupees of revenue that a man really gets a stake in the country, but even by merely living and by supporting his own existence that he acquires a right to vote. Only idlers may not have any vote at all. My hon. Friend, Mr. Arpudawami Udayar, is afraid that the zamindars and the landholders may sweep away the electorate if they get the universal franchise. The old times have changed. If there are sufficient numbers, undue influence or corruption would be a thing of the past. In the first or second elections, in the zamindari villages, the influence of the zamindars prevailed to a certain extent. But things are different now. The support of a zamindar for a candidate has become a disqualification. They say ‘We cannot vote for you because you are supported by the zamindar; and if there is any question between the zamindar and the tenant, you would certainly support the zamindar; if you want to do any good to the ryots, why not directly come to us and explain to us what you will do for us?’ Such sort of intelligence is now being displayed by illiterate ryots. So, it is very proper and necessary that adult franchise is introduced into this country:

“Another remark made by another hon. Member is that the elections themselves give good education to the people. I very much believe in it. In that manner more propaganda work is done and people are educated in these matters. As time goes on, they will know for what candidate they should vote. So the sooner the adult franchise is introduced the better for the country. It may be commenced at least with the depressed classes because there it is most needed. I find one difference between depressed classes living in cities and those living in rural tracts. The people living in cities belonging to the depressed classes are subject to the influence of the Labour department very much. It is not the case with the people in rural tracts. They display more commonsense than the town people. So the general observation that people in rural areas cannot exercise their franchise properly cannot hold water. Mr. Venkayya’s opinion on this matter should carry much weight because he comes from the rural tracts and he has constantly moved among them and he is a propagandist himself. He has

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told us how the depressed classes do not like nomination, because they have realized of that if one goes through the door of nomination he will have to give his vote against his conscience. So I request the hon. Members through you, Mr. President, to vote for this motion."

* Mr. J. A. SALDANHA:—"Sir, I had a great prejudice against adult franchise, but after hearing some of the speakers on the subject, and especially my hon. Friends on the other side belonging to the depressed classes, I am glad to find that there has been practical unanimity of opinion in favour of adult franchise. I may point out to my hon. Friend, Mr. Arpudawami Udayar, that illiteracy is not an obstacle towards the grant of universal suffrage. There was a lot of illiteracy prevailing in the Republic of Italy and other parts of Europe in the middle ages. There was practically universal suffrage then in Italy, and they had the intelligence to elect the right men. The difficulty of illiterate voters may be surmounted by means of symbols. I have seen it done in the Bombay Presidency during the elections. The illiterate voter is able to vote from the symbol or the photo of the candidate placed before him in the voting chamber. I have approached a large number of illiterate Christians in the villages—I have visited almost all the villages in my district—and I have observed an amount of intelligence and grasp among the illiterate villagers. They quite understood as to whom they were giving their vote and why the other candidates were not acceptable to them. If I succeeded by an overwhelming majority in the last two elections, it must be on account of my work and not due to any favour or influence. The villagers are shrewd enough to find out what candidate would represent them best.

"The point was raised that we shall not get the proper man if universal franchise were introduced, because the poorer classes would be at the mercy of the landholders. But we should not forget that the landholders of the future will be divided into parties.

1 p.m.: "Even the members of the depressed classes will be divided into parties. There are landlords and higher classes, there will be Congress Party landlords and capitalists, there will be Justice Party and Nationalist Party landlords and capitalists also. Therefore when the time comes for election there will be strife among all classes of people and there will be different candidates and every candidate will be pressing for the few votes of the depressed classes and of the Christian community. So, they will not altogether be at the mercy of one powerful body of zamindars and landlords. This factor should be borne in mind in connexion with the reservation of seats in a joint electorate with adult suffrage. It is urged that in the case of universal adult suffrage a large amount of expenditure much in excess of the present one will be incurred. But I think the lesser the number, the greater the expenditure on a universal ratio. Where you have got a large constituency of several thousands of people we cannot go on bribing the people and as the area is small it will be more convenient. At present, I have got five districts to roam over. If the area is limited there will be only one district and it might even be reduced to taluks, say, two or three taluks. For instance, in South Kanara where there are Muhammadans, Christians and depressed classes there will be 10 or 12 members. If the area is reduced, the expenditure on travelling of a number of

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candidates, and a number of agents and convassers will also be decreased, and personal visits will be lessened as well as the trouble saved of going from man to man and village to village for a small number of votes. When we have got thousands of voters, is it possible to go to every one of them? And the difficulty of influencing people by means of money or drinking will be considerably decreased. In any case my sympathies are with the hon. Members of the depressed classes; and I strongly support this motion."

* Mr. K. R. KARANT:—"Mr. President, Sir, in supporting this motion I wish only to add one rider to it and that is that any adult suffrage without at the same time securing the secrecy of the ballot would do more harm than good. I say this with some experience of municipal elections and taluk board elections and even the Legislative Council elections. I say that even at present in the franchise that obtains a great deal of influence against the wishes of the voters is being exercised on account of this lack of secrecy in the voting and I only wish to say that some method must be devised whereby the secrecy of voting must be ensured. It is very usual to see that every election, whether municipal or local board or legislative, is really not liked by the illiterate voter for the simple reason that he has to give his vote very often against his real desire in the presence of candidates who pull him one way or the other. The consequences are very harmful. The landlords ask the tenants to vote for their candidates and if they do the other way they are sure to get into trouble later on. Troubles of that sort are very common, and I wish that in whatever franchise that may be adopted and more especially in adult franchise secrecy of voting is ensured at all cost."

* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, if I do not enter into a disquisition of the advantages and disadvantages of adult franchise, I hope it will not be attributed to an attitude of cynicism on my part or to any feeling of disregard for the opinions of the House. The question of the basis of suffrage is of course a very important one and one that will have to receive the most careful examination when the time comes, as it has almost arrived, for considering further changes in the constitution. I may frankly say that the question has not so far been considered by the Government and therefore it is quite impossible for me to make any statement or to say that Government has this or that opinion on the subject. I can only say that all that has been said to-day, which will be put on the records of the Council, will receive the most careful attention when the time comes for it when we are called on to make any recommendations or state one opinion in the matter."

* Mr. G. HARISAVOTTAMA RAO:—"Mr. President, Sir, capitalism and conservatism are twin brethren—even the capitalism that we the educated classes of this country have acquired by an exclusive interest in a partially developing culture. We are always prepared to find some excuse or other to avoid giving real power to the people. We are told very often that universal education must precede adult franchise. We are sometimes told that if adult franchise should be conceded, the more powerful people in the country, landlords and others, would sweep the ordinary men off their feet and would monopolise the seats. This is arguing in a vicious circle altogether. None can learn swimming until he enters the water and adult franchise with vernacularised administration is, I believe, the very best of solutions for all troubles in this country and is probably the only solution

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for social, political and other problems. The depressed classes and the higher classes will learn to respect one another only when there is the corresponding duties and responsibilities laid on either. After the vote has come into existence in this country the depressed classes are certainly more able to assert themselves than before. It is true that an amount of culture is necessary in order that the Government may make an experiment of universal suffrage. But I contend that if there is not that political awakening in this country necessary in a land where universal suffrage has to be introduced, it is not due to the cultural backwardness of the masses of this country. The alphabet does not make for culture. I am afraid, I make bold to state, most of the graduates who are turned out of the Madras University and other universities of this country are not all of them educated. Some of them are much less educated than the illiterate reddis who are able almost to govern parts of the British Empire. The British exist in this country as rulers but there are sub-rulers who are illiterate, rulers who are capable of wielding power, rulers who are capable of influencing men, rulers who are capable of exercising their own power in their own way. There are people in this country who are competent to discharge any duties that may be entrusted to them. As for the general level of culture also I feel that the Indian citizen is on no less a level than any other citizen of any other country in this world for the education that has been vouchsafed to him. The education in this country is defective not only in the system, not only in the schools, not only in the colleges, but the political education of this country has been reduced to nil. The whole administration is still carried on in the English language and the ryot does not exactly know where he is, in relation to the political situation in the country, not on account of his incapacity, not on account of his inability to know, not on account of any deficiency in his cultural development, but on account of the simple fact that every part of the administration is carried on in a foreign language. If the English citizen were to be under a system of administration like ours, if the English administration were run in the German language or in the Pali language and if the British citizen were given the right to vote, he might not have exercised it very much better than our citizens are exercising their right to vote. I am certain, Sir, that our citizens are exercising their rights to vote much better than the ordinary English citizen does. Therefore, to tell us that something must precede some other thing, that universal education must be a first step if we wanted universal franchise, to tell us there is likelihood of its being misused is all beside the purpose. Is not the franchise misused in England? What is happening in England? There the working classes form the majority of the population. Is there a Working Class Government in England? There is only a Conservative Government in existence. What is that due to? Is that due to the fact that the working class men do not want to govern themselves? Or is that due to the fact that the franchise is used in a manner which brings the Conservative into power by the working classes? There are ever so many currents and under-currents even in the political life of England that make it impossible for the working class man to be the real ruler in the land in which he forms the majority. (A voice: 'What about women.') I do not wonder if women become rulers; it would not be out of practical politics. In this country, I once more reiterate it, the same difficulty may happen. If you grant adult suffrage, there may be some misuse. There may be some trouble and some difficulty. But because there may be some trouble, or some difficulty or misuse, can you deny

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us universal suffrage? How long are you going to deny it? How long are you going to put a premium on the free thought of this country? How long are you going to deny the depressed classes the power to think in the freest air of the country? I value this universal adult suffrage not because of the mere power that the vote gets for the people but because of the revolution that it is bound to work in the country, both politically and socially. I am both a political and social revolutionary if a revolutionary I am. Therefore, I feel that if the depressed classes, if, in fact, all the classes of men in this country are given adult franchise, with the knowledge that arises out of vernacularized administration, a better state of things could be brought about. Vernacularization is a necessary concomitant of adult suffrage. If the Government is not going to yield on that point, the Government will be forced to yield. It will not take long. I am sure there is already rebellion in this country as the administration is carried on in English and there is a feeling that vernacularization is necessary"

* The hon. the PRESIDENT :—"The hon. Member is requested to revert to the universal franchise instead of the vernacularizing of the administration."

* MR. G. HARISARVOTTAMA RAO :—"Yes, Sir. Therefore it will be a necessary concomitant. I was saying that adult suffrage was, to my mind, not merely a political privilege; it is a privilege in the hands of the lowliest that will be useful to bring him on to a line with the others. If the Brahman occupies a position of power to-day, if the super-Brahman, the European, occupies a position of power to-day in this country, it is due to this reason, that both of these people have an advantage over the others in that they are running in the intellectual grooves set to us by the English language. The moment you have adult suffrage in this country, the moment you have the power in the hands of the ordinary man to dictate to you where you shall be, it will be time for him to claim equality with all classes. I am sure the Brahman, the depressed classes, the Muslim and the Christian and all the rest will be on a par—even socially to the extent to which that is achievable in any country—social equality in any country is achievable only to a certain degree—and to achieve that degree, I am certain, adult suffrage will be the only instrument that will be useful."

"A great deal has been said about minorities and open vote. This matter of open vote can be arranged easily. Voting can be arranged for in the best manner possible. Even if people have to vote openly, they may make mistakes once or twice, but they will not further repeat it. I have knowledge of elections and I have found that where capitalists stood stoutly, where they provided motor-buses and cars, where they begged these ordinary voters to go and vote for their candidates, the voters refused all these conveniences and voted for the poorest man among them. That kind of thing has happened even here and I do not despair of our masses. Our masses are sufficiently intelligent and cultured, including the depressed classes. It is easy for us to work this adult suffrage in this country. Go to the house of the depressed classes in certain developed parts, for instance, in my own place, Nandyal—if you should enter the house of the depressed classes, you will find they are kept much cleaner than some of the houses of high class Brahmins. I am prepared to admit that there is nothing inherently wrong with us. There is nothing inherently defective with us. It is idle to beat about the bush saying, 'let us have this; let us have that before we get the other'. If only

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adult suffrage and vernacularization of the administration had been undertaken twenty years ago, we would have had Swaraj ten years ago. I am sure we would have had ten years of Swaraj by this time. But, I am afraid, the Government will not so easily accede to this request of either adult suffrage or vernacularization of the administration. The only impediment in the way seems to be the capitalistic and conservative tendencies of the Government and its allies."

* Diwan Bahadur P. KESAVA PILLAI:—"I beg to express my approval of the proposal to have adult franchise. From my experience, Sir, I agree with the hon. Member that our people are not learned. But they are cultured. Often, those that are in the outlying parts of our villages, people who have had no education, I may say without any offence to anybody, are more honest than the educated people (hear, hear). I have known the people—I have passed through nine elections—and I have known more of the illiterate people who have been true to their word, than educated people—of course, there are always exceptions—because the latter could mark their names privately. They do so because they are influenced by forces not always healthy or commendable. But whatever that may be, I am not for the vernacularization of the administration altogether. I may tell Mr. Harisarvottama Rao with the greatest respect when he says that vernacularization of the administration is necessary, that it will only act as a disintegrating force and detrimental to the forces that are bringing us together. For instance, I do not know, but for English, if many of us would be in this Council, from the north, from the south, from Kanara and the West Coast for purposes of talking over common things and exchanging thoughts, and helping one another."

A voice:—"Learn Hindi."

* Diwan Bahadur P. KESAVA PILLAI:—"I do not know if any number of Tamilians are learning Hindi. But we can learn English easily, while I fear that the Tamilian cannot easily learn Hindi. I do not know how many of the Tamilians among the Swarajists have picked up Hindi."

* The hon. the PRESIDENT:—"I am afraid the debate is going into a side-track."

Diwan Bahadur P. KESAVA PILLAI:—"It is because he has dragged me to a side-track."

* The hon. the PRESIDENT:—"I have checked him."

Dewan Bahadur P. KESAVA PILLAI:—"Very well, Sir, I was saying that we cannot with advantage have vernacularization of the administration. I do not think it will ever become a matter of practical politics. If, of course, when Hindi becomes the universal language, we may adopt it. But English is here spoken and we can make the best use of it in uniting the people."

"Some friends have put it forward that with the depressed classes people, adult suffrage is not quite easy to attain, although there are in parts people who are fully qualified for that. As a matter of fact, as a result of these elections, this privilege of voting in election has an uplifting effect. The Brahman candidate goes to paracheri and begs of them (the untouchables) to give him their votes. The Brahman is supposed not to enter the paracheri but he does enter."

A voice:—"He does not. Only his agents enter."

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* Diwan Bahadur P. KESAVA PILLAI:—"Whatever that may be, they go and ask for the votes. That gives them an uplifting sense of self-respect. I think the Government has conferred a great boon on us all in giving votes to these people."

"But, as regards a separate electorate, I am not enamoured of it. There may be reservation of seats. I think that all these various things will be considered and that Government would see if the present system cannot be improved and extended."

"As regards the secrecy of the vote, of course there are advantages and disadvantages. It is much better to have illiterate voters than voters who know how to read and write and deceive. I think that all things would be done in future to prevent the several bad and corrupt practices. I would recommend to the hon. the mover that he need not further press this point."

* The hon. the PRESIDENT:—"I think the House is ready for a vote on the question, viz., to reduce the allotment of Rs. 25,000 for elections for Indian and Provincial Legislatures by Rs. 100."

The motion was put to the House and declared carried.

* The hon. the PRESIDENT:—"I shall now put the demand to the vote of the House. The question is that Government be granted a sum of Rs. 3.17 minus Rs. 200 under 'Demand IX—General Administration—Legislative bodies.'"

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

* The hon. the PRESIDENT:—"The Council will now adjourn and re-assemble at 2-30 p.m."

After Lunch (2-30 p.m.).

DEMAND X—GENERAL ADMINISTRATION—SECRETARIATS.

* The hon. Sir NORMAN MARJORIBANES:—"Mr. President, Sir, I move

'that a grant not exceeding Rs. 6.98 lakhs under "General Administration—Secretariats" be made'."

* The hon. the PRESIDENT:—"The question is that the Government be granted a sum not exceeding Rs. 6.93 lakhs under 'General Administration—Secretariats'."

"Before Mr. G. Harisarvottama Rao moves his motion, I wish to know whether it is not covered by the other motion with regard to provincial autonomy made the day before yesterday. This is one of the branches of the bigger problem that was discussed then."

* Mr. G. HARISARVOTTAMA RAO:—"It is not the question of provincial autonomy that we are now considering, Sir."

* The motion standing in the name of Mr. G. Harisarvottama Rao was as below:—

468	To reduce the allotment of Rs. 42,200 for Executive Council by	100
	(To record disapproval of the policy of the Government in continuing the existence of an irresponsible Executive.)	

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* The hon. the PRESIDENT :—"The Council has considered the question of the whole Cabinet being made responsible."

* Mr. G. HARISARVOTTAMA RAO :—"That is about joint responsibility, Sir."

* The hon. the PRESIDENT :—"Has the hon. the Deputy Leader of the Opposition got anything to say on this? I want to know whether this is not included in the bigger proposition of provincial autonomy which has been voted upon by the Council already. This is only a part and parcel and one of the portions of the question of provincial autonomy, I think."

* Mr. S. SATYAMURTI :—"Sir, I submit that the question of provincial autonomy is really so large as to involve, besides this, many other questions of the relations of provincial finance, for example, as against central finance, provincial subjects as against central subjects, etc.; but the question as to whether there should be an irresponsible executive here is a part of the question of provincial autonomy, and I submit the House may have an opportunity of discussing it. Secondly, Sir, I submit that the question of the strength of the Executive Council as also of the departments which may be entrusted to the Councillors may be incidentally discussed. On these grounds I submit this motion is not out of order."

* The hon. the PRESIDENT :—"I think the question of provincial autonomy which has been voted upon during the budget on a previous occasion by the Council does cover the question of the responsibility of the executive to the Council, and therefore I rule this motion as out of order."

"The same thing applies to motion No. 469."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I move

'for a reduction of the allotment of Rs. 42,200 for Executive Council for Rs. 100' (to discuss the desirability of reducing the strength of the Executive Councillors by one.)

"Sir, this is only a question of economy. I have been studying and watching from outside the work of the Executive Council, and I shall be the very last person to minimise the great responsibility that falls on the Executive Councillors. But apart from this, as a question of policy for establishing a principle and order and uniformity in the whole branch of the administration entrusted to each, I think there is room for economy with regard to the distribution of work. On former occasions, the argument was trotted out that the work which was done by two Executive Councillors has now been divided between four. Sir, before the introduction of the Montagu-Chelmsford Reforms, it was possible for two Members of the Executive Council to cope with all the work; but since the introduction of the Reforms, I believe the work has increased, and what was done formerly by two can well be done, I think, by three now. So, purely as a question of economy

a 469 Mr. A. KALESWARA RAO,—
Mr. BAKSHER AHMAD SAYEED :—

To reduce the allotment of Rs. 42,200 for Executive Council by
(To discuss the abolition of the posts of Executive Councillors
and to transfer all their portfolios to Ministers.)

Rs.
100

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and purely as a question of principle which will have to be borne in mind when still further Reforms are introduced or when provincial autonomy is introduced, I place this motion for the consideration of this Council."

* Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, this is not a new question which is brought up before this House for the first time. This question is nearly seven years old. In 1921 this question of the reduction of the number of Executive Councillors was raised by an hon. Member from Coimbatore, Mr. T. A. Ramalinga Chettiyar. He placed before the House various reasons and weighty arguments in favour of the reduction of the number of Executive Councillors from four to three. The then Member in charge of the portfolio on behalf of the Government replied that the question needed further examination, that sufficient time ought to be allowed for examining the question and that before a decision could be arrived at, some interval of time should be allowed to elapse. Again, Sir, this question came up before this House for the second time in the year 1927, about this time last year, when my hon. Friend, Diwan Bahadur Krishnan Nayar, made a speech which will bear any amount of repetition on the floor of this House. On the 19th of March—a year ago almost to a day—this is what he said :

"As a matter of fact, Sir, the motion before the House is only to reduce the number of Councillors from four to two. Even if two are reduced, there are still three Ministers, so that there will be in all three Ministers and two Councillors, altogether five members. This number, five, is quite adequate to dispose of the work which was formerly done by a very much smaller number. I do not want to advance any further argument; practically all the arguments have been advanced by the hon. Member. We have heard this subject discussed over and over again on the floor of this House. I remember that on a former occasion this Council voted that the number should be reduced from four to three. My Friend goes further than that and says that the number should be reduced to two. I agree with that."

"My hon. Friend, Mr. Krishnan Nayar, was for reducing the number of Executive Councillors from four to two. This motion, Sir, is a modest one and instead of cutting the number down by 50 per cent, it wants the number to be reduced only by one. In previous years, previous to the Reforms, the work was done by two Councillors, and after the introduction of the Reforms we have three Ministers and a fairly large number of Secretaries, Under Secretaries, Assistant Secretaries and Deputy Secretaries. It seems to me, Sir, that the time has come when this Government must make up their mind to have the number reduced. Moreover, there is absolutely no justification for retaining these four Members; for, if we turn to section 47 of the Government of India Act, which is of a permissive character, we find that it says :

"The members of a Governor's executive council shall be . . . of such number, not exceeding four, as the Secretary of State in Council directs."

"Not exceeding four—that is the maximum, and there is no statutory rule which requires that the number should be four and four only. While that is the maximum number, it is open to the Secretary of State to reduce it; and the object of this motion is that this Government should place these facts before the Secretary of State for India in Council and advise him to reduce the number from four to three, if the Government do not make up their mind to recommend a further reduction, viz., from four to two. Anyhow, Sir, it seems to me that this is a matter in which the Local Government should take the initiative. Probably the Leader of the House will come forward with a new theory—novel and extraordinary on the floor of this House—that 'it is not our concern. We are not here to make any recommendation. We are not here to move a muscle; we can afford to do nothing

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unless our opinion is asked or sought for by the Secretary of State.' For, Sir, in connexion with some other matter, my hon. Friend said: 'This is not a matter within the competence of this Council, nor is it one in which we have any power at all unless invited to make a recommendation.' Invited by whom? Is it by the Secretary of State or by the vote of this House? Therefore, Sir, I appeal to hon. Members to vote in favour of this motion and by means of this motion to request the Government to make the necessary recommendation to the Secretary of State."

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p.m. * Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, I want to support this motion. This matter has been referred to again and again and practically this House has declared more than once unanimously that the number of Executive Council Members should be reduced from four to three. This gave rise to an impression in the minds of some that whenever a vacancy arose in the cadre of Executive Councillors this question would be seriously considered by the Government. There have been several vacancies since then and we do not seem to have approached the question any the nearer. It will be very interesting to note whether the Government considered this number four to be necessary even in the recent transfer of portfolios. From what has been done it is very clear that the eminent first three Members will be able to deal with all the reserved subjects. The new fourth Member, apart from the question of personality, has been given only a few subjects and even they not very big ones. And therefore if the number is reduced to three there will be no difficulty for the first three Members who have got experience and in whose capacity we have full confidence to deal with the comparatively unimportant subjects that have been allotted to the fourth Member. I hope, Sir, that this is also a matter which may come up at the time of the revision of the Reforms. So far as the present is concerned, this question is coming up for the consideration of the House for the last seven years as a question of economy apart from the question of reform. Probably a large number of Members of this House and some in the Treasury Bench also may not have been present when that important discussion took place. No one can dispute the fact that by the allotment of portfolios among the seven Members on the Treasury Bench, it has been proved that it is certainly a very large number to deal with the administration of the country, which was carried on some years ago only by two Members and His Excellency the Governor. It is now twenty years since an additional Member was appointed and that was done more for the sake of giving the membership to an Indian rather than to make the administration more efficient. For nearly ten or twelve years those three Members were able, along with His Excellency the Governor, to deal with all questions that came up before them. It must also be remembered then the Cabinet did much more work than that done by the seven Members now. And there were also various other departments that were being managed by this Government which is not the case now, such as, post office, railways, income-tax and some other subjects. Therefore, there is no doubt that the three Members then assisting the Governor were able to deal with the work done by the present seven and also some more. It will be, I think, casting a slur upon the present Members both in the reserved and the transferred sides to say that they are in any way less capable to discharge their duties as Ministers or Members. Further, it seems to me that the present number is unduly large and I don't think Government will say that this number seven is

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necessary to deal with the work. Even if they say here that the number ought not to be reduced, I am sure that not one of them thinks so lightly of himself or has got such a low opinion of his colleague that three of them will not be able to do the work of four. I am sure that two of them will be able to do the work of four. In view of the vacancy created, and in view of the hon. Mr. Campbell going on leave soon, there is no reason why the post should be kept vacant till the revision of the Reforms. No one knows what the nature of the Reforms will be in 1929. We expect and a large number of Members of this House expect Swaraj, or at the least provincial autonomy, in which case there will be no Executive Council. It will be a very difficult position we will find ourselves in by filling up the vacancies when they arise and then say here are four Members and we shall have to wait till their tenures of office expire. So that it will be very desirable if Government takes up this question earnestly, which, I hope, will be the unanimous wish of this House, and keep the vacancies unfilled in view of the fact that everybody believes and asserts that there will be some change in the form of administration in 1929. We will be glad to know if the Government can take us into its confidence at least so far as this question is concerned. For the last five years and more the Government have been in correspondence with the Government of India and I do not know whether there is any time limit for divulging to us what has been considered to be secret. This question is more a matter of economy than an actual department of Government. Therefore I would urge this House to pass this resolution and the Government to give effect to it."

* Mr. K. V. R. SWAMI:—"I am very sorry that my hon. Friend moved this resolution. I submit this is not the time for this at all. Because we do not want that the number of Executive Members should be reduced at all. What we want is we want to manage our affairs ourselves. Yesterday Mr. Arpudaswami Udayar said that we want provincial autonomy at least and to-day he moves for the reduction of the number of Executive Councillors. I am sorry to say that his action is very contradictory, unless he means that there should be only three Members until the Reforms are further considered. Perhaps he means that. In this short period why should my Friend be anxious about the reduction of the number of Members by one? Perhaps he wants to avoid having one more Member appointed made of a man whom he does not like (laughter) and thus adding to the trouble. But I think he does not mean that."

Mr. S. ARPUDASWAMI UDAYAR:—"May I rise to offer a few words of explanation."

* The hon. the PRESIDENT:—"It does not require any explanation at all" (Laughter.)

Mr. K. V. R. SWAMI:—"If my hon. Friend really meant as a matter of economy, which ought to be the right construction put upon his motion, then he ought to have proposed a reduction by two. In that case one would be European and the other Indian. If, on the other hand, it is reduced by one, there will be two Europeans and one Indian left. Personally I do not care whether it is European or Indian; but it is sometimes advantageous to have Europeans in office than Indians in view of the attitude taken up by the Indians as soon as they take the reins of office (laughter). Sometimes some of the Indian Members say one thing and do another thing and they seem to think they can say anything and everything which Europeans, I am

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sure, will think twice before they do anything of the sort. That has been the attitude of some of the Indian Members. (A voice: Not all.) I do not know what my Friend means. Perhaps he means to refer to the hon. the Home Member. But I would say the attitude taken up by that hon. Member is worse than the attitude taken up by the European Members. When he gets up we see him in anger only, he talks little, if any question is put to him he asks for notice and never is the information asked for given (laughter)."

* The hon. the PRESIDENT:—"Order, order, we are not going into the question of the efficiency of the Members (laughter); the question is whether the number of Members is to be reduced by one."

* Mr. K. V. R. SWAMI:—"I bow to your ruling Sir, and I am sorry the remark of my Friend unfortunately took me away from the right direction. At this time we ought not to ask for any reduction at all. What we should ask for is to have all the offices kept vacant till we get provincial autonomy and then we shall have time to discuss whether we should have seven or six Ministers. I think if the number is more we will have too much competition, communal claims and so on. It is better not to press this motion to a division. At a time like this when we are pressing for further reforms, Swaraj or Self-Government, I am sorry that my hon. Friend should content himself with asking for a small reduction of the number of Members of the Executive by one. People outside might have reason to think that by a reduction in the number we will be satisfied altogether. But that is not our aim. We want the whole thing to be abolished. So I request my hon. Friend Mr. Arpudaswami Udayar not to press this motion."

3 p.m.

* Mr. A. KALFESWARA RAO:—"Mr. President, Sir, I do not sympathise with the motion at this stage. Though we used to talk of the reduction of the number of Executive Councillors, now we want the abolition of the Executive Council altogether and transfer of all the portfolios to the Ministers responsible to the Council. We are now on the eve of getting further reforms and even the most moderate section of Government sides now expect provincial autonomy and therefore there is no necessity for this motion at all. Before the Reforms three Executive Councillors used to manage the affairs of this province, but now there are four Executive Councillors and three Ministers, thus adding to the cost of the Government. The Reforms have been very costly without bringing any real benefit to the people of this country. That is why we do not want dyarchy and we want a complete transfer of the powers to the Ministers."

* Mr. K. KOTI REDDI:—"Mr. President, it is rather unfortunate that my hon. Friend from Chingleput should not have been in his place to move his motion reducing the number of Executive Councillors to two. That would have been more acceptable to the House than the present motion. But there is really some difficulty for us to vote on the present motion. We are not in favour of the existence of Executive Councillors at all; but granting that, we feel that the reduction of the number by one would result in reducing the strength of the Indian element there. At present the Reserved half does not seem to be influenced by what the Ministry has to say on important questions. They have their own consultations among themselves. I think it is to the interests of this country that the Reserved half should have sufficient number of Indians so as to represent Indian opinion from their own point of view. I do not cast any reflection on the non-Indian

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Members of the Reserved half. There are some motions here saying that the Reserved half should be wholly Indian; but to reduce the number by one now would not conduce to the better administration of the country. Some of us find it difficult to vote on this motion. If it is a question of the reduction by two, if it is a question of the reduction of the whole number I agree. But we have been fighting against the existence of the Reserved half itself and since we hope that the time is not far off when the whole Cabinet will be entirely responsible to the Council I think it is not advisable to agree to this motion. I hope the hon. Member will withdraw it."

* Mr. P. BHAKTAVATSULU NAYUDU:—"Mr. President, Sir, I am entirely in agreement with the views already expressed in this connexion. I think four Executive Councillors are unnecessary. It was managed more efficiently and more sympathetically in the pre-reform days with three Members and one Governor. But now the rate-payers' money is being spent unnecessarily without any sympathy or benefit for him. Under the circumstances I should like the strength to be reduced by two or even four but not by one. I have great pleasure in moving my motion to reduce the number of Executive Councillors by two and save the rate-payers' money and give them the benefits which are now denied to them on the plea of want of funds."

* The hon. Sir NORMAN MAJORIBANKS:—"Mr. President, Sir, the question whether there should be any Executive Councillors at all and if so, what number, seems to be one which should be decided with reference to the reformed constitution that is to be adopted after 1929. All that we can do is to take into account, if we are consulted in the matter, what has been said in the House. The question has not been examined by Government yet with reference to the consideration what the future constitution should be, and therefore I am unable to say what views might be taken when the time comes. The opinions expressed by all sides of the House will be considered at the proper time."

The motion was by leave withdrawn.

* Mr. J. A. SALDANHA:—"Mr. President, I beg to move

'that the allotment of Rs. 42,200 for Executive Council be reduced by Rs. 100.'

"I wish to urge that Forests may be made a transferred subject and that the other recommendations of the Muddiman Committee (Majority Report) may be given effect to.

"The Majority Report of the Muddiman Committee made several recommendations to which I may briefly draw the attention of the House. The main recommendation was that Forests so far as this Government was concerned should be a transferred subject. They recommended the examination of the question whether Provincial Government presses might not be transferred; joint deliberation between two sides of the Government on all important questions and also joint responsibility of the Ministry. They also recommended relaxation of the control of the Secretary of State as recommended by the Act itself. Without amending the Act itself these things could have been adopted and more powers could have been given to the Ministers."

The hon. the PRESIDENT:—"The hon. Member has given a token motion to discuss the transfer of Forests to Ministers; he will therefore not be in order in referring to any other subject."

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* Mr. J. A. SALDANHA :—"I have also stated, 'To carry out the other recommendations of the Muddiman Committee'."

* The hon. the PRESIDENT :—"The expression is too vague."

* Mr. J. A. SALDANHA :—"All the recommendations."

* The hon. the PRESIDENT :—"I regret I cannot allow a reference to the other recommendations."

Mr. J. A. SALDANHA :—"Very well, Sir, I have done with most of the recommendations (Laughter.)"

"If we carry out all the recommendations, our Ministers will not be mere puppets as before. In answer to a question why Forests have not been transferred, I was told that it was a matter for the Government of India or the Secretary of State. Surely this Government should have been consulted before the Muddiman Committee distinctly referred to this Presidency as one of the Presidencies where Forests might be transferred to the control of the Ministers. Unless this Government said that this subject should not be transferred the Government of India would have passed an order transferring the subject. And if there is any department which ought to be transferred to the control of the Ministers it is the Forest Department. It is the most extravagant, most elusive and most mysterious of all the departments. We get very little profit here compared with the other provinces. The reason is not clear. The Chief Conservator is changed from time to time and each of them comes with a new policy for making the department more remunerative, but the profit never comes and year after year we are getting worse. Besides, for some mysterious reason just before the Reforms a number of supernumerary officers were appointed. Whenever I asked a question whether those officers were absorbed or not, the answer was that the matter was under the consideration of the Government."

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"This has been under the consideration of the Government for the last three years and yet no reduction has been made in the number of higher appointments. Another reform that has been carried out is that a large number of forests have been transferred to the Revenue Department. The Government promised that they would reduce six Conservators of Forests. Only one has been reduced. That officer has been transferred to some other branch of the Forest Department known as the Regeneration Department. That is an old department which has been existing from a very long time. Regeneration of forests ought to have been the object of the department from the beginning. It was stated that the officer was preparing plans."

* The hon. the PRESIDENT :—"I am afraid that the hon. Member is speaking about the details of the Forest Administration."

* Mr. J. A. SALDANHA :—"I am just explaining why the Forest Department should be brought under our control. This is only an illustration. This department is made a preserve for a number of officers."

* The hon. the PRESIDENT :—"I think the hon. Member is giving another illustration. I request the hon. Member not to discuss about the details of the Forest Department."

* Mr. J. A. SALDANHA :—"I shall not give any illustration hereafter. The time has come for transferring the Forest Department to our control. We need not wait till we get new Reforms. Let us bring Forests under our

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control. We shall see whether we cannot thoroughly bring about reformation of the forests and economics which are absolutely necessary in the interests of the Government of this Province."

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, this is a subject on which this Government cannot do anything. We have no practical power in the direction of making any change."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 42,20 for Executive Council by Rs. 100."

The motion was put to the House and negatived.

* Mr. A. KALESWARA RAO :—"Mr. President, Sir, I move

'to reduce the allotment of Rs. 42,200 for Executive Council by Rs. 100'.

"My object is to discuss about the neglect of the Provincial Government in not pressing upon the Central Government the need for the formation of a separate Andhra Province. One year has elapsed since this hon. House passed a resolution, in favour of the formation of a separate Andhra province. Possessing a contiguous territory of eleven districts with a population of 1½ crores speaking the same language, possessing great history of the past and great culture and civilization, the Andhra districts and the Andhra people deserve to be formed into a separate province. I do not want to repeat the arguments in favour of the immediate necessity of the formation of the Andhra Province. Redistribution of India on linguistic basis is an acknowledged principle now. Since the time of the famous despatch of Lord Hardinge the Government too have recognized the principle and have been only postponing the execution thereof. There is provision in Montague Chelmsford report itself that in any Legislative Council, if the people and if the representatives of the particular districts speaking a particular language desire that those districts should be formed into a separate province that province should be formed. Not only the representatives of the Telugu speaking districts but also members representing other districts in this House have by a majority passed a resolution in favour of an Andhra province. If any separate province deserves to be formed immediately on a linguistic basis that is the Andhra province because it has got larger area, more people and a greater history of the past than the rest. The wonder is that the Government have taken absolutely no action whatever on the resolution of this House which has been relegated to the waste paper basket practically. The Government have done nothing. They have not carried on the necessary correspondence with the Government of India and the Secretary of State. They have not communicated the wishes of the people of the Andhra districts, of the representatives of the Andhra districts and of this House. They have made no advance in this direction during this year. The recent meeting of the Indian National Congress also has reiterated the principle of the redistribution of provinces on a linguistic basis and has particularly mentioned that the Andhra districts should be formed into a separate province. The Andhra Province and the Andhra people hope to be happier and more prosperous under a separate province. There will be a Government which will pay undivided attention to the progress and prosperity of the Andhras. There will be many developments of irrigation works and other things. There will be great attempts or the development of resources of various parts of Andhradesa. Education

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and administration will be vernacularized. My revered Friend, Mr. Kesava Pillai, has expressed an opinion against the possibility of immediate vernacularization of the administration. With great respect for him I differ from him. Unless we vernacularize the administration"

* The hon. the PRESIDENT:—"I request the hon. Member to confine his remarks to his accusing the Government for not taking steps for the formation of an Andhra Province instead of opening the question of the vernacularization of the administration."

* Mr. A. KALESWARA RAO:—"The Province will be very useful in establishing a government by the people for the people. That is all that I wish to say in that connexion. Of course I do not want, as I said, to dilate more upon the necessity for the formation of the Province. But I want to bring to the notice of this House the conduct of the Government in this matter, how it has neglected our resolutions, not only in this matter but in several matters. They have not paid due attention and respect to the resolutions passed by this House from time to time and this is a glaring instance of that sort. I therefore propose that this cut should be passed by us."

Mr. P. ANJANEYULU—"Mr. President, Sir, as one who has given notice of the self-same resolution I have great pleasure in supporting it with all my heart. The cut is given to discuss about the neglect of the Provincial Government in not pressing upon the Central Government the need for the formation of a separate Andhra Province. If we look at section 52 (a) of the Government of India Act it says 'the Governor in Council may, after obtaining the expression of opinion from the local Governments and the local Legislature affected, by notification with the consent of His Majesty previously signified by the Secretary of State in Council constitute a new Governor's province' and so on and so forth. It was under this section incumbent upon the Local Government to have addressed the Central Government after a resolution for the formation of a separate Andhra Province was moved, and discussed and even the Leader of the House had expressed his opinion. It is up to this Government to have recorded their opinion and to have taken action thereon. What are the things that stand in the way of a separate Andhra Province being formed? Lord Hardinge to whose despatch reference has already been made—the memorable despatch dated 15th August 1911—said that the settlement of boundaries should be provided and that the administration should satisfy the legitimate aspirations of the people. He also said 'based upon broad grounds of political and administrative expediency'. This was so long ago as 1911. Even the year previous to that the people of the Andhradesa in one united voice, young and old, parties belonging to different political persuasions said in emphatic voice that they wanted a separate Andhra Province. As far as the aspirations of the people of the Andhradesa are concerned there can be no mistake. For over a decade and a half they have been year in and year out either in their provincial deliberations, or in their Andhra Conference and even in the national gathering of the Indian National Congress, reiterated the absolute need for a separate Andhra Province outlining that hereafter provinces should be redistributed on linguistic basis. That general proposition was accepted by all parties concerned including this Council also.

"Sir, the only solitary member of the Government who spoke on this subject when this resolution was moved—I had the honour of moving it

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myself on the 14th of March 1927—was my hon. Friend Sir Norman Marjoribanks. He said—I do not know if he is going to reply now—that the Local Government did not propose to deal with the matter. He said 'I would, however, indicate one or two considerations that actuate them. One is that this question of dividing provinces on a linguistic basis is hardly one that can be considered only with reference to one province.' I would ask him from whence he has taken the clue that this Local Government cannot take action when a large section of the Andhra people were clamouring for it. We might cull out from his reply that no action will be taken on this resolution. But, in reply to him, Sir, I might say that even after the Reforms came into force, not only was Delhi constituted into a separate province as was pointed out by my Friend Mr. Kaleswara Rao in his speech last session, but also Burma was constituted into a separate province under this very Act, under Government of India, Home Department, Notification No. 225, Public, dated 10th October 1921. So, this Government or any member thereof need not be under any misapprehension that only when the all-India question arises as to whether provinces should be redistributed or shuffled on a linguistic basis, this question has to be threshed out in all its bearings. Till then this Government need not wait. We have the instances of Delhi and also Burma where under this Act action has already been taken. I dare say we shall not be accused of being clannish and I hope it will not be said that it is only members of the Andhradesa who are pressing this point. Sir, even smaller demands which can very legitimately and easily be satisfied are not being satisfied by this Government under the pretext that it is either a communal question or that it is a party question or that all are not agreed thereupon. Sir, this question is a provincial question and a question that has long been agitating the minds of the people inhabiting the Andhradesa. Even last year, Sir, in Ellore where the Andhra Provincial Committee met, this question was mooted and they unanimously passed a resolution that there should be a separate Andhra Province. Yet, Sir, the way in which the Government have treated the resolution of this Council on the constitution of Andhra into a separate province, after a resolution was carried in this House a year ago by a majority of votes, shows that the Government have neither respect for the House, nor consideration for the sentiments and aspirations of a large section of the people inhabiting such a large area as the Andhradesa. Sir, I am one of those who have been feeling very keenly on this subject. Whatever we may discuss in this House seems to me to be purely academical and not practical or businesslike. Sir, on a unanimous demand for a small thing like the constitution of a separate province, will not this Government do its duty by sending this resolution to the Central Government, especially when in the year 1911 the then Viceroy Lord Hardinge said with solemnity and earnestness that a province would be formed to satisfy the aspirations of the people provided they demand for it. Will not the constitution of a separate province suit the administration of Government, Sir? I would like to have an answer when the hon. the Leader of the House replies. How is it that this Government just at present, instead of supporting and recommending the opinion of this House passed in its resolution has waited for a year and no action has been taken thereon? This is our complaint. I have often said that we in this House very often feel disappointed and unhappy. We feel, and when I make that statement, I say it with the responsibility which any Member of this House can possess that it does neither the Government good nor the Members good

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nor those whom they represent. We very often go away with the idea—it is a literal grievance with most of us—that we are simply wasting our time in doing no real good either to ourselves or to the constituency. It is this accusation, Sir, which I want to lay at the doors of the Government. With all my earnestness I protest that this Government has discarded and slighted the just aspirations of a people with an ancient culture which is not at all negligible but which has to be encouraged and fostered and often appreciated. With these words, Sir, I have great pleasure in supporting the motion."

* Diwan Bahadur P. KESAVA PILLAI:—"Sir, I have got an affectionate regard for my Friends Messrs. Kaleswara Rao and Anjaneyulu. I have known them for a long time. I therefore hope they will not mistake me when I say that I have always differed from them on this question of carving out of an Andhra Province. (A voice: 'That is because you are old'.) Sir even in my younger days I opposed this and as President of the Gudivada Conference I said that it would not be conducive to the unity of people who are just trying to understand one another, the Tamils and the Telugus. Sir, we are intertwined. For instance, my Friend, the stalwart over there, Diwan Bahadur Kumaraswami Reddiyar, is a Telugu, and he comes from Tinnevely. There are nearly 3,000,000 Telugus in the south for 800,000 Tamils in the Andhradesa.

"Sir, I would also point out the administrative difficulties and the heavy taxation of the people it would entail. We are now complaining about the top-heaviness of the administration with a Governor, four Executive Councillors and three Ministers. I think my Friend will not be satisfied with a ruler with less than the status of a Governor. There will certainly be the need for a Government House. Then there should be a separate High Court, a separate Board of Revenue, separate administrative heads for each department and court, and offices for all. Who is to pay for all these? Of course, the poor ryots and other tax-payers.

"Sir, I may also tell you that if we pass this resolution, we will be quarrelling afterwards about the headquarters—where the Government House and the Governor should be. We have not yet come to any conclusion about the headquarters for the Andhra University. Some people say that the headquarters should be at Anantapur. But others say that Anantapur is not in the Telugu country; or is just on the border of it. Mr Kaleswara Rao says it should be at Bezwada. Somebody else says it should be at Rajahmundry. (Mr. Koti Reddi: 'We have no objection to Anantapur.') (A member:—'That shows life.') Yes; but at whose expense? (Laughter.) These questions that are agitating us can be solved when we have Swaraj. I do not know why we should go imploring the Government to do this or that. If we get Swaraj—we like to get some sort of responsible Government—then we could settle these questions. But why do you ask the bureaucracy? Let us consult one another, have a Round Table Conference and decide it. I should think the Government would welcome the idea of a separate province because more civilians will be employed. I can understand our protesting against the increase of settlement rates or our asking for relief in some direction for the ryots, but I am unable to understand this peroration about an Andhra Province which will only add to the already overburdened ryot of the Andhra Province as well as of the Tamil Province. I speak not on behalf of myself but on behalf of several districts and as

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one interested in the welfare of the province. I am against all disintegrating forces. I do not think my hon. Friend is right in saying that the whole province is unanimous. I know as much as my friends over there the interests of the district where I have served. Apart from that, as a Nationalist, as a Congressman (Laughter)—well I was in the Congress in 1885 before most of you were born—I was Joint Secretary of the Congress—I am interested in working for unification and not disintegration. That is my position and you will kindly excuse me my friends. . ."

* The hon. the PRESIDENT:—"The hon. Member must address the Chair."

* Diwan Bahadur P. KESAVA PILLAI:—"Yes, Sir, I was addressing my friends through the Chair." (Laughter.)

* Sriman BISWANATH DAS Mahasaya:—"Mr. President, Sir, I am certainly amazed at the speech of my old and revered friend from Anantapur. He is not for linguistic Provinces, he is not for vernacularization and probably he is not for the separation of Judiciary from the Executive. (Diwan Bahadur P. Kesava Pillai: 'Till you get Swaraj'.)

"Sir, while I have a very great regard for him, I would tell him that these are modern times and old ideas of men have to give place to new. When Montagu and Chelmsford went round India, a lot of representation was made to have India divided on the basis of language. Just before that, the late Imperial Council had a lengthy and full dressed discussion on this subject and came to a unanimous conclusion. Sir, Lionel Curtis, that stalwart, put his heart into this very question, prepared and presented a very thoughtful memorandum to the Joint Committee. In that he made a clear and concrete case for the linguistic division of provinces. The Joint Committee's recommendation is simply based on his recommendation and the weighty representation of Indian public opinion word for word. Government is thus now committed to the principle of linguistic provinces under the Government of India Act. The Madras Legislative Council passed a resolution with a majority of three-fourths Andhra members representing the Andhra districts agreeing with the resolution. These being the circumstances I do not find any reason why no action has yet been taken or why the Madras Government have been sleeping over the matter. The Joint Committee is very clear on this question. It says that where members of a certain linguistic area desire to have a separate province and three-fourths of the people representing the said area desire to have a separate linguistic province a commission of enquiry shall be instituted. But I see nothing has been done on the resolution and in reply to an interpellation Government said, 'We merely forwarded' as good boys. I am very sorry that Government should have taken this step-motherly attitude on this very important question which is pregnant with possibilities. If I support the formation of an Andhra Province, Sir, it is because the formation of an Oriya Province is intimately connected with it. Madras is unfortunately the only province in India which has got a conglomeration of languages. It is difficult for the people; it is difficult for the officers of Government and it is difficult for the civilians to know so many languages. Therefore this is the only province which is eminently fitted to be carved into different linguistic provinces. Therefore it is in the fitness of things that any

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Government, which has the interest of better administration at heart, should have this as their aim and goal. On account of this and many other important results that will accrue out of this very wholesome measure I whole-heartedly support the formation of an Andhra Province and I feel sorry that the Government of Madras should have bestowed so little consideration to this important question."

Mr. B. Venkataratnam then addressed the House in Telugu.

* Mr. C. RAMASOMAYAJULU:—"The issue involved in the resolution before the House seems to be a bit confused to some speakers in the matter. I am referring to the speech of Mr. Kesava Pillai. I wish to point out that his remarks had no bearing to the constitutional question at issue, viz., where by a majority of the House a resolution has been passed recommending the creation of a separate Andhra Province and if according to the Act the Local Government is bound to make a recommendation to the Government of India in the matter whether the Local Government is not bound to make a recommendation in accordance with the resolution of this House. That is the question involved in this motion. Mr. Kesava Pillai seems to understand this motion to mean whether this House is in a position to vote for a separate province or not. This is not the question at issue. The resolution has been passed by a majority that a separate province must be created for the Andhras. The question involved in the present resolution is whether the Local Government is justified in not making a recommendation in accordance with the resolution. Therefore it is on this that I wanted to raise a point of order some time ago. Sir, any discussion about the absolute question of the necessity or desirability of a separate province for the Andhras is irrelevant in discussing this question. Somehow some discussion did go on about that matter. I may remind the House that Government was asked subsequent to the passing of the resolution as to whether any recommendation was forwarded to the Government of India in accordance with the resolution and as Mr. Das said the reply was that they simply forwarded it. Government was further asked whether they made any recommendation as is required by the Government of India Act. Government had no reply to make to that question. The resolution passed in the House voices forth the feelings of the major portion of the province and if such a resolution is treated with scant courtesy by the Local Government which disregarded the resolution by simply forwarding the resolution as an official would do in the case of an application for an appointment which he is not prepared to recommend, Government is guilty of a constitutional error. May I point out also that once the question was sought to be raised in the Council of State and it was pointed out on that occasion that the Provincial Government did not move in the matter and so they could not do anything there. So this Council was moved and a resolution was passed by a large majority. Government must be in a position to say whether they agree to it or not. On the other hand they simply said that they merely forwarded it. This is a matter over which we have been agitating for the last 18 years and we have been passing resolutions on this matter unanimously in every conference. This question of linguistic provinces is a matter which has been considered and recommended by the non-official Members, political bodies and organizations but also by the Montagu-Chelmsford scheme and the authors of the Montagu report. The Government of India Act itself makes provision for this when there is a demand for it. This is a matter

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on which there can be no difference of opinion and whatever the opinion of the Government may be they must give the proper lead and voice the opinion of the House to the Government of India under section 45 of the Act and bring into existence an Andhra province. With reference to Mr. Kesava Pillai's argument he will excuse me if I point out that this is a matter on which he has reason to be nervous about, viz., the creation of an Andhra province. His district is the only district which is not fully populated by Andhras and in every other portion of the province there is no doubt with reference to the opinion on this question that it is only one-sided."

* Diwan Bahadur P. KESAVA PILLAI:—"Which portion of the province has two opinions?"

* The hon. the PRESIDENT:—"The hon. Member will not be in order in putting questions to a Member when he is speaking."

* Diwan Bahadur P. KESAVA PILLAI:—"I am addressing the Chair."

* The hon. the PRESIDENT:—"The hon. Member is not at all in order."

* Mr. C. RAMASOMAYAJULU:—"There is no other portion of the Andhra province that is against this idea of a separate province. I wanted to point out just when I was interrupted that this question was discussed in the House on a former occasion and there was no Member if I remember aright, from the Andhra province who stood against it. So much so, this opposition from Mr. Kesava Pillai comes too late. I may inform the House that of late a separatist tendency is visible in the Kanarese portion of the population in connexion with the Andhra University matters. They seem to have felt that the Kanarese language is likely to suffer on account of a separate university."

* Diwan Bahadur P. KESAVA PILLAI:—"May I rise to a point of order?"

* The hon. the PRESIDENT:—"What is the point of order?"

* Diwan Bahadur P. KESAVA PILLAI:—"The hon. Member is telling that I am a Kanarese man." (Laughter.)

* Mr. C. RAMASOMAYAJULU:—"I never said so, Sir; I said there was a separatist tendency which is apparent very recently in connexion with the Andhra University matters. I thought those feelings that have been given expression to by my friend might have some connexion with it. I never gave room for the misapprehension entertained by my friend. I have always known him to be a Tamilian domiciled in Andhra. I have known Mr. Kesava Pillai since I was a student. He was an ardent Congressman. I do not know what he is now."

Diwan Bahadur P. KESAVA PILLAI:—"I am a Congressman, Sir." (Hear, hear.)

* Mr. C. RAMASOMAYAJULU:—"I shall not deal with the merits of the Andhra province question now. I would only point out to the Government this: the Andhras wish to stand by themselves, and this has been made clear in several of the speeches made in this House and they are no longer willing to pull on with other communities. We entertain these feelings not out of any unhealthy sense of jealousy or envy towards the sister communities. It is simply an illustration of the principle of self-realization. The Andhras

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are very eager to attain that self-realization which individuals as well as nations are very keen to attain, and this movement has been afoot from a very long time. We think that the creation of a separate Andhra province would enable us to develop our own genius to its full height along the racial characteristics which are peculiarly our own. Therefore I wish to submit we are not prepared to allow the Government to sit folding their hands; on the other hand we are prepared to give all the push necessary to the Government to move in this matter."

* The hon. Sir NORMAN MARJORIBANKS:—"Sir, this resolution was before the House on a previous occasion and was passed, and the report of the debate was forwarded to the Government of India with reference to the provisions of section 52 of the Government of India Act. I understand from the speeches now made that the complaint is this Government did not do more. Until this Government received some intimation from the Central Government that they were prepared to consider the matter, it seems to be a considerable waste of time and energy for us to collect information and statistics and work out the arrangements which preliminary work would be necessary to enable the Government to give an expression of opinion on the subject. As a matter of fact we find from the statements in the public newspapers that this question of the constitution of separate Andhra province is under their consideration, and as soon as our views are asked in the matter, the Government shall have to set about collecting materials and give their opinion. But it seems to me to be premature to do so until we are asked to do it. The views of this Council were forwarded more than a year ago, immediately after the debate in the House on the question."

* Mr. R. NAGAN GOWDA:—"Mr. President, Sir, the suggestion was made that the Kanarese-speaking people that are on the borders of the province may have objection to the formation of an Andhra province. So far as I know, there would be no objection to it, if they will only let the Kanarese people remain out of their province (hear, hear) and if these people who want to fight for the development of their people and their culture would not in any way object to the existence of a sister race (hear, hear) even if it be a small minority, very close to the Andhra area to live and develop their own culture."

"For my part, I think that the development of a province based on the language spoken by the people is a thing which is absolutely essential. In the government of the provinces as they are constituted to-day, it has been made impossible for the people, especially the farmers, merchants, artisans and others in the villages to take part. It is only the young men that get into the educational institutions with a view later on to get into Government service or to become lawyers, it is only these people that can take part in the running of the Government; even as it is constituted since the Reform days. So, Sir, I think to enable those people to take part in the administration of their country, the Government ought to recognize the vernaculars as the medium of their communications and correspondence. The point has been raised by the hon. Member from Anantapur that it would be a very costly thing to form provinces on language basis. I may tell him that if the provinces are based on language basis they will be one-fourth or one-fifth the size of present provinces and therefore the salaries of the highest officials be reduced to that proportion: if they were fixed according to my views I would suggest they be reduced immediately to one-tenth what they are."

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(Hear, hear.) If we would employ men trained in the vernaculars of the province to occupy Government posts, without having to go through the difficulty of studying foreign languages, they would work at much lower salaries than they are doing at present.

"I am anxious to support this proposition for this reason, that the Andhra province is so very well cut and so compact that by the formation of this province, there might be an opportunity for other provinces to be also similarly formed."

Mr. K. KOTI REDDI:—"Mr. President, Sir, I believe that the discussion of the question whether a separate province for the Andhras should be formed or not is important because on it depends the vote on the present cut. If the opinion expressed in this Council and outside is so strong, is so irresistible, whatever technical reasons may be advanced by the Government in not expressing their own views to the Government of India, it ought to impress upon the Government that the matter is one which could brook no delay. Indeed, the argument advanced by the hon. Member for Anantapur, Mr. Kesava Pillai, seems to be entirely wrong. If, as he says, the existence of a province like Madras is necessary for the unification of the various peoples the same argument holds good for the whole country to be formed into one province. On the other hand, Sir, the benefits that one would derive from the formation of a province based on one language outweigh any disadvantages that may accrue otherwise. My hon. Friend expressed the opinion that there must be a change in the average man's outlook. The time has passed when it was supposed the average man could not take any interest in the administration. The time is fast coming when it is expected that the average man would take a very keen interest in the administration of his country. And it is altogether impossible to expect the average man to take interest in the administration of his country if it is to be run in a foreign language. I will point out some difficulties to which the average man is put to. Only the other day when I was in a village, a ryot came to me with a notice in English to the effect that he would be prosecuted under the Cattle Trespass Act. The notice comes from the Tahsildar who is a Telugu man after all. But for my presence in the village, that ryot would have to go a distance of 15 to 20 miles to find out what exactly that notice meant. A similar instance came to my notice in which a gentleman showed to me a card from his own vakil, who happened to be a Tamilian although he knew Telugu well, to the effect that some appeal was posted to such and such date. That letter was in English language. But for my presence there he would have to walk a long distance before he could get to know what was contained in that card. To the average man, the ryot, the administration in the English language is costing a good deal. It is one direction in which the above mentioned difficulties could be obviated if the provinces are formed on the basis of languages."

The hon. the PRESIDENT:—"I am afraid the debate is assuming a turn which is quite foreign to the motion now before the House. The administration through vernaculars is not at all pertinent to the debate and therefore I cannot allow any further references to that aspect of the question."

Mr. K. KOTI REDDI:—"I bow to your opinion, Sir. So, I want to impress upon the House. . . ."

The hon. the PRESIDENT:—"The hon. Member shall have to take another opportunity to impress his ideas on the House."

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Mr. K. KOTI REDDI :—" In this connexion I have to tell my hon. Friend from Anantapur, with his undoubted long experience of the people of the Ceded districts, whatever the difficulties may be in the formation of the province, whatever suspicion we may have with regard to friends from the Northern Circars as the headquarters and things of that type, the people from the Ceded districts are not averse to the formation of a separate province for the Andhras. The location of the headquarters either for the university or for the province are matters which, I believe, we can settle among ourselves. But this question ought not to stand in the way of the formation of a province on a linguistic basis. The people coming from the Ceded districts ought not to be against it, as a separate province will benefit even the Ceded districts. Now, Sir, the Andhras ought to form a separate province. I can quote instances where our position would be better in a separate province. If only we had a province of our own, I am pretty sure some of the big schemes like the Tungabhadra and the Kistna projects might have been already taken up. As for the arguments that have been advanced that it would be costly to have a separate province of our own, it is possible it might cost us a bit more money, but I believe the advantages we would derive from the formation of a separate province can outweigh all these things. Even now you find in this province that the area is so large that the heads of departments find it difficult to efficiently manage their departments and are having various numbers of people as personal assistants and deputies. For instance, take the Director of Public Instruction. He has got two or three deputy directors. If the area to be administered by them is limited, I believe there is no necessity to have deputy directors. If there is an Andhra province, you need have only one Director of Public Instruction. It is similar with reference to the other departments."

* Diwan Bahadur P. KESAVA PILLAI :—" There will be two High Courts."

* Mr. K. KOTI REDDI :—" Yes, there will be two High Courts. It may not be, as my hon. Friend thinks, that the High Court would consist of 12 permanent judges. If we have two High Courts, we don't lose anything except that we have another building. We need not have 12 or 15 judges, but we would be satisfied with five or six judges and there are High Courts with four judges also. So far as the High Court judges are concerned, we need not pay them more than what we are paying now. It is only in connexion with the question of buildings that on a previous occasion I spoke against the spending of about six lakhs of rupees for the new Small Cause Court building, which is absolutely unnecessary if a separate Andhra province is formed. My words were never heeded by the Law Member. I believe it is not too late even now for the Government to mend it if there is a chance of the formation of a new province in which case there will be no necessity of adding to the High Court buildings at present. So far as cost is concerned, except with regard to some more buildings there is not much difficulty. Even then, I believe, for some time to come it is not necessary to spend large amounts of money on buildings. It is just possible to run two provinces with the buildings in Madras. They can serve the purpose for some time to come. So, even on that ground there is no necessity to spend very much more money, and on that score there is no use denying ourselves the pleasure, the privilege or the advantages of having a separate province of our own."

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* Mr. ABDUL HAMID KHAN :—" Mr. President, if I rise to speak on this out motion I do so in order to add to the contribution that has been made on this most important subject by our Andhra friends from the standpoint of one who may be regarded as coming from the Tamil province. It was said by one of the speakers, and that an Andhra gentleman, that he did not want that this Andhra province should come into existence at this present juncture for he had very many fears in his mind. He himself admitted that he did not belong to the Andhradesa, but was a Tamilian who had lived in Andhradesa for about 45 years. It seems to me that, although he has lived in Andhradesa for 45 years, he has not forgotten that he is a Tamilian. Sir, it is indeed deplorable that this Government should continue to flout the resolutions of this Council persistently. This is a matter which affects a very large population and that a unanimous vote of this House has been flouted by the Government shows that we are still at the mercy of the executive rules as it pleases."

The RAJA OF RAMNAD :—" May I ask whether it is a unanimous vote of the House ?"

* The hon. the PRESIDENT :—" I may tell the hon. Member that this is not the occasion to get any information; nor is the President the channel through whom he is to get his information. The hon. Member can very conveniently refer to the debate."

* Mr. ABDUL HAMID KHAN :—" Sir, I don't think that any Tamilian would grudge the formation of an Andhra Province (hear, hear) because I have seen during the last year and a half that no Tamilian came forward with any objection against the formation of an Andhra University. The only thing that the Tamilians did was that when they found that their Andhra brothers were fighting for an Andhra University and got one, they thought of establishing a Tamil University even though they knew that the Madras University would serve their purpose. That is the only thing that the Tamilians have done. With regard to the formation of an Andhra province, it is in the interests of the Andhra people who wish to develop their culture, their language and their material condition. It should be our object and the object of such members as do not belong to the Andhradesa to help them to achieve that laudable object. Sir, the other question that comes up in the minds of some of us here when we are asked about the formation of an Andhra province is with regard to the vernacularization of the administration. It is no doubt true that when Andhra people are able to secure a separate Andhra province they will next take up the question of vernacularizing the administration of the province. It is no doubt true that it is necessary and I do not deny the great advantages of carrying on the administration of a province in the vernacular of that province, but there is a similar difficulty as was raised by some Members of this House with regard to Kanarese. The same difficulty remains so far as the Urdu-speaking people of Andhradesa are concerned. I hope and believe that when the Andhra province comes into existence, particular care will be taken to see that the interests of the Urdu-speaking people will not be jeopardised in any manner. Sir, I hope that the Government will not any longer stand in the way of the Andhra people getting Andhradesa separately constituted into a province."

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* **MR. C. R. PARTHASARATHI AYYANGAR** :—" Mr. President, Sir, in connexion with this debate I wish to point out that the formation of a province does not necessarily mean only the constitution of a Governorship or an Executive Council or the creating of several appointments. Apparently the idea with which we have been discussing these things is that there will be a number of appointments, ramifications, High Court judgeships, etc. Now that means as my hon. Friend Mr. Kesava Pillai said that we have to spend more money for things which we ought not to spend in the first instance. Not that I am against the formation of an Andhra province, but that we should not begin at the wrong end, namely, the constitution of the Governor, Executive Council and all that paraphernalia. The way how to do these things is in the villages where you have to spend a lot of money. We ought to earmark a certain amount of money and then to spend it in the villages in the first instance, and reorganize the villages. The villages are the basic foundation on which you will have to build the superstructure of an Andhra province, a Tamil province, a Kanarese province and other provinces in the whole of India. We must get at them, educate them, give them ideas, and there is nothing in the way of putting into practice the ideals to find out local agents in each and every village and to impart culture to them. Now that the Ministers have them they must take the initiative. The villages are the life-blood of any nation. I have been watching, I have been praying, and I have been idealising that our Ministers will supply us the ideals and that they will get hold of men in the villages who will be the bulwark and who will be the persons to do propaganda work in all the villages. Then if you want Andhra province, and if you want Andhra culture, by all means have them. Let our Ministers come forward for the culture. If they do it then they will be doing their business, viz., promotion of that culture which is wanted before thinking of a province.

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" Sir, these things,—the formation of the Andhra, Tamil or Kanarese provinces—are only the means. They are not the end. We do not care very much whether the Andhra province has been constituted or the Tamil province has been constituted or the Kanarese province. We want first that the life of the Indian village should grow free in the villages. Then you can convert them along these channels. Then you will have what you want. You can have universities. You can have Law Courts and Governors. Therefore, let those responsible, concentrate their attention on the villages. Then you can bring forward the various schemes. We want men and women with a lot of enthusiasm, fired by the ideal of doing work in the villages. Then alone you will have what you want. Let our Ministers come forward with schemes. Let them teach us. Let there not be any wavering. I have all friendship for them so far as the Andhra or the other provinces are concerned. But let them find out men, young men and women who are prepared for the work. That is the source from which all progress will spring. We can have any number of provinces as we like but not until we have found out the men can we have the progress."

* **MR. M. V. GANGADHARA SIVA** :—" Sir, as one coming from the Ceded districts, representing the depressed classes, I heartily support the out motion of Messrs. Kaleswara Rao and Anjaneyulu for the formation of a separate Andhra province. The early formation of Andhradesa will tell much upon the depressed classes. Sir, social disabilities are not so much felt in Andhradesa among the depressed classes as in the Tamil districts. They

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move just like brethren when compared with Tamil districts. I am sure Sir, there is every possibility of improvement of the Adi-Andhras if a separate Andhra province is formed. I hope the Government will take action in this matter as early as possible. I think this will be a great and memorable event that ever took place in the annals of the British Empire."

* **MR. K. V. R. SWAMI** :—" Mr. President, Sir.—This matter has already been very well thrashed. I only want to say one or two words with regard to what Mr. Kesava Pillai said. It pains me to refer to him. He has got vast experience of this question and he has been living in Andhradesa for over 30 or 40 years. But unfortunately we differ in regard to this matter. Of course, he is pleading for union and for several things like that, but I have to submit to this House that we have been always at a disadvantage by being coupled with the Tamil Nadu. Our grievance has been that every thing is monopolized by the Tamilians in every important matter. Another important thing is that our aims and aspiration and our language and enthusiasm are all different. So far as India is concerned, there are so many provinces which are naturally based on language. There are only a few which are still struggling like the Madras Presidency. The great Lokamanya Tilak welcomed this movement for provinces based on language. Now, this was accepted even by Lord Chelmsford and Mr. Montague in their Report. They said that even if this resolution was not carried by a majority, consideration should be given to that and steps be taken to have it enquired into and given effect to.

" My hon. Friend, the Member for Revenue, may, as usual, state : ' We have nothing to do with it ; unless the Central Government asks us to prepare statistics, we cannot do it. If they simply direct us to go into the question and prepare everything, we are ready at any time to do it. That has been the attitude of this Government. Then as regards the Central Government, whenever the question arises there, they simply say ' This is a provincial matter. If the province is prepared for that, then we will consider. ' This is the situation. Now my hon. Friend Mr. Kesava Pillai said quite correctly that a separate province means increased expenditure. Of course, that is the one argument that has been levelled against separation of provinces. Bengal was doing that with regard to separation of Behar and Orissa. One argument put forward against separation was that it was expensive. It is true that it is more expensive, but it is expected that the advantages would be more than what would be lost by way of money. The Government would have taken it up as Mr. Kesava Pillai said there would be more jobs for them. Nowadays, they have developed some suspicion for anything that is proposed by us in the Council. Because they think it must be something against themselves. Unless it is for the development of the national spirit and nationality, they seem to think, that we would not have moved it and therefore it must be something which must go against the Government. Otherwise, they would have taken it up much earlier. So whatever may be the feeling of gentlemen like Mr. Kesava Pillai and other Members of this House, they have to respect the feeling of the Andhras in this matter. They are the only persons who have to decide in this matter.

" As has been put by one hon. Member, the Tamilian brethren have been very kind to us in not opposing this motion at any time. That has been before the public for the last 16 years and prominent members of the

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Tamil Nadu have not opposed this motion, because they know that they want to respect the feeling in Andhradesa in this matter. So far as the Andhra country is concerned, it is not divided against itself at all. It is true that some questions may arise as regards the location of headquarters and things like that and they are natural in a matter like this. We will settle them between ourselves and the thing will proceed. I will only request through you, Mr. President, that my brethren of the Tamil Nadu will show the same consideration this time as they have shown all along in supporting this motion voting for the motion by. We are not moving this motion in the hope that the Government will take it up. We know they will not. It is very kind of Mr. Kesava Pillai to remind us of the coming Swaraj and to wait till that Swaraj is attained. I only hope that my friend would have that faith in Swaraj, which he has had while he was young"

*Diwan Bahadur P. KESAVA PILLAI:—"Even now I have it."

The hon. the PRESIDENT:—"The hon. Member will kindly resume his seat."

*Diwan Bahadur P. KESAVA PILLAI:—"Am I not entitled, Sir, to . . ."

The hon. the PRESIDENT:—"Order, order. The hon. Member will recognize that we are bound by certain rules of debate. The hon. Member will not be in order to get up and answer any reference that is made to him."

Diwan Bahadur P. KESAVA PILLAI:—"May I beg to point out, Sir, that I"

*The hon. the PRESIDENT:—"I request the hon. Member to resume his seat."

*Mr. K. V. R. SWAMI:—"Sir, I apologize to Mr. Kesava Pillai, if he really thinks that I wanted to hurt his feelings in any way. I only wanted to say that if his enthusiasm for Swaraj was so great as it was when he was young, he would not be sitting on that side. (Hear, hear.) That was my fear, Sir. He was blessing us and advising us to wait until we get Swaraj. I think we will indeed have to wait until we get Swaraj for all these things. But why we are moving these out now is to put the Government in the wrong. We know we will have to wait till Swaraj is attained but we want to show to the people that this Government, as long as it exists, will not do anything for the good of the people. They always oppose our aims and aspirations by saying that they have no power or putting other obstacles in the way. Our aim is only to show that we have moved these out not in the faith that these things will be done before full Swaraj is attained, but to show the unwillingness of the Government to do good to us."

*The hon. the PRESIDENT:—"I take it that the House is ready for a vote on this question."

"The question is that the allotment of Rs. 42,200 for Executive Council be reduced by Rs. 100."

The motion was put to the House and declared lost.

[19th March 1928]

Mr. G. Harisarvottama Rao demanded a poll and the House divided as follows:—

Ayes.

- | | |
|---|---|
| 1. Mr. J. Kuppuswami. | 24. Mr. A. Kaleswara Rao. |
| 2. " V. Ramjee Rao | 25. " R. Srinivasa Ayyangar. |
| 3. " Sami Venkateshalam Chetti. | 26. " K. Koti Reddi. |
| 4. " S. Satyamurti. | 27. " L. K. Tulashiram. |
| 5. " C. V. Venkataramana Ayyangar. | 28. " K. R. Karant. |
| 6. " T. Adinarayana Chettiyar. | 29. " K. Madhavan Nayar. |
| 7. " P. Anjaneyulu. | 30. " O. Venkatarangam Nayudu. |
| 8. " J. A. Saldanha. | 31. " A. Ranganatha Mudaliyar. |
| 9. " P. C. Venkatapati Raju. | 32. Diwan Bahadur E. N. Arogyaswami Mudaliyar. |
| 10. " C. S. Govindaraja Mudaliyar. | 33. Mr. E. Nagan Gowda. |
| 11. " G. Harisarvottama Rao. | 34. The Zamindar of Seithur. |
| 12. " C. N. Muthuranga Mudaliyar. | 35. Mr. C. E. Parthasarathi Ayyangar. |
| 13. Abdul Hamid Khan Sahib Bahadur. | 36. The Zamindar of Gollapalli. |
| 14. Mr. K. V. R. Swami. | 37. Mr. Chavadi K. Subrahmanya Pillai. |
| 15. " D. Narayana Raju. | 38. " B. Ramachandra Reddi. |
| 16. Dr. B. S. Mallayya. | 39. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 17. K. Uppi Sahib Bahadur. | 40. Sir A. P. Patro. |
| 18. Mr. C. Marathavanam Pillai. | 41. Muhammad Khadir Mohidin Sahib Bahadur. |
| 19. " M. Narayana Rao. | 42. Rao Bahadur B. Muniswami Nayudu. |
| 20. " C. Ramasomayajulu. | 43. The Zamindar of Mirzapuram. |
| 21. Basheer Ahmad Sayeed Sahib Bahadur. | 44. Mr. A. V. Bhanoji Rao. |
| 22. Mr. P. Bhaktavatsalu Nayudu. | |
| 23. Sriman Biswanath Das Mahasayo. | |

Noes.

- | | |
|---|--------------------------------|
| 1. The hon. Sir Norman Macjoribanks. | 11. Mr. S. H. Slater. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 12. " C. B. Cotterell. |
| 3. " Mr. T. E. Moir. | 13. " R. Foulkes. |
| 4. " Mr. A. Y. G. Campbell. | 14. Abbas Ali Khan Bahadur. |
| 5. Diwan Bahadur P. Kesava Pillai. | 15. Sir James Simpson. |
| 6. Rao Bahadur C. V. Anantakrishna Ayyar. | 16. Mr. Kenneth Kay. |
| 7. Mr. F. B. Evans. | 17. " C. R. T. Congreve. |
| 8. " H. A. Watson. | 18. " A. T. Luker. |
| 9. " G. T. Boag. | 19. Rajkumar S. N. Dorai Raja. |
| 10. " A. McG. O. Tampoe. | 20. The Raja of Ramnad. |

Neutral.

- | | |
|--|--|
| 1. The hon. Mr. M. B. Seturathnam Ayyar. | 17. Mr. M. A. Manikkavelu Nayakar. |
| 2. " " S. Muthiah Mudaliyar. | 18. " S. Arpudaswami Udayar. |
| 3. " Dr. P. Subbarayan. | 19. " K. Ramachandra Padayachi. |
| 4. Mr. C. D. Appavu Chettiyar. | 20. Swami A. S. Sahajanandam. |
| 5. " J. Bheemayya. | 21. Rao Sahib R. Srinivasan. |
| 6. Rai Sahib M. Hampayya. | 22. Tajudin Sahib Bahadur, Sayeed. |
| 7. Mr. V. Ch. John. | 23. The Raja of Panagal. |
| 8. Subadar-Major S. A. Nanjappa Bahadur. | 24. Diwan Bahadur M. Krishnan Nayar. |
| 9. Mr. T. M. Narayanaswami Pillai. | 25. Rao Bahadur S. Ellappa Chettiyar. |
| 10. " K. Kriehna. | 26. Khan Bahadur S. K. Abdul Rasack Sahib Bahadur. |
| 11. " M. Siva Raj. | 27. Diwan Bahadur S. Kumaraswami Meddiyar. |
| 12. Rao Sahib L. C. Guruswami. | 28. T. M. Moidoo Sahib Bahadur. |
| 13. Mr. V. J. Mariswami Pillai. | 29. Rao Bahadur K. Sitarama Reddi. |
| 14. " W. P. A. Soundarapandia Nadar. | |
| 15. " S. V. Vanavudaiya Gounder. | |
| 16. " S. Venkayya. | |

Ayes 44. Noes 20. Neutral 29.

The motion was carried.

[19th March 1928]

4-45
p.m.

* **MR. BASHEER AHMAD SAYEED** :—" Mr. President, Sir, I move
'that the allotment of Rs. 42,200 for Executive Council be reduced by Rs. 100.'

"The object of the motion is to elicit information from the Member concerned as to the number of superior and inferior posts in the Provincial and Imperial Service in this Presidency, transferred from the voted to the non-voted category since the year 1920 up to date and the reasons for the same and the rules and orders under which they were so transferred.

"Mr. President, I am led to believe that this Provincial Government, ever since the Reforms were granted and soon after they were brought into force, have been carrying on systematically an undermining campaign, by which I mean, they have been trying to transfer as many posts, small or big, from the voted category to the non-voted category, obviously with a view to keep these offices outside the control or the vote of this Council. I say, Sir, that this attempt of the Government has been very sinister and that it has been carried on against the wishes and against the knowledge of the people or of the representatives of the people in this House. Even a post like the Law College Principalship, when the late Principal Mr. Arthur Davis was there, was sought to be converted into a non-voted post. I do not know, Sir, why the Government have acted against the spirit of the reforms, viz., giving more responsibility to the people of this country. Sir, it is not unknown to the Members of this House that when the declaration of 1917 was made, the idea was that the Government should be transferred to the people of this country by slow and progressive stages, though the Congress Party, as such, did not and will never, subscribe to that policy of the Government of Great Britain. Yet, the Provincial Government, the representatives of the Government, the powers that be, have from time to time converted many of the voted posts into non-voted. Is that the way in which the Government want the Members of this House or the people of this country to co-operate with them in the administration of this country? Instead of converting more and more posts of the non-voted category into voted posts, the Government seem to have been working the other way. I want to know, Sir,—I have no definite knowledge, it is only a matter of belief—I want the Government to let the councillors as people responsible to our electorates, to our constituencies, and as sharing a good deal of the burden of the administration of this country much against our will, much as we are against the system of Government—I want the Government to take them into confidence and let them know how many posts they have converted from voted into non-voted, under what rules, under whose advice and for what reasons. The Government ought to have, before they actually converted the posts from voted into non-voted, come to this House for a vote or for opinion and placed the matter before us. They have done, I am led to believe, a lot of things behind the back of this House which they themselves profess to be a responsible House. I do not know, Sir, whether Ministers are aware of this action of the Government of transferring all the voted posts to the non-voted category. I do not know how many posts under the control of the Ministers themselves and under their nose have been transferred in this manner. I do not know what they have done, whether they have at any time raised a little finger of protest against such attempts on the part of the Government, especially when things are done behind their back, or whether such things were done with the

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consent of the Ministers. Sir, it is but fair, just and reasonable that the Government should at least have taken the previous consent of this House for such changes or at least intimated to us from time to time what posts have been converted from the voted to the non-voted category. They have not done even that, and yet they say that their policy is to give increasing responsibility to the people of this country and to the representatives of the people in this House. I want the Government, Sir, to give us no camouflaged answers but to give us direct answers, to quote chapter and verse and the circumstances under which they took or were compelled to take steps to convert voted into non-voted posts, to give us a complete list and nature of the posts so converted ever since 1920 and also to mention the specific reasons which led them to do so. If it was for the purpose of keeping these posts outside the control of this House, it is not creditable in the least for the Government that professes to be a popular Government to have done so; but if it was not for that purpose, it is now up to them to come forward and tell us the reasons which led them to do that. Then we shall know how to handle them. So, Sir, I make this motion."

* **THE HON. SIR NORMAN MARJORIBANKS** :—" Mr. President, Sir, the hon. Members of this House are aware that this subject is of a very technical nature, and I will try to be as clear as I can. Under section 72-D (3) (iv) (a) of the Government of India Act, salaries and pensions payable to or to the dependants of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council are not subject to the vote of the Council. In February 1921, this rule was interpreted to mean that everything which required the sanction of the Secretary of State should be treated as 'non-voted'. In May 1922, the Auditor-General issued audit instruction which interpreted the above clause in the following manner :—

'(1) All appointments made in England prior to the date of the passing of the Government of India Act, 1919, should be treated as having been actually made by the Secretary of State in Council.

'(2) As regards appointments made from the date of the coming into force of the Government of India Act (17th December 1920) it was ruled that only appointments which were definitely made by the Secretary of State in Council should be treated as "non-voted". Appointments made by the Secretary of State in Council or by the High Commissioners as agents of the Local Government should be treated as "voted".

"As a result of this instruction about ten appointments were transferred from 'voted' to 'non-voted' as the appointments have been made in England prior to the date of the passing of the Government of India Act. On the other hand, several appointments were also transferred for 'non-voted' to 'voted', because they had been made after the coming into force of the Government of India Act and had not been made specifically by the Secretary of State in Council. The number of such appointments was 28.

"In 1925 the Secretary of State in Council appointed to the All-India Services such as Forests, Police, Engineering, certain officers who had been previously promoted by the Local Government or the Government of India from the corresponding Provincial services to the All-India Services. By their appointment to the All-India Services by the Secretary of State in Council, the posts subsequently came under clause (iv) of section 72-D (3) of the Government of India Act and their pay was consequently treated as 'non-voted' in the budget estimates for 1926-27."

[19th March 1928]

Mr. BASHEER AHMAD SAYEED:—"May I know, Sir, what the document . . ."

* The hon. the PRESIDENT:—"The hon. Member will kindly resume his seat."

* The hon. Sir NORMAN MARJORIBANKS:—"The number of such appointments transferred from 'Voted' to 'Non-voted' was about 40."

"According to the Amendment to the Government of India (Civil Services) Act, 1925, the salaries and pensions payable to or to the dependants of persons appointed before the first day of April 1924 by the Government of India or by a Local Government to services or posts classified by rules under the Act as superior services or posts also became non-votable. With reference to this, the Secretary of State has so far declared 14 appointments to be of superior status. Their pay has accordingly been treated as 'Non-voted' in the budget estimates for 1928-29. These, Sir, are the main changes that have been made."

* The hon. the PRESIDENT:—"Mr. Basheer Ahmad wanted to say something. May I know what it is?"

* Mr. BASHEER AHMAD SAYEED:—"I wanted to know, Sir, what the document was from which the hon. Member was reading, and to request him to leave it or a copy of it, if possible, on the table of this House."

* The hon. the PRESIDENT:—"I am afraid the hon. Member has not carefully followed the hon. the Leader of the House. When he opened his speech, he clearly stated that it was a technical subject, and therefore he proposed to refer to the notes which he had made."

Mr. BASHEER AHMAD SAYEED:—"I am sorry, Sir; he is so inaudible."

* The hon. the PRESIDENT:—"I take it that the House is ready for a vote on this question. (After a pause.)"

"The question is to reduce the allotment of Rs. 42,200 for Executive Council by Rs. 100."

The motion was put to the House and lost.

* Mr. BASHEER AHMAD SAYEED:—"Mr. President, Sir, I move

'that the allotment of Rs. 42,200 for Executive Council be omitted.'
(with a view to raise the question of the nature of the correspondence between the Local Government and the Government of India on Bills submitted by non-official members for previous sanction of the Governor-General before introduction.)

"Sir, the question referred to in this paragraph which I have just now read has a history of its own. It has been allowed by the rules of the Council and also by the Devolution Rules that members are at liberty to move amendments or amending Bills with regard to Acts which are of an imperial nature, or new Bills on central subjects with the previous sanction of the Governor-General. So, Non-official Members of this Council submit Bills for the previous sanction of the Governor-General through the Local Government. The Local Government refer them to the Governor-General and receive answers; but they give the non-official members a very bare and out and dry answer. His Excellency the Governor-General regrets he cannot give leave to

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introduce this measure.' When Non-official Members ask for the reasons Sir, the Local Government do not give us the reasons why His Excellency the Governor-General feels it inconvenient to give leave for the introduction of those measures. I have asked the ex-Law Member, Sir, as to the reasons why the Viceroy does not give me leave to introduce a Probation of Offenders Bill, and I was told that they were confidential. I want to impress upon this House, Sir, that the correspondence in connection with the Non-official Bills between the Local Government and the Imperial Government ought not to be confidential, at least so far as the Member who gives notice of the Bill is concerned, nor should the reasons of the Governor-General be kept beyond the knowledge of the Member."

* The hon. the PRESIDENT:—"It being 5 o'clock now, I shall put the demand to the vote of the House."

"The question is that Government be granted a sum not exceeding Rs. 6.98 lakhs minus Rs. 100, under 'Demand X—General Administration—Secretariats.'"

The question was adopted and the grant was made.

The Council then adjourned to meet again at 11 o'clock the next day.

R. V. KRISHINA AYYAR,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 20th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	Kumara Raja of Venkatagiri.
Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	Kumaraswami Reddiyar, Diwan Bahadur S. Kuppuswami, Mr. J.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.B.E., I.C.S., The hon. Mr. A. Y. G.	Laker, Mr. A. T.
Subbarayan, The hon. Dr. P.	Madhavan Nayar, Mr. K.
Muthiah Mudaliyar, The hon. Mr. S.	Mallayya, Dr. B. S.
Seturathnam Ayyar, The hon. Mr. M. R.	Manikkavelu Nayakar, Mr. M. A.
Abbas Ali Khan Bahadur.	Marudavanam Pillai, Mr. C.
Abdul Hye Sahib Bahadur, K.	Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Abdul Razaek Sahib Bahadur, Khan Bahadur S. K.	Moidoo Sahib Bahadur, T. M.
Abdul Wahab Sahib Bahadur, Munshi.	Muniswami Nayudu, Rao Bahadur B.
Adinarayana Chettiyar, Mr. T.	Muniswami Pillai, Mr. V. I.
Ananthakrishna Ayyar, Rao Bahadur C. V. Anjaneyulu, Mr. P.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Appavu Chettiyar, Mr. C. D.	Muthuranga Mudaliyar, Mr. C. N.
Ari Gowder, Mr. H. B.	Nagan Gowda, Mr. R.
Atiyaswami Mudaliyar, Diwan Bahadur R. N.	Nanjappa Bahadur, Subadar-Major S. A.
Arpudaswami Udayar, Mr. S.	Narayana Raja, Mr. D.
Bashoor Ahmad Sayeed Sahib Bahadur.	Narayana Rao, Mr. Mothay.
Bhaktavatsulu Nayudu, Mr. P.	Narayanan Chettiyar, Mr. Al. Ar.
Bhanoji Rao, Mr. A. V.	Narayanan Nambudripad, Rao Bahadur O. M.
Bheemayya, Mr. J.	Narayanawami Pillai, Mr. T. M.
Biswanath Das Mahasayo, Sriman.	Obi Reddi, Mr. O.
Boag, C.I.E., I.C.S., Mr. G. T.	Parasurama Rao Pantulu, Mr. A.
Chidambaramatha Mudaliyar, Mr. T. K.	Parthasarathi Ayyangar, Mr. C. R.
Congrave, Mr. C. R. T.	Patro, Kt., Rao Bahadur Sit. A. P.
Cottar, C.I.E., I.C.S., Mr. C. B.	Premayya, Mr. G. R.
Dorai Raja, Rajkumar S. N.	Raja of Jeypore.
Ellappa Chettiyar, Rao Bahadur S.	Raja of Panagal, K.C.I.E.
Evans, C.S.I., I.C.S., Mr. F. B.	Raja of Ramnad.
Foulkes, Mr. R.	Rajan, Mr. P. T.
Gangadhara Siva, Mr. M. V.	Ramachandra Padayachi, Mr. K.
Gnanavaram Pillai, Mr. P. J.	Ramachandra Reddi, Mr. B.
Gopala Menon, Mr. C.	Ramanath Goenka, Mr.
Govindaraja Mudaliyar, Mr. C. S.	Ramasomayajulu, Mr. C.
Guruswami, Rao Sahib L. C.	Ramjee Rao, Mr. V.
Hamid Khan Sahib Bahadur, Abdul.	Ramaswami Ayyar, Mr. U.
Hampayya, Rai Sahib M.	Ranganatha Mudaliyar, Mr. A.
Harisarvottama Rao, Mr. G.	Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
John, Mr. V. Ch.	Sahajanandam, Swami A. S.
Kaleswara Rao, Mr. A.	Saldanha, Mr. J. A.
Karant, Mr. K. R.	Sami Venkatachalam Chetti, Mr.
Kay, Mr. Kenneth.	Satyamurti, Mr. S.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Shetty, Mr. A. B.
Kadir Mohideen Sahib Bahadur, Muhammad.	Simpson, Kt. Sir James.
Koti Reddi, Mr. K.	Sitarama Reddi, Rao Bahadur K.
Krishnan, Mr. K.	Siva Raj, Mr. N.
Krishnan Nayar, Diwan Bahadur M.	Siva Rao, Mr. P.
Krishnaswami Nayakar, Mr. K. V.	Sivasubrahmanya Ayyar, Mr. K. S.
	Slater, C.I.E., I.C.S., Mr. S. H.
	Smith, Mr. W. E.
	Soundarapandia Nadar, Mr. W. P. A.

[20th March 1928]

PRESENT—cont.

Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dobash
Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. C.
Thomas, Mr. D.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.
Vanavudaiya Gounder, Mr. S. V.

Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangan Nayudu, Mr. C.
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Kallikota.
Zamindar of Mirzapuram.
Zamindar of Neithur.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Motor Vehicles

Insurance of taxis.

* 1779 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the new rule framed recently by the Government of Burma that “all taxis plying in the city of Rangoon should be covered by insurance before the registration licence is issued”;

(b) whether the Government will call for information from the Government of Burma about the abovesaid new rule framed by them; and

(c) whether they will consider the desirability of introducing such a rule in respect of taxis plying in the City of Madras?

A.—(a) to (c) The information has been called for and the Government will consider the question on receipt of information.

Police

Temporary police shed for Neiveli village, Tiruvallur taluk.

* 1780 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Home Member be pleased to state whether it is a fact that two petitions, dated 14th February 1928, were submitted by the residents of No. 148, Neiveli village, Tiruvallur taluk, one to the Inspector-General of Police and another to the District Superintendent of Police, St. Thomas' Mount, praying for a temporary police shed in that village?

A.—The Government have no information; they have called for it.

Education

Introduction of the boy scout movement in schools.

* 1781 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether any steps have been taken to introduce the boy scout movement in all the educational institutions;

QUESTIONS AND ANSWERS

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(b) whether the Government have approved the resolutions of any local board recommending the introduction of the said movement;

(c) if so, which boards have sent such resolutions and how many of them have been approved by the Government;

(d) whether the Government propose to aid with grants the boards whose resolutions they have accepted; and

(e) what are the causes for not accepting the resolutions of other boards?

A.—(a) The Boy Scouts Association, Madras, which is a non-official organization, has for its object the spread of the boy scout movement in the Presidency. The Government have paid to the society a grant of Rs. 10,000 in each of the years 1925-26, 1926-27 and 1927-28. It is proposed to pay a similar grant in 1928-29.

(b), (c) & (e) Sanction of Government is not necessary to the introduction of the scout movement by local boards in the educational institutions under their control.

(d) No grant is paid to any local board towards the introduction of scout movement in its schools. So far as elementary schools are concerned, it is permissible for local boards to incur expenditure on scouting from their elementary education funds with the previous approval of Government. As regards secondary schools, the local boards may incur expenditure on scouting from their own funds with the sanction of Government.

Public Health

Petitions by Movur villagers for water facilities.

* 1782 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that two petitions dated 31st October 1927 to the Presidents, District Board, Chingleput, and Taluk Board, Tiruvallur, and a set of two other petitions dated 14th November 1927 to the Collector of Chingleput and another to the Local Self-Government were submitted by the villagers of No. 126, Movur village, Tiruvallur taluk, Chingleput district, requesting (1) for the digging of a well for drinking purposes as there is no lake or tank close by for the said purpose and (2) to repair the road leading to that village from the main road, a distance of nearly a mile, which is now covered thick with prickly-pear, mud and filth thus endangering both cart traffic and passers-by; and

(b) what action, if any, has been taken on those petitions by the above bodies?

A.—(a) The Government have received a petition from certain residents of Movur village in which it was stated that petitions had been submitted to the President, District Board, Chingleput, and to the Tiruvallur Taluk Board on 31st October 1927 and to the Collector of Chingleput on 14th November 1927.

(b) The Government have no information, and have called for a report from the President, District Board, Chingleput.

[20th March 1928]

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND XI—GENERAL ADMINISTRATION—MISCELLANEOUS

* The hon. Mr. T. E. MOIR:—"Mr. President, on the recommendation of His Excellency the Governor I move

'that the Government be granted a sum not exceeding Rs. 8.17 lakhs under General Administration—Miscellaneous.'"

* The hon. the PRESIDENT:—"I think the House is ready for a vote on the demand. The question is that the Government be granted a sum not exceeding Rs. 8.17 lakhs under General Administration—Miscellaneous."

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

DEMAND XII—GENERAL ADMINISTRATION—MINISTERS AND CIVIL SECRETARIATS—TRANSFERRED.

* The hon. the PRESIDENT:—"This demand will be closed before lunch."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I move

'that a sum not exceeding Rs. 4.55 lakhs be granted to Government under Demand XII—General Administration—Ministers and Civil Secretariats—Transferred.'"

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I move

'that the allotment of Rs. 1,74,000 for pay of officers be reduced by Rs. 100', to express want of confidence in the present Ministry.

"First of all so far as the notice paper is concerned I am in very good company. Diwan Bahadur M. Krishnan Nayar, Diwan Bahadur S. Kumaraswami Reddiyar and Mr. T. K. Chidambaranatha Mudaliyar have taken the lead. Coming to the last name in the list the hon. Member, Mr. Muthiah Mudaliyar, also has given a motion for the out. On this motion we intend to speak on the whole question of the present Ministry. I myself will deal with a few aspects of the question, leaving to my friends on both sides of the House to discuss the other points. The present out is for the purpose of expressing want of confidence in the present Ministry. We all know that so far as the present Ministry is concerned, its Chief Minister, if that term is allowable, Dr. Subbarayan has had the unique honour of having been the Chief Minister in the Ministry that was going on till a few days ago. I shall avoid all personalities when dealing with the present Ministry. So far as Dr. Subbarayan is concerned there are two important points with which I will have to deal. But before that I shall preface by saying that we who are entirely against diarchy want to see that diarchy is put to an end and we want to discuss that also in this out. Then there is another school of thought, which though not for the entire removal of diarchy, are at present for the removal of diarchy as it exists here. We as a party have been saying that diarchy is absolutely useless. The Justice Ministry who were in power for six years were of opinion in the beginning that diarchy

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was workable; but after the end of that period they also came to the conclusion that diarchy was not workable at all. After the last election that party met at Coimbatore, which place has become famous in this matter also (laughter), and passed a resolution that diarchy was unworkable and that they should not accept office; but curiously enough they seem to say now that though they would not accept the Ministry, there is nothing to prevent them from supporting a Ministry that is in power. It is just like saying 'murder is a very bad thing; I will not do it; but I will give the instruments of murder to some of those who will commit the murder', and what is more, 'I will support them in a court of law.' It seems to me that their proposition is, if I may be allowed to say so, absurd and does not sound reasonable coming from no less a person than the Raja of Panagal, who is a very able and intelligent person, for I have known him from the time we were studying together in the B.A. class in the Presidency College. I hope he will use his ingenuity not for working wrong things but for clearing the points of view that diarchy is unworkable whether it is worked by A, B, or C. If the Justice Party say now, 'though our leaders were not able with all their ability and experience to work diarchy, though we will not accept diarchy, we will ask others to work them and really do everything in favour of others working this diarchy' then, I submit, their position is nothing short of absurdity. As to the next point, even supposing some are in favour of diarchy, as a whole, the present diarchic administration in the Madras Presidency seems to be, if I may say so, so stinking that, no one should honestly support diarchy at present. It is in this connexion, Sir, that I will have to say a few things regarding the Chief Minister. The Chief Minister took up the Ministry at a time when the elections had declared that the Justice Party were not popular with the voters in this Presidency. Rumour had it, Sir, that they were going to have a coalition Ministry but later on we heard that to Dr. Subbarayan such a Ministry would not be acceptable. Whatever the reasons may be, Dr. Subbarayan set up his own Ministry and worked it. When a vote of no confidence was moved by the Justice Party first in the last Council we were asked to vote in favour of it; but we remained neutral. Because we thought that there was no use of killing one Ministry if immediately after it goes another Ministry took its place and we had no guarantee then that the Justice Party would not accept the Ministry. We have been saying that we are against diarchy and we will go to any length at any time if we can successfully cut at the root of diarchy. After the Coimbatore resolution was passed by the Justice Party to the effect that Diarchy was unworkable and that it would benefit none, we were prepared to join that party and as a matter of fact both parties voted together in the no-confidence motion brought after the Coimbatore resolution though we were not able to repeal the Ministry.

"If we had known that the Justice Party were not going to be Ministers themselves but were going to support by their vote and speech another Ministry, we would not have fallen in with them in that motion. We took their resolutions to be sincere and thought that they would co-operate with us in killing diarchy and we as a party voted with them on the no-confidence motion by the end of last year. The Chief Minister knew that he was there in spite of the vote of both the parties. Yet he created an impression that by and by he would abide by the decision of the House in

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all matters and there would be smooth working. But the first great surprise he sprung upon us this year was with reference to the Simon Commission. The House passed the resolution against co-operation with the Simon Commission, with the support of the leaders of the Justice Party and other parties. And the Chief Minister ought to have agreed to work the Ministry subject only to that resolution of the House. But we all know that in spite of that resolution he made a public statement that whatever may be the resolution of the House he would stick to his position and co-operate with the Simon Commission. We thought that this was a sufficient ground to express our want of confidence in the Chief Minister and we tabled a motion of no-confidence in him. How the vote on that question went, and how among those who stood for the motion were the Raja of Panagal and some other leading members of the Justice Party—.”

* Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—“ On a point of order, Sir, I wish to know whether this motion would apply to the present Ministry. On the day when this motion was given notice of, this Ministry was not in existence; there was another Ministry and my submission is that the motion should refer to that Ministry and not to the present one.”

* The hon. the PRESIDENT :—“ It is true that notice of this motion was given before 6th March and the present Ministry came into existence only after that date. But I did not want to be very technical and say that no motion can be moved in the budget against this Ministry. For, if I were to insist on such technicalities there will be no opportunity for the Opposition to express its opinion regarding the present Ministry. The present Ministry have taken office during the budget time with the full consciousness of defending themselves and commanding the confidence of the House if they can.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ The present Ministry led by Dr. Subbarayan is responsible for what he has done so far; because they have taken office with the full knowledge of what he has done on some important matters. In our vote of no-confidence against the first Minister for his attitude towards the Simon Commission we were supported by the Leader of the Justice Party. So far at least as the first Minister is concerned the position remains the same and it would indeed be surprising if the hon. Member, the Raja of Panagal, would not support us. I fully believe that in spite of rumours to the contrary we will have the full support of the Raja of Panagal whatever may be done by his followers. Because only a few days ago he was one of those who stood in favour of the no-confidence motion against the first Minister. Therefore, if this House has got any feeling of consistency, any self-respect, and wants to stick to the resolution deliberately passed by a majority of the House, the House must vote for this resolution so far as the first Minister is concerned. Besides his attitude towards the Simon Commission which is in conflict with the resolutions of the House, he took the whole House by surprise—of course the European portion is excluded—by reading a note on excise policy, which he admitted was prepared by the Secretary to the department, which showed that what Government have been saying so far on this question is absurd, and that the commitments made by Sir Patro, and the policy announced by Diwan Bahadur Arogyaswami Mudaliyar as a member and on behalf of his Government were thrown to the winds. He said that the policy of the Justice Party

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during the six years preceding the last election was without jurisdiction and that they were only giving false hopes. The hon. Dr. Subbarayan has been a Member of the House all this time. He was a member of the Justice Party as a Council Secretary. All this time he had been keeping quiet. He did not raise his voice even when the hon. Member, Diwan Bahadur Arogyaswami Mudaliyar, was enunciating his policy as the policy of the Ministry of which he was the chief. At that time we did not know that joint responsibility of the Ministers did not exist. But having been a party to all these undertakings, he now rises in his place and says ‘All that was wrong; we were going through some farce when we were dealing with the question of prohibition. This Government or this Ministry has absolutely nothing to do with that. We may of course give a licence here and there but we cannot do anything substantial with regard to the question of prohibition.’ I ask my friends of the Justice Party who stood up in support of the motion of no confidence in the Minister before the statement was made, whether their confidence in him has been revived. If so, we should like to know the reasons why.

“ So far as the other two Ministers are concerned we say that we have no confidence in them also as members of the present Ministry. The two Ministers who were in their places were compelled to resign, or in other words practically dismissed from their offices, simply because they refused to do anything in contravention of the decision of the House regarding the Simon Commission. Therefore the two new Ministers must have given an undertaking to the Governor that they would co-operate with the Simon Commission. We have the unchallenged statement of one of the ex-Ministers to the effect that their resignation was forced upon them on account of the fact that they refused to co-operate with the Simon Commission. We have also the uncontradicted statement of one ex-Minister that the present Governor and the Government consider that anything done against the Simon Commission is done against the Government. Therefore we are right in presuming that the two Ministers who assumed charge of their offices after this statement, must have agreed to co-operate with the Simon Commission whatever might have been their vote in this House previously on this question. As regards the statement of the Chief Minister regarding the excise policy I want to know whether the second Minister, the hon. Mr. Muthiah Mudaliyar, who is now in charge of excise agrees with the Chief Minister on this point. I ask the Justice Party and the Independent Party whether they subscribe to the statement that excise cannot in any way be dealt with by us, by this Ministry or by even the all-powerful Finance Member of the Madras Government. I do not at the present moment want to go into the question of nominations and other past events, but I shall confine myself only to the attitude of the Ministry towards the Simon Commission and the statement regarding excise policy.

“ The two new Ministers have been practically chosen from the Congress Party. No doubt we all know that they have become renegades of that party. I want to ask the Madras Governor and the Madras Government, as well as the European Members of the House who attach importance to the integrity of the word—I in all solemnity ask—whether it is desirable to allow persons to make solemn pledges and then throw them to the winds.

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"What respect can any one have to the word of such people? The non-official Europeans are all of them business men and I know they attach much weight to every word that is spoken, not necessarily written or subscribed by signature. Such being the case, is it fair that His Excellency the Governor and his Government should have allowed themselves to co-operate with such persons? I specially refer to Mr. Muthiah Mudaliyar. He has since become 'Hon'ble' with a capital 'H'. I am asking him whether it is fair that he should co-operate with this Government. Many of us have been saying that this Government have done so many things dishonourable. As regards one question in Coimbatore, I pointed out two days ago that they have been immoral and dishonest. But this is the first time in the history of the Government in any country that the head of the Government and his advisors should solemnly abet breaking of solemn pledges taken by a Member and permit him to be co-operating with them and carrying on the responsible work of the Government, all the time being known by all to have broken his solemn pledges. I ask my hon. Friends who want to support this Ministry whether they can, consistently with self-dignity, consistent with feelings of morality and honesty, allow such things to go on and what weight they attach to the promises made. Let not the Government and this Council drive the public to that unfortunate position of considering all election pledges as useless by people being enabled to take up responsible position and being called 'Hon'ble' when they are alleged and proved to have broken their pledges. Such a thing can never take place in England. I appeal to my European friends. Will any Member elected as belonging to a party in England, simply because he changes his views, be allowed to continue in his seat unless he resigns and seeks re-election? Here is one Member now on the other side carrying on the Government of Madras who solemnly signed with ink, gave his address, mentioned the district for which he would stand and undertook to abide by the decision of the Cawnpore Congress and later Congresses. One of the resolutions of the Cawnpore Congress was not to take up ministerial appointments. A High Court vakil cannot plead ignorance. He cannot say that he signed from ignorance or compulsion. He has signed a number of vakalats including those given by eminent persons like the Raja of Ramnad. The High Court has over and again said that the learned members of the profession should be above suspicion. I ask whether the Madras Government would permit persons to break their pledges. This is not a personal question. It is a question dealing with all elections hereafter. Some nominated hon. Members might have given pledges privately to His Excellency the Governor, to the Government, to Mr. Slater and to persons in his position. But here is a solemn public pledge on which many members withdrew on his behalf. After succeeding in the election and after having tried to be leader of the party I ask my hon. Friend whether it is fair for him to accept the Minister's post in this Presidency. I am sorry I have to refer to that matter. But this is nothing personal. This matter will recur very often in the future. I expect the Madras Government to support our views if they are capable of doing it. So far as the pledge is concerned, it is a solemn one and it is sacred whoever might have made it. It might have been made while the Member was in the Opposition benches. But it may happen in any party. Nominated Members have stated over and over again that there are some reasons, probably they have given pledges privately to them, for voting with

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the Government. I have not said a word against it. If they accepted nomination, and, if, either impliedly or expressly, they said that they would vote with the Government I will bow to their pledge so long as they continue to be nominated Members. If private understandings and undertakings are to be dealt with as sacred, how are we to deal with public pledges? I therefore appeal to my hon. Friends themselves to reconsider their position if they will kindly do so. I appeal to the House and to the whole country at large to see that such solemn pledges are not allowed to be broken and that the Government do not take any part in such matters. So far as the vote on this motion is concerned, it does not matter at all. We have been clearly told that, so far as the nominated members are concerned, their votes are not theirs at all. There can be nothing more outspoken than the speeches recently made by Mr. Swami Sahajanandam and a few others. I am sorry that Mr. Slater and some other Members here did not quite understand all that was said by them. They said whatever our honest convictions may be we have to vote with the Government under practical compulsion. Mr. Swami Sahajanandam said 'when I gave my vote for Excise cut என் வயறு எறிந்தது, my belly burnt'. Do the Government and the hon. the Chief Minister consider that votes given by such persons are of any use so far as this question of confidence in the Ministers is concerned? I say nothing against them; they are bound by private pledges. I shall wait and see how Mr. Ari Gowder, Mr. Davis and some other friends who are pledged to Excise reform would vote to-day on the no-confidence motion when the hon. the Chief Minister has declared that 'All that has been promised and done on this matter are wrong. Neither we nor this Council have any power'. I appeal to them to vote with us so that there can be no doubt whatever about their point of view. This is a proposition on which we should vote as one body. If some hon. Members find it impossible to vote for the proposition on account of some pledges or other reasons, I implore them, I beg of them, to be neutral. Some hon. Members such as Messrs. Muniswami Pillai and Swami Sahajanandam have stated that they were not free to vote as they liked. We have clearly told the House that their votes are useless. I appeal to them not to vote either way for this proposition but to remain neutral. The Justice party voted for the boycott of the Simon Commission on a previous occasion. If they go against it now it must be on account of some good reasons. I leave the matter to them and to their conscience."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I rise to second the motion moved by my hon. Friend from Coimbatore, Mr. Venkataramana Ayyangar. I do so not merely in pursuance of the policy of my party to destroy diarchy, but also in regard to the specific acts of the Chief Minister, to the principle on which the composition of the present Ministry is based. I shall first deal with the hon. the Chief Minister, Dr. Subbarayan. Of late he has earned unenviable notoriety for disregarding and flouting the views and resolutions of this Council. We are aware that only very recently this House passed the resolution by an overwhelming majority that it should have nothing to do with the Simon Commission as at present constituted. Though Dr. Subbarayan had made his position quite clear towards the Simon Commission before the resolution was passed in this House, it was confidently expected by this House that the Minister whose

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tenure of office existed upon the support of the majority in this House would naturally follow the lead given to him by the House. As a Minister who is presumed to have a majority in this House, he not only failed to give a lead to his own party as to what the party should do in respect of this particular question concerning the Government of this country, but also flouted the lead given to him not only by a large section of his party but also by a majority of the House.

"Barring that there is just another matter on which this House may be justified to take very serious note of his conduct. I am referring to his remarks in justification of the orders passed by the Chief Presidency Magistrate in the City of Madras under section 144 on some of the Congress party leaders. Sir, it was no concern of Dr. Subbarayan to have talked anything about it when prudence must have dictated silence. He began to express his views in justification of that atrocious order. I should very much like to remind my hon. Friend, Dr. Subbarayan, what he said in November 1923 in answer to certain unsympathetic remarks made by the late Sir P. Tyagaraya Chettiyar with reference to political prisoners. My hon. Friend, Dr. Subbarayan, said quite unexpectedly 'I think it inhuman that persons who sacrificed much for the sake of the interests of the country should be treated as dacoits. I must enter my emphatic protest against such sentiment.' After giving expression to these inspiring words he crossed the floor of the House that morning. He not only crossed the floor of the House but also voted against the Minister. Such a gentleman who felt that any such remark that may be passed against a political worker was inhuman has now gone to the length of justifying the orders passed against political workers who ventilated their grievances. I do not know to what this unexpected change of mentality he has undergone is due to. I am constrained to think that shoving responsibility on a set of persons with no following or policy has very much to do with the statement. The House having thrust upon him very many rights instead of expecting corresponding duties from him have naturally given him courage to set at naught the popular will.

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"Mr. President, Sir, he is an aristocrat by birth and by association and by training he is not a democrat. And such a man was entrusted with the power of the governance of this Presidency so far as the Transferred departments are concerned. He has absolutely no obligation to his party of which there are very few and these naturally made him extremely rash in respect of his treatment of national questions. Otherwise it is difficult to explain his views on and his defence of the excise policy. Sir, his defence revealed the skirmishes that were going on in the Ministerial nursery when my friends Messrs. Ranganatha Mudaliyar and Arogyaswami Mudaliyar were with him. These two gentlemen have resigned and Dr. Subbarayan has gone to a fit of desperation. Therefore I am not inclined to find fault with Dr. Subbarayan as I am inclined to find fault with this House itself. Sir, we have had Dr. Subbarayan's mentality nakedly exposed to us. We cannot expect him to change even if you should entrust the responsibility of the Transferred departments in his hands or not. If, with all his faults, you are willing to entrust in these men the governance of these subjects, I do not know why Dr. Subbarayan should be found fault with. I therefore make this appeal to this House not to consider this question as a matter between Dr. Subbarayan and this House but as a matter concerning the governance

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of this country. There is no use speaking in whispers about Dr. Subbarayan. Sir, we have made the Ministers we have not known, or rather whose views we have not known. Then what is the use of making complaints behind his back and not vote against him when the matter comes up to be dealt with by this House.

"But apart from these personal defects, we shall examine the constitutional aspect of the question. Dr. Subbarayan when he originally assumed the office of Minister had no following. But subsequently after he became Minister he was able to gather a few stray hon. Members of this Legislative Council. With these Members he got on for some time. We find to-day that a large section of that incoherent group has crossed the floor and walked into the opposition lobbies. So even this dim vestige of a party following has disappeared. Therefore if he should get any support, it must be from across the table and not from behind his seat. According to my calculation, there are not more than half a dozen elected Indian Members behind him. Yet it is a surprise to me he was again honoured by an invitation from His Excellency the Governor to form another Ministry. Having been thus patronized by His Excellency, but neglected by gentlemen whom he expected to support him, he took as his Colleagues Messrs. Muthiah Mudaliyar and Seturathnam Iyer. I should say, Sir, that the formation of this Ministry is a clear example of constitutional impropriety. Ministerial office I have never known being the price for loyalty to the Executive Government, nor a plum for those who desert their own party, nor a place where patronage could be dispensed. I cannot substantiate my statement better than by quoting my hon. Friend, Sir, A. P. Patro when he laid down the essential conditions for the formation of a Ministry. My hon. Friend has put down as the first essential condition—for the successful working of the scheme depends upon the existence of three main conditions—an elected majority for the Ministry. May I ask, in all humility, Sir Patro whether Dr. Subbarayan has an elected majority behind him? The office of the Ministry also presumes that the holder possesses an open following not a covert following, with a clear cut out programme and policy. I venture to say that all these three are conspicuous by their absence in the case of Dr. Subbarayan's Ministry. In the formation of this Ministry therefore all these essential conditions have been ruthlessly ignored. We find three gentlemen to-day chosen from different quarters of the House, one following a policy which is at variance with the rest of the three Ministers. Therefore there seems to be a good deal of diversity and conflict in this seeming unity. Self-interest is the only unity of action between these three. Sir, to allow the Ministry to continue is doing the greatest harm to the constitution, and reducing this House to become a consenting party to the deprivation of its own influence and power which this House is expected to exercise not only over the Transferred departments but also over the Reserved side.

"Then, Sir, to quote my hon. Friend, Mr. Ranganatha Mudaliyar, he said that the Minister was to be selected from a party which commanded the confidence of the House. My hon. Friend recognized it when it was too late. Sir, it is a truism which should hold good in any constitution. Has this principle been recognized in the formation of the present Ministry? We see it is not so. The first Minister lost the confidence and was deserted

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by his own party men, and by his conduct in this House and outside he lost the popular sympathy. The second Minister was returned on a Congress ticket pledged to non-acceptance of office. He then went out of our party with a few friends. He criticised our action in very strong terms when we remained neutral on the no-confidence motion brought forward by my hon. Friend Mr. Muniswami Naidu. Then, Sir, he used a simile, a significant one, that we were Sanyasins vowed to celibacy refusing to marry (laughter). Under that simile we are Sanyasins and we continue to be Sanyasins. Mr. President, I am therefore very much disappointed that my hon. friend Mr. Muthiah Mudaliyar allowed himself to be kidnapped by my Friend Dr. Subbarayan, even deserting a few friends who burnt their boats with our party.

"Another question arises which it is desirable that I should mention. My hon. Friend, the Chief Minister, has now perhaps accepted the principle of joint responsibility by accepting the invitation of His Excellency the Governor to form a Ministry. Even after the Ministerial policy in respect of Exoise had been propounded by Dr. Subbarayan, my hon. Friend Mr. Muthiah Mudaliyar has joined him, even though while he was only an ordinary Member of this Council, he expressed himself very strongly in favour of prohibition. I would like to know if, in pursuance of the joint responsibility which the Chief Minister has propounded, he is a willing party to the policy laid down by Dr. Subbarayan. If that be so, is he going to be allowed to ride rough-shod over this legislature and say that Exoise is a Central subject?

"My hon. Friend Mr. Seturatnam Ayyar has got the virtue of not coming into the purview of this House by rigid silence all throughout the sessions of this Legislative Council from the beginning of this term. But he was my Colleague during the last Legislative Council. I sat with him in a seat in that bench over there. I know his views, or rather, how his views have so radically changed. I am only surprised at the conception of Ministerial responsibility of my hon. Friend Mr. Seturatnam Ayyar. Sir, this is not a theatrical stage. It is more than that. There is some responsibility. He cannot always depend upon the promptings of those behind him.

"In connexion with the formation of this Ministry, it is said, Sir, that His Excellency the Governor had the assistance of my hon. Friend the Raja of Panagal. I cannot believe, Sir, how he can go back upon what he had himself said.

"Then my hon. Friend the Finance Member once said, Sir, 'I know this, that in politics there is always except for those who refuse to utilize it, a *locus penitentiae*. And I hope that the Justice Party, irrespective of whether it is out of office or in office, will not refuse to tread once again that course of constitutional progress which it followed so long and so faithfully.' Sir, this statement of the hon. the Finance Member had the fullest fructification in that the hon. the Raja Sahib and his party men intend acting accordingly. But we do not know how far it will be sound now from the nature of the commitment of their attitude towards this Ministry. I do not want to irritate them by my remarks but shall merely quote from the speeches and the sentences which they themselves have uttered on the

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floor of this House. Let me begin first with my hon. Friend Mr. Ramachandra Reddi whose support as seconder to my motion was of unique importance during the last time. He said 'The Leader of the Opposition has dealt at length with the position of the Ministers in the diarchic system. I can only add to it by saying that the diarchic system is bad enough and the administration of the present Ministers under the diarchic system is worse still'. And again, 'We are supporting this motion just to throw out diarchy which has been pronounced to be very very unsatisfactory and unworkable. From all parts of the House, it has been pronounced many a time, and the House has accepted it, though not the Government, in all its bearings. We want to say that it is only the mildest demonstration that we can show just before the Royal Commission will sit in judgment to see what Reforms are to be given to this country, and the Opposition or the country cannot but support such a motion as this. If the Ministers and the supporters of the Ministers cannot appreciate the motive behind this resolution, I am of opinion, Sir, that we who are fighting for Swaraj cannot justify our position, and we can rather get out of politics altogether and leave everything to be Reserved Half or the Bureaucracy to do as they wish.' (Hear, hear.)

"Again, Sir, 'But from their advantageous position as Ministers, they are patting on the back of some people and getting some support. Is that not showing patronage and favouritism, which has been so much criticized before? It is high time that they rectify their ways and the only rectification possible under the present conditions is to walk into the opposition once more'. Again, Sir, I cannot resist the temptation of quoting in extenso. The promises are remaining as promises and their realization seems as far away as before these circumstances, and from what could be gathered from the administration, I am quite sure that with a minority of elected members, they are not able to do anything by way of getting adequate powers from the Government or by way of making their own position stronger so that they may be able to do more good to the country. Weak as they are, and autocratic as they are, I think they are quite unsafe to be there, with such a small number of elected members to help them. Then, Sir, you would remember, Mr. President, that during the last budget discussion when the Congress party decided to remain neutral my hon. Friend Mr. Ramachandra Reddi levelled a very serious charge against us which on being brought to your notice he had with some hesitation withdrawn, still believing that we are guilty of the offence with which he charged us. He said, 'On the other hand, the fact that they are keeping sullen certainly confirms the suspicions in the minds of the hon. Members here and the country at large that they are *bought* by the present Government'. I should like my hon. Friend Mr. Ramachandra Reddi to contradict this suspicion on us by his conduct to-day on this motion. Then, I shall refer to the floor Leader, the hon. Member Mr. Krishnan Nair. He also, Sir, was one of those who voted against this Ministry and he expressed himself in very strong terms about the unworkability of diarchy, and also said that the Coimbatore resolution was for the non-acceptance of office till provincial autonomy was granted and that in view of that they were going to give no support to any Ministry. Now, I cannot however close my speech without referring to the Leader of the Justice Party, the Raja of

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noon.

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Panagal. Sir, it is very difficult to catch the hon. the Raja Sahib in the speeches he makes with reference to his views. Unusually, somehow or other he has committed himself for a remark which, perhaps, he never intended. 'The acceptance of office by the present Ministry which has no following worth the name in the Legislative Council or outside, which has no policy of its own, and their continuance of office after they were being defeated, however, served as the last straw on the camel's back.' Though the defeat on which he justifies his opposition to the Ministry was only the last straw on the camel's back there have been previous reasons against this Ministry which entitle the Raja Sahib to vote against this Ministry. Now he cannot try to explain away his remarks by saying that he was against it because the Ministry had sustained defeat and not because of other causes. Because he had mentioned two other reasons and this was only the last straw. He also said: 'they argue that such acceptance of and such continuance in office is the very negation of a responsible Government. They think that instead of that form of Government we may, with advantage, go back to the old form of Government.' Sir, it is this explanation of the hon. the Raja Sahib and Sir A. P. Patro that made Mr. Wood, the Leader of the European party to warn not only his friends but also other friends to be careful of that party in future. I hope, Sir, Sir James Simpson who is now the Leader of the European Members will be benefited by the warning given by Mr. Wood. Now, Sir, I wish only to refer to the very sweet remarks of my hon. Friend, Mr. Kumaraswami Reddiyar, the hon. Member for Tinnevely. He has done me the honour of agreeing with me in all the remarks against this Ministry during the no-confidence motion last August. He said, in answer to Mr. Venkataramana Ayyangar, 'If he had followed the debate more carefully or at any rate such portions of it as were audible even from the disadvantageous position he occupied he would have discovered that the complaint against the hon. Ministers in office is that they are devoid of any policy, they are barren of any policy and that is the main ground of impeachment to-day against these hon. Ministers'. Again 'The indecision and disagreement thus betrayed by the Ministers afford as strong an argument in favour of the motion as any that has been advanced. . . . There was one ground of attack against the present Ministry over which we were agreed, and, Sir, that point related to the unconstitutional and imbecile character of the present Ministry. I am glad to see, Sir, that the hon. Mover of the proposition has laid special stress on this point. He has told us that the present Ministers are not the representatives of any party that he could think of. I cannot do better than by stating only what a leading member, an eminent Member of the Ministerialist party said in the course of a post-prandial speech which he made at a dinner given in honour of the Chief Minister. . . . That is the reason why the hon. Members of the Swarajist party and the Jasticeites are working together to-day, in opposition to a Ministry which does not represent any political party and which has not got any following behind it. Well, Sir, as I said already, nothing can be a greater disaster to the people and the country than to allow a Ministry which is formed from no party at all, a Ministry which has not got an elected following behind it, to continue to function still. The question now is whether having regard to these statements the hon. Member is going to entrust his powers into the hands of the Ministry, the

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continuance of which he thinks is disastrous to the country. With these remarks I have very great pleasure in seconding this motion."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, you will realize, that I stand in a very peculiar position and that I owe it to myself and to the House that I do not contravene the ordinary etiquette of debate, specially as I have been till recently a Member of the Cabinet which partially is under attack now. However slightly it may be, to some extent at least, I cannot escape the responsibility for this motion. I have been with the hon. the First Minister for fifteen long months and whatever our internal opinions might have been, however much he or I might have protested against one or the other of our respective acts, yet so long as we held together I think it is my duty to share some responsibility for the motion of the sort under 'discussion'. Sir, words have been freely used here that the late Ministry was a kind of benami Ministry, getting support from one or the other of the Opposition groups then against it. Some hon. Friends both above and below the gangway have indulged in such words against us. May I remind these people that their statements are not quite correct? Soon after the Ministry was formed hopes were held out that support will be forthcoming from a party if we satisfied some conditions and one of them was that we should always exclude the members of the Justice party from the local bodies or committees that might be appointed. (Cries of: 'Oh', oh.) Would they deny the fact that I refused to be a party to a proposal of that sort? I had stood against such a policy, all the years I was in the Council and I refused, Sir, to do the very same thing which I had been condemning earlier. That led, Sir, to some troubles. However, it must be admitted that in those days the pendulum was swinging far too much on the side of the Congress Party and frankly it did not leave me happy. Some time afterwards the pendulum swung on the other side, viz., to the Justice Party and, in my opinion, the new attitude, is as untenable as was the earlier attitude. My idea always was that the Ministry must stand or fall by its own strength or weakness and not by the temporary support that it may be able to get from one or the other of the Opposition parties in the House. I say these things to show that it is not absolutely correct to say that the Ministry was the creature of one party or the other. To me the most important question is the Simon Commission. It may or may not be so important to others but to me it is a fundamental matter on which the whole country speaks with one voice and I would fain see this House echo the voice of the country. Sir, on the eve of the Commission being appointed, we had an All Party meeting to which Members of various parties—my own party, the Congress party, the Justice party, the Liberal party and other parties—were invited. We were asked to define our attitude and give our personal views on the matter. My hon. Friend, Dr. Subbarayan, said that he would not give his views without consulting his party. But, Sir, I was not so discreet as that and I impetuously said that I stand for the boycott of the Commission and was willing to allow my name appear among the signatories to that opinion. My hon. Friend said that it was not right for me to commit myself before the party expressed its views. Out of deference to that opinion I had my name withdrawn. The gentleman who said only the previous day that he would not express his opinion, what did he do? The very next day he typed a letter and had it published broadcast in all the papers though both his colleagues said that he had better await the party meeting.

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"Well, Sir, subsequently our party met and in view of the differences between us and perhaps as the easiest way out of the difficulty the party said that the Ministers also were free to express their own views with regard to this matter and act as they pleased. That solution was not a satisfactory solution. It was only a way out of the difficulty, and a very temporary one, at that time. What was to be our position after the Council expressed its opinion that the Council should co-operate or have nothing to do with the Simon Commission? It clearly involved that those who held the view opposite to that adopted by the House must either accept the decision and carry it out or vacate the post. If the resolution was for co-operation, then, with my pronounced views, I had no place at all on the Ministry. That was the position. Then, the boycott resolution was passed in the Council by 61 against 28. So far as I was concerned, that was in consonance with the views I held, but that was not in consonance with the views of my hon. Friend Dr. Subbarayan. It was open to him to say that whatever his personal views were, the subject being a Reserved one he was willing to allow the Council's opinion to be carried. He might have said so; but, as a matter of fact, he did not say so and yet clung to office. That I think, personally, was a wrong attitude on his part. (Hear, hear.)

"Afterwards came the proposal to move a no-confidence motion in Dr. Subbarayan and it failed. I do not want to go further into the details. Only this much I shall say: there are some friends here who have told me that if they had known at the time that the question of the Simon Commission was an issue in that motion they would have stood up for it. My interview with the Governor and all that took place at it is public property now. I have endeavoured to be as accurate in the matter as possible. If I had misunderstood His Excellency, he would certainly have taken care to see me corrected. The position is this. Sixty-one members of this House expressed a particular view of the matter by their vote, and we as responsible Ministers thought it proper to respond to the decision of theirs. Now because of our loyalty to the mandate of the House, our resignation became inevitable. So far as I am concerned, it is not a matter of great concern to me who are Ministers but the principle that is involved now, is a matter of serious consequence. And I hope that the hon. Members of this House, never mind to what party they belong, would take care to see that this principle is maintained intact, to the credit of ourselves and for the benefit of our successors. So far as the 61 members are concerned, I think the matter of how to vote is clear to them. There are some people here who are of the opinion that they should co-operate with the Simon Commission. But they should not allow their views in regard to the Simon Commission to influence their vote now in this House. The real point is whether they are going to allow a responsible Ministry to flout the opinion of the House. Such an opinion may not be binding on the Executive Members, because they are irremovable; but for the Ministers who have to justify their continuance in office by the vote of the House, to say that they can disregard the vote of this House is, I think, introducing an element which was never contemplated by the authors of the Reforms. I would therefore appeal to all my friends in this House to eschew out of consideration all irrelevant matters and judge whether or not they should establish the principle, namely, that the Ministers are the responsible executive of the Council and that, if they

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want to continue in office, they must be prepared to carry out the vote of the House.

"I know there are other considerations which are brought into operation to influence voting in regard to this matter. Some members are threatened that if this Ministry is thrown out, there is no alternative Ministry possible. But, seriously, I see no reason why, after all that we have been witnessing recently, another Ministry, after certain permutations and combinations, may not take the place of the one that may go out of office. There may be a dissolution of the Council, some people fear. If there is a dissolution, will the heavens fall? Are we so indispensable that we should continue for ever or is it that our places can never be taken by others equally able and even better than ourselves? I really do not understand why the question of right or wrong should not be decided on its merits, and why all irrelevant considerations should be brought into play to influence our judgment in this behalf? My concern now is not so much whether the present motion before the House will succeed or not, as what attitude the responsible Members of the House are going to adopt without Ministry—whether they are in a majority or not. If you feel that a certain thing is right, I hold that you must give your moral support to it by a proper vote."

* Mr. K. R. VENKATARAMA AYYAR :—"Mr. President, Sir, the motion before the House raises important issues and considerations. The circumstances in which the present Ministry has come into existence are peculiar, if not abnormal. Those circumstances are such as to compel the thoughtful and dispassionate attention of all the Members of the House. If, as a result of such consideration by the House, the conclusion is enforced that the Ministry now set up offends the constitution or is injurious to the public interests or is destructive of the rights and privileges of this House, I have no hesitation in saying that it would be the distinct duty of all parties and sections of the House to disallow the salaries of these Ministers and turn them out of office. I venture to submit that the constitution has been violated, that the violation . . ."

Rajkumar S. N. DORAI RAJA :—"On a point of order, Sir. Can any Member read out his speech?"

* The hon. the PRESIDENT :—"It is clear he is not reading his speech. He is addressing the Chair by referring to his notes." (Hear, hear.)

* Mr. K. R. VENKATARAMA AYYAR :—"I was saying the constitution is violated, that the violation is injurious to public interests, and that the rights and privileges of this House have been infringed. Under the Government of India Act, the Government of this Presidency in relation to transferred subjects is vested in the Governor acting with his Ministers appointed under the Act. Normally, the Governor is guided in relation to transferred subjects by the advice of his Ministers as a whole. That is the mandatory provision of the Statute; their opinion or advice which is binding on His Excellency the Governor is the joint opinion or advice of the Ministry as a whole. The Ministers when they happen to differ among themselves have of course to be guided by the wholesome rule of majority, or the exercise by the minority of the option of relinquishing office. The logical consequence in practice must be that whenever a Ministry is formed

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it has to be formed by His Excellency the Governor from among the group of elected Members who stand together as a distinct party for the realization of distinct public objects, whose policy and programme as judged by the results of the elections are most favoured by the electorate. This was recognized in December 1926 when His Excellency constituted his Ministry exclusively from the Independent Nationalist party which was then and till the other day the largest single group of elected members, barring the Congress or Swarajist group which declined to accept office. The Ministry so constituted functioned till the afternoon of the 8th instant. On the 6th, it would appear that the Second and Third Ministers had an important interview with His Excellency the Governor, in the course of which it is understood that His Excellency expressed his interpretation or reading of the attitude of the House as one of no confidence in the majority of the Ministers who constituted the Ministry. Be the interpretation of His Excellency correct or incorrect, this House cannot but appreciate the constitutional instinct of His Excellency in reminding or suggesting to his Ministers that their sole title to continue in office was the continued confidence of the majority of the elected Members of this House. The two Ministers appear to have questioned the correctness of the reading of His Excellency as to the attitude of the House towards them."

* The hon. the PRESIDENT:—"I do not think the hon. Member will be in order to refer to all the questions between His Excellency and the two Ministers who went out of office. The question now for discussion is whether the Ministers now in office have the confidence of this House or not."

* Mr. K. R. VENKATARAMA AYYAR:—"My point is that it was evident from what is very well known to the Members of this House as well as to the general public and from statements made already public by the Ministers that the differences such as they were between the Chief Minister and his late Colleagues were by no means differences in respect of which there was a warrant to . . ."

* The hon. the PRESIDENT:—"I cannot allow the hon. Member to proceed to speak on the differences between the Chief Minister and his late Colleagues. I request the hon. Member to confine himself to the issue whether the present Ministry has the confidence of the House or not."

* Mr. K. R. VENKATARAMA AYYAR:—"My point is . . ."

* The hon. the PRESIDENT:—"The hon. Member will have to appreciate my point of view."

* Mr. K. R. VENKATARAMA AYYAR:—"I am bowing to your ruling, Sir, and I am proceeding further (A voice: 'On the same point?') (Laughter.) Not on the same point. The question is whether this House has confidence in the present Ministry. Let us analyse the present Ministry into its component parts. The hon. Dr. Subbarayan is the chief factor in this Ministry. How far does he deserve the confidence and support of this House? In so far as one could make any inference from how he himself judged on the subject, I think it should be said to his credit that till the other day his own reading was probably a reading against himself; I mean that he was himself at the point of resigning owing to his appreciation of the situation as a situation which did not tend to his credit, which

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did not encourage him in the belief that this House had confidence in him. That is the point towards which I was driving. I do not think the hon. Dr. Subbarayan will be prepared to deny that since the famous boycott resolution of this House in January last he was after sleepless consideration urging himself into the right line of action which it was his duty to adopt, namely, that he should resign as he no longer could feel that he had the confidence either of his party or of this House.

"That being so, how did it come about that instead of his resigning and the House not having the occasion at all to consider whether it would have confidence in him or no, the other two resigned? That was the aspect that I was going to refer to; but I am not found to be in order in referring to that question. I would confine myself to this. The House has not before it now the merits of the Simon Boycott resolution as those merits are perfectly well established by the vote of the elected Members of this House in January last. The only further question that arises is what should be the line of conduct in regard to that resolution by a responsible Minister or Ministers answerable to the electorate and therefore bound to be guided by the votes of the elected Members of this House. In reference to that point the hon. Dr. Subbarayan has been pursuing a line of his own and flouting the mandate of this House. Now, I put it to the elected Members in the European block, I put it even to the official Members of this House, how will they take it if one of their paid subordinates flouted their orders and justified such defiance, on conscientious grounds? Would such a subordinate be allowed to hold office under them or draw salary for one minute after such defiance? How is the position different in the case of responsible Ministers answerable to this House and bound to be guided by the majority of votes of the elected Members elected by the people of this country? I say that is the crucial point. Take again the liberty the hon. Dr. Subbarayan assumed in regard to the Excise question as to which the policy and programme till the 8th instant was a policy and programme which was as much his as that of his other two Colleagues. Now he has gone an extraordinary length in dealing with this matter the other day. On the 15th of this month in his speech on the floor of this House he said, 'It was not until the late Excise Minister formulated his personal proposals for the adoption of a policy of total prohibition throughout the presidency that the full constitutional implications of such a policy were examined in detail. As a result of this examination it has now become a question whether the subject of total prohibition is a matter which should be dealt with by a Minister at all. The Transferred subject of "Excise" is defined in the Devolution Rules as the "control of production, manufacture, possession, etc."'. Then he wishes it to be noted that the administration of the Madras Abkari Act is not specifically included in the definition of the Transferred subject 'Excise,' and proceeds as follows: 'In so far as this Act embodies clauses constituting offences and procedure for the detection and investigation of those offences the Act pertains to the Reserved Central subject "Criminal Law including Criminal Procedure" and pertains to the Transferred subject "Excise" only in so far as the punishment and the procedure prescribed by it are necessary for the proper administration of that subject as defined in the Devolution Rules.' Now he says as to prohibition: "It is in fact the negation of all excise as therein defined. Total prohibition would therefore appear to be not only a

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Reserved subject but also a Central subject. Similarly the procedure necessary for the enforcement of the policy would be criminal procedure pure and simple and therefore likewise a Reserved Central subject. It would be inexpedient for any Minister to commit himself at present to any promise that he will take any particular step to give effect to any resolution of the Legislative Council on the subject of total prohibition. And he goes on to say 'It seems that the utmost that he can say is that the question of total prohibition is one primarily if not entirely for the Governor in Council though a policy of temperance as distinguished from total prohibition may be a subject to be dealt with primarily by the Minister.'

"Now, Sir, that speech lays bare the mentality of the hon. Dr. Subbarayan. I do not think since the inauguration of the Reforms, it was at any time suggested that Excise in any aspect of it was not a Provincial subject or was not a Transferred subject. Now what he quotes from the Devolution Rules does not at all sustain the point that he makes, but that is not what I am now concerned with. What I am concerned to submit to the House is whether it is right on the part of the Minister who holds office by reason of the votes of the electors cast in favour of the party led by the Minister and whose continuance in office depends upon his right to the continued support of this House to disown jurisdiction, whether he is at all serving the interests of the electors and safeguarding the privileges and the constitutional position and powers of this House in the matter of controlling the administration of the Transferred departments, by making such a pronouncement as that which is subversive of the constitution altogether and destructive of the privileges and powers of this House? I submit, Sir, that any Minister who gives the case away by a speech which I doubt, if any responsible member of the Reserved half would venture from his place in the Treasury Benches to formulate for himself, any Minister who thus denies the rights of this House forfeits his right to function as Minister, and this House will no longer be doing the right thing in voting his salary. Sir, Dr. Subbarayan says the constitutional implications had since come to be examined in detail. May I ask, since when? Is it after the 8th of March when he became the sole Minister? Was there a meeting of the Cabinet to go into the question; was legal opinion taken in the matter; has any responsible law officer of the Crown made himself responsible for this adumbration of the constitutional position, and if not, how does the hon. Dr. Subbarayan feel free to flout this House and to make a statement destructive of the fundamental rights of this House by saying that Excise is no longer a Transferred subject, that it is no longer a Provincial subject and that because the disobedience of Excise rules and restrictions stand to be enforced by penal provisions of the Madras Abkari Act, therefore it comes under the head of criminal law including criminal procedure and that therefore it becomes a Central subject removed from the jurisdiction of the authorities in this province and removed from the jurisdiction of this House? I say, Sir, that is selling away rights of this House in a manner which is not competent, in a manner which must be decided by a vote of this House. This is an issue which is of fundamental importance to this country, as well as the duty to abide by the decision and mandate of this House in such an important issue as the Simon Boycott issue."

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* The hon. the PRESIDENT:—"I am afraid the hon. Member is repeating his own arguments. There are a good many other speakers. I request the hon. Member not to repeat his arguments."

* Mr. K. R. VENKATARAMA AYYAR:—"I submit, Sir, that on these grounds the hon. the Chief Minister has certainly forfeited his right to the further confidence of this House. As for the other two Ministers now in office, I say, Sir, that by their allying themselves with this Chief Minister they have made themselves the abettors of his campaign of flouting and disobedience to the mandates of this House, and I say that this is a mentality which augurs very ill for any Minister who desires the confidence of this House. I do not wish to go into the points which have already been referred to by the previous speakers. The two new Ministers have violated the pledges made by them on the occasion of the elections in a manner which shows that they are not the people who care for the sanctity of pledges and therefore they also do not deserve the confidence of this House. I would therefore ask all the elected Members of this House including the Raja Sahib of Panagal and his followers and also my hon. Friends. . . ."

* The hon. the PRESIDENT:—"All of them are elected Members"

* Mr. K. R. VENKATARAMA AYYAR:—"They are all elected Members and I would also request my hon. Friends on the European bench to remember that the fundamental thing is the authority and the binding nature of the mandates of this House and whoever flouts these mandates deserves to be turned out of office."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I hope hon. Members will bear with me if I take their minds back to the formation of the last Ministry. I am sure hon. Members know, as well as I do, the circumstances under which I undertook to form that Ministry. At that time the largest group in the Council, viz., the Members of the Congress party which my hon. Friend, Mr. Sami Venkatachalam, leads with such ability, while they refused to accept the responsibilities of office themselves, showed in no uncertain manner that they would not allow the members of the party that was in power before the last elections to carry on the administration, because they felt that the verdict of the country had gone against the party which my hon. Friend, the Raja of Panagal, leads. When the elections were held the only candidates that went to the polls with absolutely no hopes of ever being called to office were the Independents like myself. (Hear, hear.) Before I proceed any further I must thank my hon. Friends the two ex-Colleagues for the way in which we have been able to work together for the last 15 months. There have been differences as my hon. Colleague, the ex-Minister for Development, said, but these differences never came to a head in the sense that my hon. Colleagues did not deem fit on their part to resign till actually the question of the Simon Commission came and on this occasion I must thank them openly in this House for the courtesy and consideration they have shown me during the time they held office as Ministers with me as their chief."

"Hon. Members, I am sure, are aware also that having accepted office, 12-45
we carried on under the most difficult conditions. But it must not be for- p.m.
gotten that we carried on always and at all times with the support of the

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Council, which, if it had cared to, could have dismissed us at any moment. Such was the position, Mr. President, when the issue of the Indian Statutory Commission was raised.

"This issue must, at all events, be made clear. The Council no doubt controls the Ministers in relation to the administration of the subjects that have been transferred under the Government of India Act. But hon. Members must at the same time realize that the Commission had really no relation with regard to the administration of the Transferred subjects. A good deal has been made with regard to the vote of the Council in favour of not co-operating with the Simon Commission. Being a Royal Commission, my late Colleagues and I could not ask our departments to refuse to supply any information that may be required by the Commission. I lay stress on this, because, if really my ex-Colleagues felt that they could not after the vote of the House in any way co-operate with the Commission, that certainly implies that they would not let their own departments prepare any evidence necessary for the use of the Commission. That, neither my Colleagues nor I could possibly do. To take this a little further, if it was the intention of the Council to condemn me on the attitude that I took with regard to this vote of the Council, the Council had it in its power to pass a vote of no confidence.

"This particular vote on the Simon Commission, I interpreted as being intended more as a lead to the country than as a condemnation of the Ministers (Several voices: 'No, no') in the discharge of their official duties. I do not think that I will be wrong, Mr. President, if I point out in this connection that I did not consult my late Colleagues as regards the Simon Commission, even though I did show them exactly what I was going to state to the press, because I felt that the issue did not concern the administration of the Transferred subjects. But as hon. Members are aware, I did inform my party of the views held by me with regard to the Commission, when they subsequently met and the party left this matter to the individual discretion of the Ministers. Mr. President, I am sure you know that after the vote on the Simon Commission, it began to be freely said that the vote was actually one of censure against me personally. My Colleagues evidently held the same view, because a subsequent communication of the Members to the press about their abiding by the resolution and the vote of this House makes this unmistakably clear. It was obviously to remove the doubts with regard to this matter that my hon. Friend, the Leader of the Opposition, moved a formal motion of no confidence, which, whatever my late hon. Colleagues may say, really had their sympathy, though not their active support. What the result of that motion was is now well known. By refusing even leave, the Council made it abundantly clear that it was not prepared to express condemnation on my administration of the Transferred subjects, because, as hon. Members are aware, the vote of no confidence mentioned nothing about the Simon Commission, though that was implied by the number of motions that had been tabled and subsequently withdrawn. What else, Mr. President, I ask in all humility, could that vote mean? It is ridiculous now to turn round and say that that vote failed because some were late and others absent, and a few lukewarm. Similar arguments could always be adduced to explain the failure of all resolutions and motions thrown out by this hon. House. When that vote of censure failed, my hon. Colleagues must have realized that

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the Council, at any rate, was not prepared to take their view that the previous vote was a vote of censure on me. It was clear, Mr. President, that that vote meant that the Council wanted me to carry on the administration and considering the Council did not support their view their resignations followed.

"It is absurd, Mr. President, now to turn round and hold His Excellency the Governor responsible for their resignations. They resigned as has been made abundantly clear and were not dismissed. If they were dismissed, Mr. President, it was by the Council and not by His Excellency. (Cries of 'Oh, oh'.) The hon. Member for the University interprets my action in carrying on while my two Colleagues left in the most offensive terms possible and declares it unconstitutional. May I point out that if my two Colleagues resigned without giving me the slightest information that they intended to do so and when a no-confidence motion against me failed, I do not see how it is wrong or unconstitutional for me to carry on. The hon. Member says that it is unheard of under any constitution. May I point out, Mr. President, that in 1903, Mr. Joseph Chamberlain, Mr. (afterwards Lord) Ritchie, Lord George Hamilton and Lord Balfour of Burleigh resigned, but Mr. Balfour still carried on."

Dr. B. S. MALLAYYA:—"You are, then, Mr. Balfour?" (Laughter.)

* The hon. Dr. P. SUBBARAYAN:—"They resigned informing the Prime Minister, and even then the Prime Minister remained. I leave the hon. Members to judge whether what I did was right or wrong, considering my Colleagues did not even do me the courtesy of informing me of their intended resignation.

"The situation afterwards, I admit, Mr. President, was really a very difficult one, but as circumstances stood, I carried on and the Council by its vote on the Excise demand—a vote, the bearing of which hon. Members will remember . . ."

A voice:—"It was a mixed vote."

* The hon. Dr. P. SUBBARAYAN:—"But it was all the same a vote of the House. The Council by its vote on the Excise demand—a vote the bearing of which hon. Members will remember was perfectly clear—made it unmistakably evident that the Council wanted me to form a ministry which would help to carry on the administration. Hon. Members are well aware that in accordance with this mandate the Ministry has been formed. And now it is said by hon. Members opposite that I have flouted this hon. House. If this is so, it is for hon. Members to make it clear by dismissing me and I can assure hon. Members opposite and behind that, if this vote is passed, I am prepared to resign and go out and do so with pleasure.

"Mr. President, if I have hitherto carried on and in the most difficult circumstances, it has been entirely due to the support of this Council, which cannot, I contend, refuse to accept responsibility for this Ministry. Hon. Members opposite, especially the hon. Member for the University, talk so often and so loudly of demoralization in politics. Mr. President, that demoralization is not due to me. It is due to those who want to be in this House and yet do not want to accept any kind of responsibility but evidently want to dismiss me and yet are not prepared to do so by a straight vote. (A voice:

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‘Question.’) This is really due to hon. Members opposite who do not act in a straight way and then expect others to interpret their action in a totally different way. These are the gentlemen who time in and time out quote the British Constitution to us. As far as my limited intelligence can understand that constitution, the principle underlying the system of responsible government as understood in England is that a ministry goes out only when the House makes it clear that it has no confidence in it. For once, Mr. President, I demand it from the hon. Members of this House to give me an unequivocal answer.”

Dr. B. S. MALLAYYA:—“Only elected Members voting.”

* The hon. Dr. P. SUBBARAYAN:—“In their eagerness to get hold of means wherewith to attack me, hon. Members proceed even trying to make capital of the statement I made on the Excise policy. I am afraid hon. Members think that I have been trying impliedly to take away the powers that this hon. House possesses. I never meant to do that. But the question will have to be examined. This is for my hon. Colleague, the present Excise Minister, to do in the first place. Of course, he has not yet had time to do it, and his conclusions will have to be considered by the Government. I would like to say a word about what my hon. Friend, the Leader of the Opposition, said about the order under section 144. I am afraid he has entirely misunderstood my position. Even to this day I stand by what I said then. I felt that political prisoners who were in prison for their conscience should be treated like gentlemen and not as dacoits and that was the reason why I crossed the floor. I could not have meant by that that law and order should be thrown to the winds. (Cries of Oh, oh!) I took care to say in that statement that was issued to the Press that the Government could not have passed an order under section 144 before the effect of the hartal on the 3rd February was known. But afterwards . . .”

Dr. B. S. MALLAYYA:—“What happened last night?”

* The hon. Dr. P. SUBBARAYAN:—“But, afterwards, when there was such rioting, I think it was the duty of any Government that wants to call itself civilized to protect the life and property of citizens of this city. That was only what was implied and it had nothing to do with political prisoners as my hon. Friend tried to make out.

“One word more, Mr. President, and I have done. I was really anxious, Sir, that this budget at least should be carried through, because if that was not done, we shall be starving the Transferred departments. I am sure hon. Members know that if by any circumstance His Excellency is compelled to take charge of the Transferred departments, by there being no Ministry, he can only carry on certifying such expenditure as is necessary for the administration of these departments. I think whatever may be said, it is worth one's while to see that the grants including those to which my hon. Friends and ex-Colleagues referred to the other day should remain in the budget. It is that alone that has made me carry on and if the House really feels that I have done anything wrong, it is for them to tell me so by a straight vote.”

* Mr. S. SATYAMURTI:—“Mr. President, Sir, my hon. Friend, the Minister for Local Self-Government, has delivered a speech full of fury against everybody except himself and his present Colleagues. In the course

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of that, he has spoken as if there is some distinction between the last ministry and the present ministry, because he referred to the ‘last ministry’ as if it were a defunct one; but he went on referring to his colleagues of the late ministry in this exquisite phrase, ‘with me as their chief’ and therefore the present ministry is the same as the last ministry, unless that ‘with me as their chief’ has now disappeared or has been altered, of which I see no sign. But, Sir, he lays down the extraordinary dictum that the Council is to control the ministry, only so far as the Transferred subjects are concerned, and, therefore, he is free to flout the voice and the vote of the Council with regard to the subjects which are not Transferred. Sir, that is a most extraordinary proposition.

“Is it suggested, Mr. President, that hon. Members who happen to be 1 p.m. Ministers may defy the votes of this House and yet carry on as Ministers, although the votes may be on subjects which are not Transferred under the Government of India Act? I do not remember the exact words now, but I will quote from memory, that both according to the Government of India Act and the Joint Committee report, Ministers are to be appointed from among the elected Members of the Council; and only those who are able to command the confidence of the House and are capable of leading it are to be appointed as Ministers. Is it suggested that an elected Member who is not capable of leading the House, who cannot command the confidence of the House, can be a Minister and carry on?”

“Then, Sir, this great student of the British Constitution laid down another proposition that, being a Royal Commission, he and his colleagues have no right to refuse to give evidence before or to prevent their departments from giving help to the Simon Commission. I should like to ask my hon. Friend the authority for that statement. Where is it laid down that Ministers who, according to him, are to administer only Transferred subjects, should co-operate with Royal Commissions; or, are Royal Commissions Transferred subjects? Why has it been suggested that Ministers cannot prevent co-operation by their departments with the Royal Commission? This raises a most important position on which his two new colleagues must throw some light. I ask them a straight question, and I want a straight answer. Have they or have they not agreed to co-operate with the Simon Commission? Their two predecessors crossed the floor, gave up office, because they refused to co-operate with the Simon Commission. Only two weeks ago, or even less, both my hon. Friends gave their valuable votes in favour of the boycott of the Simon Commission and of this House having nothing to do with it. Have they or have they not, according to their new chief, agreed to give any kind of help? And according to the ‘Madras Mail’, the exponent of the opinion of the *de facto* rulers of Madras, which says ‘no Ministers will be summoned to office unless they agree to co-operate with the Simon Commission’, have they or have they not given that undertaking that they will co-operate with the Simon Commission? Then have they not eaten their own words? I thought it would take even then some months at least to eat their own words; for they took nearly 15 months to eat their Congress pledges; but they have taken less than two weeks to eat their words in the Council.

“Then, Sir, my hon. Friend also said that the vote of the House to boycott the Simon Commission was a lead to the country but not to the Ministers.

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What are these Ministers here for, unless they represent the country here? Are they the servants of the bureaucracy? If it was a lead to the country, was it not a lead to them, if they claimed to be popular Ministers? My hon. Friend says that he did not consult his colleagues before he issued his statement in favour of not boycotting the Simon Commission, but of co-operating with it, because they had nothing to do with it. Then why did he ask the hon. Mr. Ranganatha Mudaliyar to withdraw his signature to the boycott manifesto and not to make a statement to boycott the Commission? Is it a case of one rule for his colleagues, and another rule for 'My Chief'?

"Then, Sir, he said that the loss of the last no-confidence motion was sufficient indication of the opinion of the House. The absurdity of it is too patent to require explanation. He then said, Sir, that his two hon. colleagues resigned because they lost the confidence of the Council, and they were not dismissed. Both of them have stated openly in the Press that they were practically dismissed and that they had to resign because they had 'lost the confidence of the Council,' in the opinion, not of the Council, but of an authority outside the Council. That statement has not yet been contradicted by any authority. May I ask my hon. Friend wherefrom he got the authority for that statement that they resigned, and that they were not dismissed?

"Then, Sir, my hon. Friend is a very modest person. He is carrying on a farce of a responsible Government called diarchy under the most farcical of conditions, with no party, no policy, no programme, no followers. With a Council, consisting of about 30 nominated official and non-official members and five European elected members whose duty is not to reason why but to vote and die for any ministry in office, he has been carrying on. That being so, Sir, it seems to me somewhat of a tall order if my hon. Friend should modestly compare himself to Lord Balfour. Has he ever heard of a Prime Minister, Mr. President, who consulted the Leader of the Opposition to find colleagues for himself? I have never heard of Mr. Balfour asking Mr. Asquith 'Please allow Mr. Lloyd George to be a colleague of mine; it does not matter on what election pledges he was returned; it does not matter whether he has a following or not; I can manage the House.' I have never heard of any British Prime Minister going out and saying that he would find colleagues from any party whatever so long as he is allowed to be the Prime Minister, and who would not mind who his colleagues were. I however hope, for the reputation of my Friend who is a student of the British constitution, that he will not utter such words even for the purpose of keeping himself and his colleagues in power. (A voice: Coalition.) But a coalition took place only when the Labour party and the Liberal party put their votes together openly, and not behind the back of the House, not by making the Law Member's post a part of the bargain, in order to get it for a party man, not by suggesting nominees for the post, and even that not openly. In the case of a coalition, the party crosses the floor and sits behind the Ministerial benches. Mr. Lloyd George when he led the coalition had all the parties sitting behind him, not sitting in the fifth block, seeing how the votes would go, and if the ministry would survive without their votes, remaining neutral, and if they would not survive, giving their votes in favour of the ministry; that is not the way in which honest politics in any

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country goes on or in this country should go on. Mr. President, the Justice Party are crossing the floor to-day. I warn them that as active parties to the continuance of this Ministry, the only honourable way in which they can have a coalition is by sitting behind the Ministerial benches. Then, Sir, the hon. the Third Minister by accepting the Ministership under these circumstances has been made a tool of by the Raja of Panagal; that is an insult to my poor community, and that is the crowning tragedy of all.

"Then, Sir, we were told something with regard to excise—I think it was the Raja Sabib of Ramnad or somebody else who said that my hon. Friend the Chief Minister is in the habit of making rash statements, withdrawing them later or qualifying them. To-day he has definitely qualified his statement with regard to the excise policy. He was holding forth saying the other day that excise is a central reserved subject; but to-day he knows it is a dangerous thing to say so and that some hon. Members' conscience will be affected by it. Swami Sahajanandam has spoken strongly about it, but he must get his vote. Therefore he now says 'No, no, I did not say so. I only said that as my own view. The Excise Minister, my new colleague, will further examine the question hereafter.' A bigger man than he who has been sitting there for 15 months had openly declared a policy, and suddenly my Friend, after getting him dismissed, clearly says that the whole thing is a reserved subject. It is not a reserved subject, we know; but where Mr. R. N. Arogyaswami Mudaliyar failed, my hon. Friend the puny Second Minister is going to succeed! The First Minister will make fresh statements and withdraw them, and afterwards again say something now, as a sop to Cerebrus; he says, 'Yes. I promise to do that.' But, Sir, this will deceive nobody.

"Then, with regard to the orders under section 144, he put forward a comfortable doctrine. There was a hartal, there were riots. Orders under section 144 were passed. On whom? On somebody on earth? Orders must be passed and peace must be restored; but on whom is it to be passed? After all, who proclaimed the hartal? They must be presumed to have been responsible for the riots, and so the order may be passed on them."

MR. ABBAS ALI KHAN:—"May I address one question to my hon. Friend, Sir?"

* THE HON. THE PRESIDENT:—"This is not the time for addressing questions."

* MR. S. SATYAMURTI:—"May I know what is the question, Sir?"

THE HON. THE PRESIDENT:—"No question is allowed."

* MR. S. SATYAMURTI:—"That is so far as my hon. Friend is concerned. I want to ask him, as a student of the great British constitution, what becomes of joint responsibility, if he gets two of his Colleagues dismissed or they resign, and he gets two other people from no party? My hon. Friend the Second Minister belonged to the Congress Party once; he formed a new party with six people, three of whom deserted him. He has crossed the floor with two gentlemen. Therefore, if any hon. Member can get a following of two, he can become a Minister. This is an example to the elected Members of this House. Get two people and you can sit in the Treasury benches, and you can strike a bargain and get rich plums for yourself and for your followers by means of Secretaryships. A party of three is quite

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enough. I also want to know, Sir, whether the convention of Leaders of Parties becoming Ministers is going to be respected or not. My hon. Friend the Second Minister at least led two people; but whom does the hon. the Third Minister lead? He leads himself; I am glad he is frank enough to acknowledge that. He leads himself and the unfortunate official Members sitting there and also some of the unfortunate nominated Members. That is the party of my hon. Friend the Third Minister. I should like to tell the hon. the First Minister what stricken Brabantio told Othello "She (Desdemona) has deceived me, and may she thee." Let him beware.

"Then, Sir, I suggest that the question of the boycott of the Simon Commission is involved in this. These two Ministers have agreed—I say that deliberately—not to oppose the Simon Commission. Let them deny that if they dare. They have eaten their own words, and the Government have been enabled, by their treachery, to form a Ministry which is prepared to co-operate with the Commission. And this Ministry consists of people who only two weeks ago expressed themselves in favour of the boycott of the Simon Commission. This motion, Sir, is not against individuals; that is the unfortunate mistake that is being made. It is only the policy of the Ministry which we are attacking. What does it matter who the temporary occupants of that bench are? My hon. Friend said 'If the House dismisses me, I will go and with pleasure.' May I ask the successor in spirit of Lord Balfour in Madras what he means by 'this House'? Does he mean the elected Members, as he ought to? Is he following the British constitution? If he is going to follow Lord Balfour, I suggest that on the last occasion when 56 elected Members of this House voted against his Ministry and he had a following of only a few people mostly officials and nominated members, he should have taken it in a sportsmanlike spirit and resigned. He made so much of the British constitution, Mr. President; but he got a majority of 12, 11 of which were official votes. Is that a majority of which he can be proud, I ask?

"Then, Sir, he openly said it was his duty to co-operate with the Simon Commission. He might have taken the opinion of his colleagues on this point; he has not done that. Then, again, the Independent Party told him that he should recommend to the Governor the same two Ministers for Ministerships; but he has not recommended them, or probably their names have not been accepted. If the Independent Party also does not agree with him, which party does he lead? Is he to form a new Ministry from any Party or no Party? That is why I say that the present Ministry has, at the price of co-operation with the Simon Commission, at the price of the Law Membership of the Government going to an individual nominated by a distinguished leader of another party, and the Ministry also to consist of the nominees of that party, gone for help to another party in the Opposition. That is why I say that joint responsibility is gone and there is no party whatever.

"As regards the evils, Mr. President, of having a Ministry without people actually and openly supporting them by taking the responsibility for the consequences, I cannot do anything better than quote my hon. Friend from Chittoor, my hon. Friend from Nellore and my hon. Friend from Malabar. I have no time to refer to their speeches now; but I only hope that they will remember their words. Even assuming we committed a mistake last March, I suggest in all humility that if we did make a mistake, politics is not going to

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be improved if you repeat that same mistake; if we committed a mistake (hear, hear), is it fair to say 'I will do what you did'? That is what children and immature minds do. That is what gentlemen who cannot act boldly do. These people can well follow a better example. I may also say, Mr. President, that even in last March we never supported this Ministry with votes. Our position in this Council was that we could not by ourselves command a majority and kill diarchy; and so we said we were not going to use our votes, until we knew that diarchy would not be carried on. The moment the Justice Party said that they won't accept office until Provincial autonomy was granted, we voted with them. May I ask them, Sir, to-day to do the same thing, i.e., to remain neutral if they cannot vote with us, and not to give their voting strength to the Ministry without taking responsibility for the consequences?

"Therefore, Sir, the simple question which this House has got to consider is, what is the position of the various opposition parties in this matter and of the Independent Party? Where is the Independent Party? One section of it is there and another section is here. Is this party going to be entrusted with the responsibility of office? The 'Justice' paper has said in its issues of the 2nd and 9th March that 'no elected Member who has voted for the Simon Commission boycott can accept the office of Minister'. And that is not what I said, but what the 'Justice' paper said.

"It is also said that no member of the Justice Party should have anything to do with the acceptance of the office of Ministership or walk to the Ministerial side. It either means that the Justiciates will not accept office; or it means, should any accept the office he will not be kept in office. In other words, they have said that diarchy is unworkable. We have also said the same thing from the very beginning. First let us send all these Ministers to the obscurity from which they should never have been dragged; and then the two parties shall have plenty of time to discuss the whole question. 1-15 p.m.

"Sir, before I conclude I wish to give a quotation from the speech of no less a person than His Excellency the Governor, the head of this province, delivered when proroguing the last Council. His Excellency said: 'I believe the moment has arrived when we should ask ourselves whether we should not in the interests of the administration of the Presidency and of Parliamentary Government hasten the days—days which I see approaching—of the institution of a real division of parties based upon effective political programmes. Let rivalry rest on no other basis than a genuine desire to promote the moral and material prosperity of the people whom the parties represent.'

"The elections are upon us. A great opportunity is at hand. May the members of the different parties give evidence of their Parliamentary growth and rising to the occasion before them demonstrate that in this Presidency the best principles of Parliamentary Government have been absorbed and that the interests which they have at heart are the true interests of the public weal.'

"Sir, can it be pretended for a moment that this Ministry has understood the principles of Parliamentary Government? After all, Ministers may come and Ministers may go; but the real interests are those of the people whom we represent, to whom we owe our seats, to whom we are responsible

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and for whose education in the art of self-government we are responsible. It seems to me that if Government or if any Member of this House should without caring for even the rudiments of political decency or political right stand neutral or should support this Ministry, then it means the perpetuation of a Ministry of traitors, traitors to the country, traitors to the very electorates whom they represent to voice forth their opinions—traitors, since they broke their election pledges. Sir, the fault is in us and not in our stars that we are slaves. What we want is decent and honest standards of public conduct; we do not care whether the Ministers are Nayudus or Mudaliyars or Ayyars. If any of them turns a traitor, he shall be turned out, so that in future none of them shall have the hardihood to look forward to re-election to any Legislature." (Applause.)

The RAJA OF PANAGAL :—"At this stage of the debate I should like to say a few words in regard to the attitude our party proposes to take towards the motion under debate. Ever since the late two Ministers had to vacate their places in the Ministry the question of the formation of a new Ministry has been engaging the attention of various parties. It is no wonder, therefore, that we too had the question discussed at our party meetings. As the result of these discussions the party decided that though, so long as the now famous resolution passed at the Coimbatore Confederation is in force the members of the party could not accept the responsibility of carrying on the administration on the Transferred side and that, however, they are not bound to oppose any Ministry that might be formed. This decision, I maintain, is quite in accord with the general policy of the party. The party never committed itself to a policy of obstruction. It never pledged itself to wreck a Ministry for the mere sake of wrecking it. The Coimbatore resolution which in the special circumstances under the diarchic system ordains that we should not accept Ministerial responsibility is, if I may say so, a self-denying ordinance.

"It is true that during the last budget meeting we pressed a motion of 'No-confidence' against the late Ministry. We did so because that Ministry was formed out of non-descripts who till then did not belong to any party and had no policy of their own. Besides we thought by pressing that motion we could test the loyalty of the Swarajists to their pledges. The mover of the motion made our position clear. Though the motion was lost, we succeeded in our attempt to make the Swarajists appear in their true colours. Betraying their election pledges, they abstained from supporting the motion and allowed the Ministry to continue to function perhaps for the reasons which my hon. Friend, the late second Minister, the Member for Bellary, has let out. They have no right to expect our party now to support them in their attempt to defeat the present Ministry and gain their own ends. Sir, the new Ministry is formed as a coalition between one wing of the Congress Party and one wing of Independent Nationalists. Moreover, it is formed for the first time on the so-called non-communal basis with a distinguished Brahmin member on it. I am not sure if we should oppose it at this stage. Why not we wait and see how it will conduct itself. It is pointed out on the one side that the new Ministers are renegades and discarded their party pledges, while on the other side it is urged that the new Ministers and their friends had to separate themselves from the party when the rest of it were guilty of betraying their pledges to their electorate by supporting the late Ministry for questionable reasons. We are not concerned with these charges and

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counter-charges of betrayal in the Swarajist camp. We, however, feel proud to be conscious that after all it is our party that stood by its principles withstanding all temptations.

"Statements have been made that we undertook to support the Ministry on condition that we get the Law Membership, now vacant, for a member of our party. These statements are as ill-founded as they are unworthy. There is absolutely no truth to warrant these statements. That it is so, I can demonstrate beyond doubt by a reference to a leading article which appeared in *Justice* on the 9th instant. Mark the date. That article expressed the feeling of the party in no ambiguous terms. It is distinctly stated there, that the members of the party could not accept office while they could have no objection to support the Ministry that might be formed. This article appeared on 9th before the late Advocate-General could have the idea of resigning his proposed appointment. He actually took charge of his office on the 10th instant. Where then was there room for bargaining? I can only say that the suggestion involved in the statements is made with a view to frighten the powers that be into pursuing a course which is to the liking of those who are making the suggestion. One Hon. Member above the gangway said that I stood up when recently a motion of 'no-confidence' was proposed in the Council. Yes, I did so, to allow the motion to be discussed in the Council, so that my party might vote on the merits of the motion after hearing both sides. I made my position clear to the Leader of the Swarajya Party. Another member referred to my having been a party to press a motion of no-confidence against the late Ministry during the last budget session. I have already explained to the House the circumstances that led our party to press that motion. The present Ministry, as I have already stated, is a coalition Ministry and the hon. Members are aware that a coalition Ministry is a recognized constitutional form of Ministry. Let us wait and see how it is going to work. This is the attitude of my party towards the motion."

The hon. the President then called upon the hon. the Finance Member to speak and announced that the demand will be guillotined at 1-35 p.m.

* The hon. Mr. T. E. MOIR :—"Mr. President, time forbids me from traversing the whole field that has been covered by hon. Members of this House during this debate. So I shall content myself with dealing with one or two points which more directly concern the Reserved Half of the Government, rather than advert to those matters with which my hon. Colleague, the Chief Minister, has already dealt. We have been assured more than once in the course of the debate that we are not concerned with personalities. At the same time, we on the Reserved Half have been called upon from the beginning to the end of this discussion to repudiate our new Colleagues, not on any policy of their own or anything that they have done, for they have had no time to do anything, but on the ground that their acceptance of their present position offends against all canons of political decency. Now, Sir, one Member of the Opposition referred to various schools of thought. He gave a description of several of such schools as based on his experience in this House, and it seemed to me that in those remarks there was some realization that there is legitimate room for differences of opinion in political life, whether they are due to outlook, to policy or to method. But their conception of political liberty is, I am afraid, somewhat circumscribed. What

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is their political theory? It is this. When a Member of this House once sits in those benches opposite he has no right whatsoever to exercise that inherent right of political self-determination (laughter) to which he is entitled. (Cries of Oh, oh.) (A voice: after re-election.) That Sir, is not a school of political thought but a domination, it is a tyranny. What is the complaint against my hon. Colleagues? I take it to be that they have acted on the right to revise their opinions which every hon. Member of this House possesses. But we are told that on revising their policy or opinions or methods they ought to have gone to the country. Have the Swaraj Party gone to the country under similar circumstances? Have hon. Members opposite when they change their opinions or policy or methods gone to the country? (Cries of yes, yes.) Then, Sir, may I ask whether the Swaraj Party have ever extended this doctrine of political purity to their own relations with other parties? Their whole propaganda is directed against the other parties and to induce their supporters to go over to their side; that seems hardly in consonance with the doctrine they enunciate. They have never said to any who have joined them 'we shall now have nothing to do with you; you are a political outcaste; you have come over to us and abandoned your party, you have changed your views and your methods and it is an offence against all canons of political decency.' I have never heard of their rejecting any recruits from any other party or from any other source whatsoever on these grounds. And yet they appeal to my hon. Colleagues and to myself to apply this doctrine against our two new Colleagues. Whenever an opportunity offered, I have implored hon. Members of this House and others to give up the barren company of the Members who sit on the opposite benches. Because my two Colleagues have accepted that advice . . . (Hear, hear . . .) advice which I have implored and still implore hon. Members opposite to follow. I am now to repudiate them for having done so. I am tired of this untouchability . . . The Swarajist Party is fertile in inventing new causes of untouchability and ostracism and I refuse to accept them. But let me say this. Our two new Colleagues came out openly; they did not remain inside the Swarajist Party and work against it. Their leaving those benches was a clear indication to the Swarajist Party that they had exercised their self-determination to which they were entitled. Let me add that to me the marvel is not that some have left its ranks but that so many remain within them.

"Then, Sir, an appeal was made by an hon. Member opposite to nominated Members. Now, Sir, this is a matter on the constitutional aspects of which I personally do not claim to be well versed. But I have myself been a nominated Member and I can only judge of the attitude which it seems to me would be proper to nominated members from my own reflections on the subject. Of course if I were nominated to represent a particular community or interest it would be my duty to urge the interests of that community or interest, whatever it might be, upon the Government at every possible stage. And if necessary on any particular matter affecting those interests, I might have to say I was in disagreement with them. But there is one further thing to which it seems to me that any nominated member must subscribe, viz., that he accepts the principles under which the Government which conferred the nomination upon him functions that is to say that any nominated member of this House is to my mind bound to accept this postulate that the constitutional Government of this country under which nomination is conferred upon must continue. If he does not accept that

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principle which is implicit in his nomination or if he sees room or ground to change his view, may I say that in my opinion he should resign and remain a nominated member no longer. (Hear, hear.) If I had ever found myself in such a position, I would have placed my resignation in His Excellency's hands"

* The hon. the PRESIDENT:—"Order, order. The time for the discussion of this demand having now expired, I shall put the motion and the demand to the vote of the House."

The question that the allotment of Rs. 1,74,000 for Pay of Officers be reduced by Rs. 100 was put to the House and declared lost. A poll was demanded and the House divided thus:—

Ayes.

1. Mr. H. B. Ari Gowder.
2. " Sami Venkatachalam Chetti.
3. " S. Satyamurti.
4. " C. V. Venkataramana Ayyangar.
5. " T. Adinarayana Chettiyar.
6. " P. Anjaneyulu.
7. " J. A. Saldanha.
8. " P. O. Venkatapathi Raju.
9. " C. S. Govindaraja Mudaliyar.
10. " G. Harisarvottama Rao.
11. " C. N. Muthurangu Mudaliyar.
12. Abdul Hamid Khan Sahib Bahadur.
13. Mr. K. V. R. Swami.
14. Muhammad Meera Ravuttur.
15. Mr. D. Narayana Raju.
16. Dr. B. S. Mallaya.
17. Uppi Sahib Bahadur.
18. Mr. K. R. Karant.
19. " Mothay Narayana Rao.
20. " C. Obi Reddi.
21. " A. Parasurama Rao Pantulu.
22. " C. Ramasaminayajulu.
23. Raabeer Ahmad Sayeed Sahib Bahadur.
24. Mr. P. Bhaktavatsala Nayudu.

25. Sriman Biswanath Das Mahasaya.
26. Mr. A. Kaleswara Rao.
27. " R. Srinivasa Ayyangar.
28. " K. Koti Reddi.
29. " L. K. Tulasingam.
30. " C. Marudavanam Pillai.
31. " K. V. Krishnaswami Nayakar.
32. " K. Madhavan Nayar.
33. " C. Venkatarangam Nayudu.
34. " B. Venkatratnam.
35. " K. S. Sivasubrahmanya Ayyar.
36. " A. Ranganatha Mudaliyar.
37. Diwan Bahadur K. N. Arogyaswami Mudaliyar.
38. The Raja of Bannad.
39. Mr. Ramanath Goenka.
40. " B. Nagan Gowda.
41. The Zamindar of Seithur.
42. Mr. O. R. Parthasarathi Ayyangar.
43. " T. O. Srinivasa Ayyangar.
44. The Zamindar of Gollapalli.
45. Mr. Chavadi Subramanya Pillai.
46. " K. R. Venkatarama Ayyar.

Noes.

1. The hon. Sir Norman Macjoribanks.
2. " Khan Bahadur Muhammad Usman Sahib Bahadur.
3. " Mr. T. E. Moir.
4. " Mr. A. Y. G. Campbell.
5. " Mr. M. R. Seturathnam Ayyar.
6. " Mr. S. Muthiah Mudaliyar.
7. " Dr. P. Subbarayan.
8. Diwan Bahadur P. Kesava Pillai.
9. Maharaja of Jeypore.
10. Rao Bahadur C. V. Anantakrishna Ayyar.
11. Mr. F. B. Evans.
12. " H. A. Watson.
13. " G. T. Boag.
14. " A. McG. O. Tampoe.
15. " S. H. Slater.
16. " C. B. Cotterell.
17. " F. J. Gnanavaram Pillai.
18. " R. Foulkes.
19. Abdul Wahab Sahib Bahadur.
20. Abbas Ali Khan Bahadur.
21. Mr. C. D. Appavu Chettiyar.
22. " A. B. Shetty.
23. " J. Bheemayya.

24. Rai Sahib M. Hampayya.
25. Mr. V. Ch. John.
26. " J. Kuppuswami.
27. Subadar Major Nanjappa Bahadur.
28. Mr. Al. Ar. Narayanan Chettiyar.
29. Rao Bahadur O. M. Narayanan Namudripad.
30. Mr. T. M. Narayanaswami Pillai.
31. " K. Krishnan.
32. " N. Sivarat.
33. " M. V. Gangadhara Siva.
34. Rao Sahib I. O. Guruswami.
35. Mr. V. I. Munaswami Pillai.
36. " W. P. A. Soundarapandia Nadar.
37. " Daniel Thomas.
38. " S. V. Vanavudaiya Gounder.
39. " S. Venkiah.
40. " M. A. Manikkavelu Nayakar.
41. Syed Ibrahim Sahib Bahadur.
42. Sir James Simpson.
43. Mr. Kenneth Kay.
44. " W. O. Wright.
45. " C. R. T. Congreve.
46. " A. T. Luker.

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Noes—cont.

47. Rajkumar S. N. Dorai Raja.	59. Mr. T. K. Chidambaranatha Mudaliyar.
48. The Zamindar of Kallikotta.	60. Rao Bahadur S. Kilappa Chettiyar.
49. Mr. K. Abdul Hye Sahib.	61. Abdul Razack Sahib Bahadur.
50. „ K. Ramachandra Padayachi.	62. Khadir Mohidin Sahib Bahadur.
51. „ U. Ramaswami Ayyar.	63. Diwan Bahadur S. Kumaraswami Reddi- yar.
52. Swami A. S. Mahajanandam.	64. T. M. Moitu Sahib Bahadur.
53. Syed Tajudin Sahib Bahadur.	65. Rao Bahadur K. Sitarama Reddiyar.
54. Mr. Gopala Menon.	66. „ B. Muniswami Nayadu.
55. „ B. Ramachandra Reddi.	67. Diwan Bahadur A. M. M. Muragappa Chettiyar.
56. Rao Bahadur C. S. Ratnasabapathi Mudali- yar.	68. The Zamindar of Mirzapuram.
57. Diwan Bahadur M. Krishnan Nayar.	69. Mr. A. V. Bhanoji Rao.
58. Mr. P. T. Rajan.	

Neutral.

1. Mr. V. Ramjee Rao.	4. The Raja of Panagal.
2. „ G. B. Premayya.	5. Rao Bahadur Sir A. P. Patro.
3. „ S. Arupudaswami Udayar.	6. Kumararaja of Venkatagiri.

Ayes 46. Noes 69. Neutral 6. The motion was lost.

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May we have an idea of the division among the elected Members ? ”

* The hon. the PRESIDENT :—“ I shall have the calculation made and shall announce the result after lunch interval. ”

The question that Government be granted a sum not exceeding Rs. 4.55 lakhs under Demand XII—General Administration—Ministers and Civil Secretariats—Transferred, was put to the House and adopted and the grant was made.

After Lunch (2-30 p.m.)

* The hon. the PRESIDENT :—“ The analysis of the division is as follows :—

Ayes 46.				Noes 62.			
Elected	..	..	..	44	Ex-officio	..	..
Nominated	..	..	..	2	Officials	..	..
					Nominated	..	..
					Elected	..	..
Neutral 6							
Elected	..	..	..	4			
Nominated	..	..	..	2			

DEMAND XIII—ADMINISTRATION OF JUSTICE

* The hon. Mr. A. Y. G. CAMPBELL :—“ Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move

‘ that the Government be granted a sum not exceeding Rs. 85.13 lakhs under Demand XIII—Administration of Justice. ’

* The hon. the PRESIDENT :—“ The question is that ‘ the Government be granted a sum not exceeding Rs. 85.13 lakhs under Demand XIII—Administration of Justice. ’

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* Mr. S. ARPUDASWAMI UDAYAR :—“ Mr. President, Sir, I move
‘ to reduce the allotment of Rs. 6,30,900 for High Court by Rs. 100. ’

“ This is to discuss (a) the policy of the continued appointment of temporary Judges, and (b) the need for a more liberal treatment by the hon. Judges of the High Court of the establishments of copyists and type-copyists.

“ The present strength of the Judges of the High Court is maintained and there is no possibility of its reduction ”

* The hon. the PRESIDENT :—“ I understand that the copyists and type-copyists are under the control of the Government and not under the Judges of the High Court. ”

The hon. Mr. A. Y. G. CAMPBELL :—“ Copyists are under the High Court. ”

* The hon. the PRESIDENT :—“ I understand that their pay is fixed by the Government and not by the High Court. ”

The hon. Mr. A. Y. G. CAMPBELL :—“ Their pay is fixed by the Government. ”

* The hon. the PRESIDENT :—“ It must be a recommendation to the Government that there is a need for a more liberal treatment of the establishment of copyists and type-copyists. ”

* Mr. S. ARPUDASWAMI UDAYAR :—“ As I said, Sir, there is no sign of the strength of the High Court Judges being reduced. We know that several hon. Judges are engaged in disposing of cases either on the Original side or on the Appellate side. It is true that temporary Judges are appointed in order to help them to dispose of arrears. But I think, Sir, that if year after year these appointments are continued there will be no incentive for the hon. Judges to dispose of all arrears and to show rapid work. There is the tendency also of these temporary Judges becoming permanent fixtures. The question of economies has been raised in this House and I press upon the consideration of the Council the desirability of seeing that there is an end to the appointment of temporary Judges.

“ I also appeal to the Government to consider more favourably the case of copyists and type-copyists. These are all hard-worked men ; their work is mechanical. Hon. Members know that copying work is a mechanical drudgery ; it is not intelligent work ; these poor people have, from morning to evening, to do nothing but hard drudgery work. Very often they are subject to cramps and ill-health. They have not the advantage of holidays and other privileges enjoyed by other clerks. I know, Sir, that an assurance was given by the then Law Member when this subject was discussed at the last budget time that their request was being considered. I think the result has not been very satisfactory. I therefore press for a reconsideration of their prayer to be incorporated in the regular establishment and to have all the privileges which are enjoyed by regular clerks. It is for these reasons that I press this motion for the consideration of the House. ”

* Mr. J. A. SALDANHA :—“ Sir, I shall confine myself to the question of copyists. The fees which the courts get from copying charges are not clearly given in the budget estimates. I do not know what the exact receipt on the revenue side is. There is an item of Rs. 11 lakhs under Administration of Justice, the item of ‘ Fees, Fines and Forfeitures ’. The expenditure on

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copyists comes to Rs. 4,56,700. So far as I am informed, the amount of fees collected by the courts is greater than the actual expenditure. The complaint of the copyists is that they are doing very responsible work. Copying is not a very easy thing. Copyists ought to be fairly well or highly educated. They are often asked to copy manuscript judgments written by Judges which are very illegible. My own experience is that copyists who are not educated cannot well follow the judgments and make mistakes. In order to avoid this educated men should be appointed as copyists. But the pay fixed however is lower than that of ordinary clerks. The Superintendent of Copyists is paid Rs. 60 to 80 (Higher grade); Rs. 35 to 60 (Lower grade). The Assistant Superintendent is paid Rs. 35 to 40; Examiners—Rs. 35 to 40; Readers—Rs. 25 to 30; Copyists—Rs. 20. The figures are at page 152 of the Budget Estimate. Rupees 20 is the pay of chobdars and other menials. This sum appears to be a very low pay for copyists. Considering the fact that we are getting a large income from copying fees which are as high as two annas a page I would press upon the Government the equity of raising the pay of copyists to that of clerks who start from Rs. 35. The pay should at least be raised to Rs. 30 and correspondingly that of the examiner, of the readers and of those in higher grades. It is further desirable and equitable that the appointment of copyists must be made subject to their being promoted to the clerical grade. It would be a great stimulant to copyists to do good work if they are able to look for some sort of promotion to the clerical grade. I think it is unnecessary to dilate upon the equity of this recommendation. I hope that the House would vote in favour of this motion brought forward by my hon. Friend Mr. Arpudawami Udayar. Unfortunately this is mixed up under the heading 'Judges'. I would suggest to you, Sir, that it is better to have a separate motion on the subject of copyists from the appointment of High Court Judges. I would like to know whether these two items cannot be separated for the purpose of voting, pay of copyists from that of Judges. This matter stands upon a different footing from that of the Judges being made permanent or not.

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"As regards the copyists, we have often mentioned in this House that their lot is very bad and they are poorly paid. They must be paid the minimum wages. They are paid only Rs. 20 a month. During the summer recess they will have to be satisfied with whatever they earn and nothing more. Therefore I submit that these copyists should be paid the pay of ordinary clerks and that they should have time scale also. Sir, this is a living-wage for no one in this country. No clerk is paid Rs. 20 in any department. Why should these copyists be paid so low as Rs. 15 and Rs. 20? So what I submit to the hon. Members of this House is to vote for this motion. I would also request the Member in charge to look into the matter sympathetically. It is not proper that we should come forward to this House with this request year after year. It is not proper that any Government servant should be paid Rs. 20. As it is known to hon. Members, the duty on copy stamps has been increased by 5 per cent. But the lot of the copyists has not in any way improved. This department was not intended to be a revenue fetching department but a service department. Originally when people wanted copies of documents, they engaged private persons and paid them on the number of pages they copied. Later on the department was made more stable, but it was never made permanent. The copyists have never been paid a decent salary. It is computed from this department a lot

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of revenue is made. My hon. Friend in charge of the department will certainly give us some figures. The figures will show that the Government are making revenue out of this. So far as this department is concerned, my submission is that it should be made a service department and not a revenue department. The lot of the copyists ought to be improved. A sum of twenty rupees is too small in these days to live upon. With these few words, I commend the motion to the acceptance of the House."

* Mr. U. RAMASOMAYAJULU :—"Sir, the work of the copyists is of a particularly arduous nature. It is generally believed—I believe wrongly—that the copyist has simply to copy mechanically and that he is not required to exercise his head and his intellect. Sir, it is not so. It has been our experience that judges if they come to a particular cadre write a very illegible hand. These copyists have often to decipher very uncouth and out of fashion handwritings contained in old and ancient documents. It is with the utmost difficulty that one can get at what is contained in ancient documents. The writing is very dissimilar to the handwriting that is now in vogue. That is another difficulty. Unfortunately this service is not pensionable. Even in the recent Government Order their service has not been made pensionable and their prospects have not been materially improved. Sir, it is high time the service is made pensionable and also made a regular service."

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, the Mover of the resolution brought forward his motion with reference to two subjects which are widely different from each other. The first referred to the number of High Court Judges and the hon. the Mover of the motion objected to the continuance of the temporary judges. I understood that he objected to temporary judges altogether, but it is, I think, a wise provision in the Government of India Act that the Government of India may appoint temporary judges from time to time should the work in the High Court be such as to make this course desirable. As regards the present position in the High Court, that matter has been discussed in this House on former occasions and it is now under correspondence with the Government of India; and I hope that before long some decision will be come to as to whether the number of judges should be permanently increased or the present temporary judges should cease to hold office as such at the end of their present term."

"As regards the emoluments of copyists, copyists are paid according to the amount of work they do, at so many pies for 150 words, subject to a certain minimum. The old rate paid before 1922 was 10 pies for 150 words. It was raised to 15 pies in September 1922; the minimum pay was fixed at Rs. 14-8-0 a month in the case of ordinary copyists and Rs. 20 a month in the case of typist-copyists. In the year 1926 the minimum was fixed at Rs. 20 in the case of all copyists, whether ordinary or typist. Some of the hon. Members have spoken as if this amount were the maximum pay to be earned by copyists. That is not the case. It is the minimum. If they earn more, they are paid whatever they have earned. It is an economical method of payment for the service, because the amount of work to be done must necessarily vary in different courts. There must be some courts where there is hardly enough work for a single copyist and there must be other courts requiring two or more copyists. At the present moment a communication has been received from the High Court regarding the pay of the copyists in the city courts and suggesting the raising of the minimum pay."

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It is now under consideration and in dealing with it the remarks of hon. Members will receive attention."

The motion was by leave withdrawn.

* The hon. the PRESIDENT:—"The hon. Member Mr. Basheer Ahmad cannot move his out as the question of a Muhammadan judge has been voted by the House on the 24th January."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I would like to make a submission. I desire to move that item 610 regarding the release of Mr. Narayana Menon be taken up first. The Leader of the House said he would not object if I should move."

* The hon. Mr. T. E. MOIR:—"I understand that it is suggested that we should proceed to motion 610. Sir, if all those hon. Members, who have given notice of motions on which the House has the right to ask questions and also for a statement of the policy of the Government, but whose motions will be passed over if this particular motion is taken up, will waive their rights, then of course Government cannot object to this particular motion being discussed. But I understand that the normal course would be to proceed through the items as numbered, and it is therefore really a question as to whether hon. Members who gave notice of these motions are willing to surrender their rights to have their particular motions discussed in the order in which they stand. If hon. Members against whose names prior motions stand are agreeable to that course or do not wish to move them in order to give preference to any other motion, then, of course, Government have nothing to say, Sir. But I do not think that we should accept the responsibility for depriving hon. Members of their right to move their motions in the order in which they are numbered in the Agenda."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I did not think Government will be burdened with the responsibility of depriving members from moving their motions. I put this to the Leader of the House and he said that in case the proposal is made by me, Government will not object to it. That is all the assurance he has given. But, the hon. Mr. Moir's speech seems to indicate that some members will insist upon their right to move their motions. I place this suggestion so that if Government do not object we can proceed to the discussion of the matter."

* The hon. Mr. T. E. MOIR:—"Sir, I merely wish to point out to the Leader of the Opposition that it is not a question of the Government objecting. Government will not object, but Government are not entitled to speak for the members whose interests are affected."

* The hon. the PRESIDENT:—"I may point out to the Leader of the Opposition a further difficulty I feel. The Council has already given a vote during the current session regarding the release of Mr. Narayana Menon. I do not therefore think that he would be well-advised to press his motion until we come to it. There is also the danger of its being ruled out of order." (Laughter).

* Mr. SAMI VENKATACHALAM CHETTI:—"This takes away all the objection, Sir."

* Mr. C. RAMASOMAYAJULU:—"Sir, my motion is

'to reduce the allotment of Rs. 6,30,900 for High Court by Rs. 100.'

"This is to discuss the desirability of standardization of law reports."

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[Mr. C. Ramasomayaajulu]

"Sir, this question was once before brought to the notice of the Government during the time of the general discussion on the budget last year and the hon. Sir C. P. Ramaswami Ayyar promised to enquire into the matter and see what can be done. This matter, Sir, is one involving an inconvenience which every legal practitioner has experienced and every judge for the matter of that. The volumes which we have now are not reports which are prepared on recognized or methodical lines. They are simply published in a spasmodic form. To-day both the legal practitioner and the judge are very often confronted with reports which are not as authoritative and methodical as one would wish. The citation of these reports is a difficult matter because Government do not exercise any control over the publication of these reports. The publication is going on in a most promiscuous manner and the judge finds it impossible to find out the really valuable and ruling authority on any question which is under consideration."

"It so happens, Sir, that some of these reporting assistants give their prominence to the facts and not to the question of law involved. The practitioners in their eagerness for law are disposed to go in for promiscuously published reports. We are actually at bay in dealing with certain matter in order to find what we should have as the guiding factor. I may submit that a Bill has been moved in the Legislative Assembly by a Muhammadan Member and that it is still pending. This Government also should take a lead in the matter and see that the matter is set right at a very early date."

Mr. J. A. Saldanha rose to move his motion on the same subject.

* The hon. the PRESIDENT:—"If this motion is carried, I do not think it will be in order to move for the abolition of the law reports."

* Mr. J. A. SALDANHA:—"Then I oppose this motion. Judges find that the citing of a large number of cases is a puzzle to them. But the question is whether there are after all so many reports published without any rhyme or reason. So far as I can see there are certain classes of reports conducted by leading lawyers for the use of the public especially lawyers. Lawyers themselves must select which is the best report for them. The competition among the publishers is so great that there is an incentive to publish reports of a large number of important cases in as good a form as possible. As long as the present system of citing cases is allowed to continue I do not see why there should not be a healthy rivalry among the different lawyers to publish good reports. Of course, after all it is for the readers, the lawyers and the judges to make the selection. In England I do not think there is any restriction on the publication of law reports nor is there any such restriction in countries where the Anglo-Saxon system of relying on cases prevails. I do not think there is any set of reports which publishes cases of the lower courts. There is a Chief Court at Karachi in Sindh for example, where they deal with matters of importance, Karachi being a great commercial centre. Myself as a Judge derived much benefit from some cases of the Karachi Chief Court. In the Nagpur Chief Court there are judgments written by eminent judges which are of a very high order. When our Anglo-Indian law is so vague, and so badly worded, and carelessly worded too, there is a need for the codification of laws. The more the reports of good cases the better, provided the selection of the best cases is done carefully. That is what is being done by most of the publishers. Lawyers and judges get only the best of the existing reports. It is true there are judges and judges."

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There are some judges who are so lazy that they do not want to go into the matter and they want no reports. It is a nuisance to them. Other judges who are anxious to do justice feel the more the reports of good cases the better for them. Personally I always welcomed the citation of cases as it helped much in writing judgments. Now we have got the Indian Law Reports. What is the use of this publication? They are published under the authority of Act XVIII of 1876. Therein it is provided that no court shall be bound to hear cited, or shall receive or treat as an authority binding on it, the report of any case decided by any of the said High Courts on or after the said day, other than a report published under the authority of the Governor-General in Council. Nothing herein contained shall be construed to give to any judicial decision any further or other authority than it would have had if this Act had not been passed. The distinction is very important. The last section provides that no judgment published by the authorities appointed by Government should have higher authority. That is, the judges therefore can rely upon cases other than those reported in the law reports. As a matter of fact if you go through the judgments of the High Court you will see many of the cases relied upon are not from the law reports. The law reports are printed in big type and they have reported cases very late. So the judges have to go to the other reports and are obliged to have a copy of the private reports. Therefore we have to feel thankful to the publishers of the several law reports in India. Why should then Government incur this extravagant expenditure for publishing reports at the cost of several thousand rupees? Then there is the establishment. The reporting is given to some junior barrister without any practice. He takes his time very leisurely and as soon as the reports appear in the private publications these people take them for official report. In the Bombay Presidency I have known cases of gentlemen who publish reports privately holding the appointment of assistant reporter and drawing his pay from Government for helping the officer in publishing the Indian Law Reports. At the same time he publishes his own private report."

* The hon. the PRESIDENT:—"I am not able to understand what an assistant reporter in another Presidency has to do with the motion here."

* Mr. J. A. SALDANHA:—"I am referring to the extravagance and the belated nature of our reports. The expenditure is simply a waste. Therefore if Government wants a standardization of reports they should not publish reports so late. A belated report is simply superfluous, unnecessary and an extravagance. Therefore I propose that Government on the Treasury Bench should make up their minds soon on this matter. There is no obligation under this Act to publish official reports. It simply says that no court shall be bound by a case which is not reported."

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"I think we can very well abolish these official reports and leave it to the Government of India to standardize the law reporting. The standard edition may be brought about without having an official agency."

* Mr. K. V. R. SWAMI:—"What my learned Friend Mr. Ramasomayajulu wanted was standardization of law reports. My hon. Friend Mr. Saldanha has no objection for that but he says no money should be spent by Government but the work may be left to a private agency. I do not know how it is to be worked out at all. What is the object of standardization? All sorts of reports are published by private agencies and the subordinate

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courts and subordinate magistracy are sometimes confused by the conflicting decisions. There is a lot of law reporting and it is not possible to discriminate between one report and another. If they are brought up to date and then standardized under some authority, all these difficulties would be avoided. Sometimes in a case several reports are quoted, which are often conflicting. Even Sindh Court decisions are cited. This sort of thing often puts the private parties to considerable expenditure. Relying on the out-of-the-way rulings appeals are preferred and lost, and large sums of money are spent in litigation. So the desire of my hon. Friend Mr. Ramasomayajulu is not that any particular agency should be appointed or particular steps should be taken, but that all the rulings should be standardized so far as this Presidency is concerned. The means to be employed and the expenditure to be incurred can safely be left to their Lordships of the High Court. They may have their own way of doing things; it is not proper for us to dictate to them. All this House wishes is to recommend to their Lordships of the High Court to find out a way to standardize all the rulings."

Mr. D. THOMAS:—"Mr. President, Sir, I have great pleasure in supporting the motion of Mr. Ramasomayajulu regarding the standardization of law reports. The multiplicity of law reports is wearying to the flesh, and it tends to make our system of law absolutely lawless. For a simple case, a lot of decisions are picked up and cited."

"Mr. Saldanha said that it may be left to the public to standardize these law reports, and patronize only such law reports as contain good rulings. As a matter of fact we find a large number of law reports on the market and the legal practitioner has to buy all the publications, because any decision from any of these reports, which may not be after all a standard one, may be sprung upon him. So that all the decisions which appear, with reference to any particular matter, have to be considered and the practitioner has to read all these rulings. I will give a practical instance of the difficulties I have experienced. In the new Criminal Procedure Code of 1923, in the amended form, there is a provision under section 162 with regard to the grant of copies in the trial of police cases. With reference to that, various decisions of various High Courts have appeared in various provinces. Some of them are of a most conflicting and contradictory character. I know, in actual practice, that these rulings and decisions on the interpretation of section 162 have given a good amount of trouble to the subordinate magistracy and have led to a considerable waste of public time in the courts of the subordinate magistrates. So I agree with my hon. Friend Mr. Swami that standardization is necessary but the means by which that should be done can be left to the High Court. The High Court will see what decisions should be reported and what should not. They may leave it to a private agency. But what we as members of the House desire to place on record is that standardization would be valuable both for the public and for the practitioners, and besides it would tend to reduce the conflicting decisions and contradictions in law and also save the time of the courts."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, the position as regards the reporting of cases is that under the Act XVIII of 1875, to which my hon. Friend Mr. Saldanha referred, no court is bound to hear cited or to receive as an authority binding on it the report of any case decided

[Mr. A. Y. G. Campbell]

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by any of the High Courts other than a report published under the authority of the Governor-General in Council. In the Madras Presidency certain law reports are published under the authority of the Governor in Council under that Act. For the purpose of preparing the publication a law-reporting staff is appointed consisting of an editor and three reporters. The editor holds office for five years but may be reappointed at the end of five years. The reporters are appointed for three years at a time. The staff works under the supervision of a council consisting of a Judge of the High Court, the Advocate-General, one other member of the bar, one solicitor and one vakil. The Judge, the member of the bar and the solicitor and the vakil are appointed by the Chief Justice. Mr. Saldanha said that reporting can best be done by lawyers and I think that these arrangements meet his point.

"There are in addition three or four un-official law reports published in this Presidency the compilers of which receive, by the courtesy of the High Court, certain privileges, such as permission to copy judgments, peruse record and obtain printed copies of judgment on payment. In 1917, this Government requested the High Court not to grant, save in exceptional circumstances, further facilities to the publishers of un-official law reports. The general trend of the discussion this afternoon has been in favour of the restriction of the number of un-official law reports, and I may say the Government has adopted the same policy in the past. (A voice: 'We want standardization.') The hon. Mr. Ramasomayajulu referred to the Bill now before the Assembly introduced by Moulvi Muhammad Yaqub Sahib. That, I believe, is to be circulated by the Assembly for remarks. That Bill would limit the publication of un-official reports, as it provides that no court shall allow to be cited or itself refer to the report of any case unless it is an authorized report. Only the decisions included in the official reports could then be cited.

"Mr. Saldanha appears to think that the law reporting is very expensive. The editor receives Rs. 450 a month and each reporter gets a monthly allowance of Rs. 250; and there are two clerks in addition. A reporter has to attend the courts and take notes of all full bench cases. I do not think it can be said that these men, considering the importance of their duties, are paid very highly.

"With reference to Mr. Saldanha's remarks about the delay in publication, he did not cite any particular case where there was avoidable delay. I will however have the matter examined in the Secretariat. The supervision of the literary work and editing rests with the council constituted for the purpose, but the Local Government is responsible for all the arrangements in respect of printing and publication. I do not know to what extent there have been any delays and to what extent the Government is responsible to them. We will take steps to prevent avoidable delays for which the Government may be responsible. If there has been any delay for which the council appears to be responsible, the attention of the council will be invited to the matter."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I really had no idea to speak on this motion, but after hearing the Law Member I am tempted to say a few words. I do not believe the Law Member has really understood what exactly is meant by standardization for which this motion has been brought. I do not really believe that all of us are enamoured so much of

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[Mr. K. Koti Reddi]

official law reports. Every one of us feels that the various law reports are so voluminous that besides the vast amount of money one has to spend in purchasing them one is amazed at the energy necessary for hunting the decisions in them. But that does not really mean that we are in favour of official law reports. What we really want is this: that some agency, whether Government or non-official, ought to be established for the publication of law reports which alone should be cited in courts of law. The learned Law Member no doubt cited the law that the judges need not refer to law reports which are not authorized; but as a matter of fact, in every court, particularly High Court, no judge is averse to receiving information from judgments which are not published in official law reports but are appearing in non-official reports.

"As a matter of fact the law reports published by the Government are really not as good as they ought to be. The reporting really is very bad and all sorts of decisions are sometimes found reported in official reports. Sometimes the decisions appear very late as compared with their appearing in other non-official reports. I do not think the House is in favour of restricting the opportunities of non-official reports as at present, unless the reporting in the official reports is done much better than at present. I do not think it is really desirable to restrict non-official reports at present but it is really a danger to allow all sorts of people to report. Law reporting has become not a duty undertaken for the public welfare, but it seems to me it has become more a commercial concern. Any number of firms of lawyers who may not find any other scope for their talents, are taking to this and are trying to get the earliest opportunity of getting reports published. As a matter of fact we see advertisements saying that their reports alone are the best and that the decisions reported in their reports do not find place in any other report and so on. Besides it is not enough as my hon. Friend Mr. Swami said that the whole thing should be left to the High Court. As a matter of fact I don't think it is possible that this could be done without some legislation or other. No judge can refuse a certified copy of a judgment which can be published. As a matter of fact judges are not averse to receive information from unofficial reports. What is really necessary seems to be that a council of lawyers with some experience and judges with a serious intention of seeing that only the decisions which lay down or explain a principle of law of some importance and not mere facts which are important only from the point of view of the client must be set up. At present, I do not think that the council which has been appointed for the purpose has any serious intention of supervising and controlling over the reporting that is ordinarily done by the official staff. There is no doubt, that the official reports at present are not very good, but still there is necessity for seeing that this reporting is done by one agency and one agency alone. Whether such an agency is to be official or un-official, or both official and un-official, it is for future consideration, but there is the urgent necessity that reporting should be done by one agency alone and that only judgments which are of some importance and where some principle of law has been laid down should be reported. It is for that purpose this motion is brought."

* The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 6,30,900 for High Courts by Rs. 100."

The motion was put to the House and lost.

3-30
p.m.

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* Mr. J. A. SALDANHA :—“ I move

‘ to reduce the allotment of Rs. 90, 100 for Presidency Magistrates by Rs. 100 ’

“ This is to suggest the appointment of an Indian Christian as Presidency Magistrate from among qualified and fit vakils or Mufassal Magistrates.

“ In moving this I only plead for communal justice. We are very glad that not only a Muhammadan has found a place in the Presidency Magistrate's Court, but he has been appointed Chief Presidency Magistrate. In all this cry for Muhammadans being appointed to the High Court, to the Small Cause and to the Presidency Magistrate's Courts we find no voice raised by anybody for the appointment of Indian Christians. The fact that no appeal has been made or no agitation exists for such an appointment does not mean that we Indian Christians are indifferent to these appointments. On the other hand we are particularly anxious to see that a larger number of Indian Christians should find a place in the Judicial Departments. We Christians are not fond of agitation but that should not be interpreted to mean that we are not conscious of our merits and of our deserts for appointments in the services. It is well known that after the Brahman community, the Indian Christians stand higher than any other community so far as not only elementary education, but higher education, is concerned. For every one Muhammadan we have got ten at least, though our number is less in education progress. If you take the degrees, whether M.L., B.L. or B.A. we Indian Christians stand ten to one Muhammadan and yet where is the justice done to our claims for appointments. I refer only to this particular aspect of the question, because this subject has been so much agitated recently. In the Judicial Department we are very poorly represented. Of course, it is true we have got one judge of the High Court, but there has never been any Indian Christian in the Presidency Magistrate's Court. There was one gentleman appointed and he has been sent to the City Civil Court and he has no prospect of ever becoming a Chief Presidency Magistrate. I think it is a gross injustice done to that gentleman. We hope that our claims will be duly considered by Government and borne in mind.”

Mr. D. THOMAS :—“ Mr. President, Sir, I have great pleasure in supporting the motion of my hon. Friend Mr. Saldanha. As my hon. Friend has pointed out, the Indian Christians are represented in all educational activities. They are probably one of the best educated communities in the Presidency and proportionate to their numbers they possess a larger number of higher educated men than any other community except perhaps the Brahmans. A good number of them are also in distinguished public service as Deputy Collectors, First-class Magistrates and also judges in the judicial service and yet it is strange that though a number of them have been seen exercising the powers as First-class Magistrates and though a number of them are employed as District Munsifs and Sub-Judges and also Judges of the City Civil Court, not one of them has at any time been appointed to a permanent tenure of Presidency Magistrate. I hope in the peculiar conditions of this country the Indian Christian is specially fitted to discharge judicial functions. He belongs to a minority community and he maintains friendly relations with all the communities in the country. Under those circumstances when judicial decisions have to be made in which the generality of the people who come before the courts belong to other communities

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than his own, he will be in a position to discharge his duties in an absolutely dispassionate and impartial manner and I believe several members would bear out the statement that several Indian Christians who have been working as Deputy Collectors and First-class Magistrates in discharging their functions in a commendable manner have earned the approval and approbation of the Government. Under these circumstances, I believe it is but bare justice to the Indian Christian community that one of them should at as early a date as possible be appointed as Chief Presidency Magistrate.”

* The hon. Mr. A. Y. G. CAMPBELL :—“ Mr. President, Sir, the object of this motion is to ask that an Indian Christian should be appointed as Presidency Magistrate. I am sure it is well known to all Members of this House that Government do take communal considerations into account to some extent in making appointments; but I think it is also recognized that it is not possible to give a definite promise that the member of a particular community will be appointed to a particular post at the earliest opportunity. No doubt, however, the Law Member will give this question his best consideration, as he has always done, in making appointments. Whether it is possible in the near future to make such an appointment or not, I am not in a position to say.”

* Mr. J. A. SALDANHA :—“ In view of the assurance given by the hon. the Law Member, I beg to withdraw the motion.”

The motion was by leave withdrawn.

* Mr. J. A. SALDANHA :—“ Mr. President, Sir, I move

‘ that the allotment of Rs. 63,06,200 for Civil and Sessions Courts be reduced by Rs. 100.’

“ This is to criticise justice delays and costliness.

“ Sir, this is a cry and it does not require a lot of disertation to bring home to the Members of this House how much the poor people suffer on account of justice delays and costliness. I will not dwell at length on the higher aspect of the question of codification of our laws on right lines, because until the angle of vision of our rulers and the public completely changes as to the condition of codification of laws on the right lines, it is merely a cry in the wilderness. The codification of laws as is done on the Continent, for instance in France and in Germany, is so carefully done by the legislatures that there is no need of law reports at all, because the law is so clear in the codes that any ordinary man can understand it and they don't require very learned judges and pleaders to explain the bearing of any section.

“ But, Sir, first of all we have got very little of codification. Secondly, ²⁻⁴⁸ the codification is generally very imperfectly done and carelessly too. Hence ^{p.m.} arise all sorts of doubts in the interpretations. That means increased expenses, increase of courts and increase in the number of judgments and High Court Judges and Privy Council Judgments and the multiplication of Law Reports. I would appeal to the Advocate-General to study the system in Germany and France and other countries and you would see that if you adopt the system of a practical nation like Germany, we will have no need of an India Law Reports. We will have a decrease in the number of Judges, Law Courts and Law Reports. All that will make for the less expense of

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our litigation. That is, I fear, however, a cry in the wilderness. We do not get men with a high angle of vision who will study the various systems obtaining in the other countries of the world. I think I shall have to cry hoarse for ever and there will be no remedy for all that. But I will, Sir, refer to the defects which can be cured even now, under the present system, if measures are taken to stop the delays and decrease the cost.

"My friend, Mr. Karant, has another motion on this subject, to question the necessity of the frequent postings of suits in mufassal courts on account of the consequent hardship to the litigant public. That motion, in fact, affirms what defects there are in the courts in South Kanara alone, not to speak of other places. If a Judge of the High Court had taken care to visit the mufassal courts which is not now generally done in this Presidency, it would have done much good. I have never known nor heard of a Judge of the Madras High Court coming to inspect the courts in the mufassal. That system of High Court Judges visiting mufassal courts and finding out what delays occur and why, in the disposal of cases, would have enabled them to find out the defects which could be easily cured. In the Bombay Presidency, the mufassal courts are visited by Special Judges in turns in every three or four years. They go through the files or the records of the cases decided even by the humblest judicial officer and after going carefully through these files they find out what are the causes of the delay. The result is that the sub-judges and the district munsifs are very careful in disposal of suits quickly, methodically and thoroughly. The High Court has also passed a number of circulars to prevent delay and suggesting more efficient methods in the courts and the result has been really very good, as I know from my own personal experience.

"It was pointed out from time to time that in very many instances delays could have been avoided. At present, Sir, what happens, for instance, in the Court of Mangalore is this. A number of cases are posted in a certain week without making sure or at least ascertaining approximately whether they would be or could be taken up or not in that week and there comes the hearing of the cases. But hardly 10 per cent of the cases,—the bigger cases which have been posted for that week, are reached. The other 90 per cent are shoved back to some other later date without even taking care to see that they could be taken up then. No consultation is held by the Judge with the pleaders or the parties to the suit. Perhaps, a statement of the case is taken up and indiscriminately cases are posted to some date or other without making sure previously whether they could be taken up on that date or not. In the Bombay Presidency, *sine die* lists are used, and it can be very well adopted in these courts also. When you have an accumulation of work in these courts, and the court, after consulting the vakils and parties in a case thinks it unlikely that the case can be taken up for six weeks after its filing and after it is finally ready for disposal, it is put on the *sine die* list. The number of these cases sometimes mount up to a large number. But there is then the satisfaction to the litigant public that these cases will not be taken up within that period and so they can stay at home and then come again in time and the pleaders can take proper care. When the list goes on accumulating the cases are taken up according to the certainty of their being disposed of.

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"Then, Sir, another point to be borne in mind is that the parties should be examined at the very first instance, especially in the bigger cases, so that the contentions are reduced to a minimum. Let a Judge take the trouble as soon as the case is put in, and defence entered, to examine the original parties and the points at issue will then be reduced considerably in that case. The result is that a case can be disposed of more quickly. These are a few of the reforms, which I think are necessary in order to reduce delays in litigation. It is therefore necessary that the High Court should appoint a Judge to go round the courts, at least the District Courts, and there get the files of the Sub-Courts* and the Munsif Courts and see how these delays arise and how they can be remedied and issue clear instructions and circulars in order to provide for the remedies. I hope, Sir, that I am not trespassing on the patience of the House (laughter) but this is a very serious matter for the people. If I am standing here to-day speaking with some vigour it is because I know this is a thing which affects so many thousands of poor people. The inconvenience, the worry and the suffering caused to the witnesses and the parties coming again and again, not once but ten times, not only inflicts unnecessary trouble on these people but increases the cost of litigation. The sooner these things are mended the better. Under the present system the remedies can be found and must be found and if this is not done, I believe, the delays and the costliness of litigation will go on increasing and the discontent of the people will not have been removed."

* Mr. C. V. VENKATARAMANA AYYANGAR. —"Sir, I have also given notice of a similar cut, and I agree with Mr. Saldanha in saying that this is a very important question, which can bear any amount of repetition. The question of delays in the disposal of suits and execution petitions is becoming scandalous over and over again. The Government went through the farce of appointing a costly committee which toured through the whole country and submitted its report with the result of being sent into the Secretariat Record Room (Hear, hear). Although the Government of India pretends to pass one Act to-day and another Act one year hence, dealing with the minor points touched by this Committee, the delay in the disposal of suits and petitions is becoming more and more scandalous. I do not think that any particular portion of the machinery can be made responsible for this though it must be admitted that the Judges as well as Members of the Bar are to no little extent responsible. The Government have recently adopted what is sometimes mistaken, a policy of appointing additional judges wherever there are arrears with the result that a Munsif or a Sub-Judge has only to show arrears for an Assistant being given to him. There is no responsible rule which restricts the number of suits that should be disposed of either by way of quality or quantity, with the result that all big suits are adjourned several times. If we go to a court, we will see that although the Munsifs and Sub-Judges take care to show a certain amount of disposal, we will clearly see that big suits and long-standing suits are somehow or other adjourned day after day. Very few big cases are disposed of unless by chance, they are compounded or compromised. It is therefore necessary, Sir, that the Government should do something to see that the suits are disposed of as early and as quickly as possible. About 20 years ago, the Munsifs and the Sub-Judges took care that there were not many suits for over one year pending and if we compare the number of courts then existing with those existing now, there can be no doubt that the present number is very large compared with the

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previous number. And yet, if we go through the arrears list, we will see that every court will have some suits pending not only over one year but over four or five years and so on. The one great fault is that the power of making rules is now in the hands of the High Court, which with due deference to the learned Judges of the High Court, does not know much of the difficulties in the mufassal. One of the reasons, of course as has been well pointed out is that the High Court Judges have too much work there to have time left to tour round the province to know the difficulties. If they only tour round the province and have private talks with the members of the Bar and the Munsifs and the District and Sub-Judges, they will find out the real reasons for the delays. There are now several rules, harassing rules as it were, which insist upon particular lines of procedure which are unnecessary but which have to be adopted in the disposal of suits. The classification of suits as contested is only nominal, as a suit is considered to be a contested one even though the defendant may say that the interest is penal, because it is at the rate of Rs. 1-5-0 instead of Rs. 1-4-0 because it may be that the defendant only says that he has paid a small sum of money by way of interest which has not been duly given credit to by the plaintiff. All these cases come under the category of contested suits and the officers who are there at the time of the disposal of the suits take credit for them for having disposed of so many contested suits. I think some committee must be appointed by the Government including some members of the Bar in the mufassal and some Judges both in the mufassal and of the High Court to go into the question of simplifying the procedure.

4 p.m. "There are several similar motions, Sir, for instance, the one regarding execution petition. If it is a mortgage decree, we have to go through so many processes, first having a preliminary decree, then a final decree, then so many applications for which notices are to be given to every person appearing as a party. There may be several defendants and parties *pro forma*, and in the case of every petition such as for fixing the day of the sale, for giving permission to bid, for doing so many similar things, we have to give notices to every one, and some Judges and Munsifs consider it necessary to see that all the defendants are personally served. What is the result, Sir? As has been said very well, the difficulty of a decree-holder begins after getting the decree. He gets the decree of course with some difficulty, but the real difficulty is only after he gets the decree; and the man who gets the decree begins to realize the difficulty only afterwards; because people can pretend not to be served personally. I know of cases where execution petitions to execute mortgage decrees have been pending for four or five years, the debtor all the time enjoying the land. Therefore, Sir, something should be done to simplify the rules so far as execution applications are concerned to see that no decree-holder is unnecessarily harassed, and to make sure that no fraud is committed to defeat the claims of real owners of properties.

"Another point I wish to refer to is about the mufassal official receivers. Under the old practice, separate receivers were appointed for separate insolvency cases. Now, for the whole district, there is practically only one official receiver. In our own district, Sir, where the ryots have studied the insolvency law very carefully, every one after filing his insolvency application can easily prolong the matter for several years. And whenever a man nowadays in our district, ordinarily speaking, goes to borrow money from somebody, he takes care to read the insolvency law, so that after some time he can

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file his insolvency application. And the official receiver who has probably to deal with a large number of applications nowadays, is not naturally able to do anything really useful; so much so if a list is taken—I once applied for a list but I was not able to get it although I was promised one—for the Coimbatore district of the number of insolvency applications that have been closed by payment of money, the number will not be a large one. Of course in good many cases, there are no assets and therefore the creditors get nothing; but if we take a list of cases where really assets are collected and a substantial portion of the claims is paid to the creditors, I am sure that such a list will not be satisfactory. If, on the other hand, we look into the list, we will be able to find cases pending for years together, four or five years, and yet Government are careless as regards the disposal of such important matter. I drew the attention of the Law Member once by asking him to consider the desirability of appointing permanent full-time official receivers. I quoted the authority of the official receiver of my own district, who when he gave evidence before the Laws Delays Committee clearly stated that the official receiver should be a full-time person. I can satisfy the Government, Sir, that so far as my district is concerned,—I take it that the facts are similar in other districts as well—there can be easily three or four permanent official receivers who will have plenty of work to do. This is a matter that should be carefully gone into. The reason why business and credit have suffered in districts like Coimbatore is that the administration of the insolvency law is not quite all right. People have no confidence now to have money dealings, and every bank in our place has got large sums of money in cash. As a matter of fact, Sir, some banks are going into liquidation, after paying back the shareholders and depositors their moneys. All this is because the official receivers have not been able to dispose of the cases before them and there has been delay in their disposal. Delay in the disposal of cases means giving room for fraudulent actions on the part of unwilling judgment-debtors and others. I therefore appeal to the Government to consider this very serious matter affecting the trade and business of the country and appoint a committee, not to go through the whole country, but to go to some important centres in this province where they can study this question and take early steps to put an end to the inordinate delay in the disposal of such cases. Unless some such thing is done, the delay will go on increasing, the number of pending cases will go on increasing, and the dissatisfaction of the people will be greater, resulting in discontent and disaffection. I would appeal, Sir, to the present Law Member, and if I can, to the Advocate-General who, I hope, will be able to give his experienced views on this matter, so that we can have the benefit of his experience. Then we will be able to know what the Government propose to do, as we are not satisfied with the steps said to have been taken as a result of the recommendations of the Laws Delays Committee, which amount to nothing."

* Mr. K. R. KARANT :—"Mr. President, Sir, two hon. Members have already spoken at length on this subject, and I do not propose to take much time of the House. On the question of the frequent posting of suits in the mufassal, I wish to bring to the notice of the Government the great deal of trouble caused to the litigant public. In reply to questions asked by me some time ago, it was stated by the Government that the matter was referred to and was primarily within the jurisdiction of the High Court.

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I do not think, Sir, that this is quite a satisfactory answer. When the Government are taking as much as 11½ per cent of court fees from the litigant public and are making thereby a good deal of money, it is no use telling us and telling the public that they have delegated or entrusted these matters to the High Court. I wish to say, Sir, that in the case of suits especially suits tried in the mufassal courts—not so much in the case of appeals—the postings of suits are quite frequent, and I wish that the Government appoint a committee or otherwise deal with this matter and see that suits are not posted so often. The result of frequent postings is that even in the case of very small suits, the cost of summoning witnesses every time, especially with the high scale of batta now obtaining, goes above the valuation of the suit itself; and secondly, there is so much harassing of the parties. Every three weeks suits are posted, and I wish that some system is introduced, just as they have it in the High Court, of having a ready board, or as suggested by the hon. Mover of this motion, of having a *sine die* list, i.e., list of suits which are not likely to be taken up until suits which are ready are disposed of.

"There is another point which I wish to bring to the notice of the Government and of this House, and that is that some change is needed in the recruitment to the judiciary of the mufassal. Though it will not be to the best of taste to reflect anything on the subordinate judiciary—which I do not wish to do—I wish to say this, that things will be very much better than what they are if a different method of recruitment to the subordinate judiciary is adopted. We find now, Sir, that those who go out as District Munsifs are generally persons with very little practice in the bar and very often their influence and other considerations get them the office rather than sheer merit. Hon. Members may not be unaware that we have even heard of lots being taken in the case of certain candidates. I wish only to say that the administration of justice would be very much improved if persons who have got considerable standing at the bar and have a really good practice are taken as judges, say, at the age of 40 years, and are entertained in service for about ten or fifteen years and given a decent salary. The salary that is now given to the judiciary is quite good compared with the income of practitioners in the mufassal. I therefore suggest that instead of taking persons with barely three or four or five years' standing—and most of them not having any real practice at all—if you take persons between the ages of 35 and 40 with a good standing at the bar and who have some practice in the mufassal courts or in the High Court, and if you try them for a period of ten or fifteen years, it would be very much better, and justice will be much better dispensed with in the mufassal courts than at present."

* Mr. C. R. PARTHASARATHI AYYANGAR:—"Mr. President, Sir, so far as criminal cases are concerned, they are disposed of as quickly as possible. Moreover, there is a rule in the mufassal courts to constitute magistratos and form a panel of three or four retired officials; so that criminal justice is properly administered and cases are disposed of as quickly as possible. Why not the same experiment be tried so far as civil cases are concerned? So far as the civil cases are concerned, only subordinate judges are given small cause powers of a substantial amount for the purpose of disposing of cases. Why should we not try civil cases being entrusted to persons who have retired from service, the necessary power being given to them for disposing of such cases in a month's time or so? There are many cases where

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retired Deputy Collectors have disposed of cases without much delay. I know personally that several retired Deputy Collectors have been disposing of criminal cases for 15 or 20 years. I would suggest that some experiment 4-15 be made so far as the civil cases are concerned by allotting a number of money p.m. suits in small areas among persons who have retired from service so that they might utilize the knowledge they have gained in service for the benefit of the country. By doing so there is no fear of a large number of cases being posted day after day. Persons who have had experience may be nominated and an opportunity be given to try civil cases just as they are now trying criminal cases. So that all simple money suits may be disposed of by them. Even small land suits may be given to them. Just as they are trying criminal cases where the liberty of the person is at stake why not give them simple money suits, such as suits on promissory notes involving plea of discharge, failure of consideration and so on? I would suggest to the Government to try this experiment first before referring the matter to a committee."

* Rao Bahadur C. V. ANANTHAKRISHNA AYYAR:—"Mr. President, Sir, we are indeed alive to the saying 'that justice delayed is justice denied' and that was the reason why a few years back the Government of India appointed the Civil Justice Committee. You are aware that one of the Members of that Committee was a distinguished lawyer of our Presidency. That Committee travelled all through India collecting evidence on all matters relevant to the discussion before this House. Learned lawyers were invited to co-operate with the Committee to assist it with their memoranda and evidence, and that Committee has sent a very valuable report; and the same is being examined by the several departments of the Government of India. We know that very many of the recommendations of the Civil Justice Committee have been incorporated in the form of separate Bills with a view to make the necessary amendments to the respective Acts concerned. Such of the hon. Members of this House as are members of the bar will be aware of the recent legislative activities in this respect. We have had the Civil Procedure Amendment Acts, and more than that amendment of the Limitation Act as a result of the recommendations of the Civil Justice Committee—the result of these amendments being expediting the hearing of cases and avoiding of delays whenever possible. The hon. the Mover drew the attention of the House to the fact that in the mortgage suits, which by the way form a large number in the mufassal, the procedure seems to be cumbersome in some respects but that matter has been already taken up by the Civil Justice Committee. As a result of that, a Special Committee was recently appointed by the Government of India to consider the whole law relating to mortgages in British India, and some of you may have received communications from the Government of India requesting you to send your opinion on the Bill that the Special Committee has prepared. I have given my opinion on the matter and I may assure my hon. Friends that the many complaints that are heard against the procedure in the mortgage suits will not exist hereafter, after that Bill is passed.

"Hon. Members were saying that there are delays in the disposal of suits by the lower courts and that no effective check is being exercised by the superior authorities. I am sorry to say that the hon. Member is absolutely wrong. There are various checks imposed on the mufassal courts. They have to send quarterly reports, half-yearly reports and annual reports.

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(A voice: 'What of that?') And if any suit is more than one year old special explanation has to be submitted. So much so that the complaint that has been heard in some quarters is that the lower courts are being so much worried in the matter of sending these reports that sometimes they are forced to sacrifice quality for quantity. If there has been any particular delay with reference to any particular cases, there are Bar Associations which are growing in number and importance day by day; it is open to them to make proper representations and any representations that they make will be treated with respect and duly considered.

"Now one mode of attacking the question of arrears in the extra mufassal courts is by the appointment of additional and temporary courts and judges. My hon. Friend seems to object to them, stating that the effect of them is to encourage an inclination on the part of the permanent incumbents to turn out less than the usual standard of work, because he seems to think this practice encourages idleness. Having regard to the existing checks (already mentioned) to exact the proper amount of work from all judicial officers, I have no doubt that the contention of my hon. Friend is absolutely without foundation."

Mr. J. A. SALDANHA:—"I question it."

* Rao Bahadur C. V. ANANTHAKRISHNA AYYAR:—"The present Civil Procedure Code seeks to avoid all sorts of delays in the matter of serving notices in many respects. Whatever may be the charges against the old Civil Procedure Code, now by sending notices by registered post you can have the summons served expeditiously."

Mr. C. V. VENKATARAMANA AYYANGAR:—"But the courts seldom allow that."

* Rao Bahadur C. V. ANANTHAKRISHNA AYYAR:—"If you satisfy the court that personal service is reasonably impossible they will allow it. Further rules have been made in such a way that in cases where vakils appeared in the lower courts, service on them is enough in respect of cases pending in the appellate court. So that proper steps have been taken to expedite the disposal of cases as early as possible."

"It was said that the hon. Judges of the High Court do not do their duty in the matter of going to the mufassal and exercising proper personal supervision. If anybody feels regret at their not being able to effectively discharge this portion of their work it is the hon. Judges themselves. Anybody conversant with the state of the existing work in the High Court would appreciate that with the existing number they can't exercise this particular function more effectively. (Cries of Oh, oh.) You can't find fault with the hon. Judges for that. When they find time they will surely attend to it. (A voice: 'When do they expect that to happen?')

"Then again a charge was laid against the High Court Judges in the matter of appointment of the mufassal judicial officers and one hon. Member went so far as to say that such appointments were made by casting lots. I protest against that statement. It is nothing less than a slander. I have been a party to such appointments by the High Court very lately and I have been witnessing the appointments made for the last so many years. To say that appointments were made by casting lots is mere calumny. I would request my hon. Friend to withdraw that statement in justice to the High Court. I say that we should appreciate their work. I may

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mention that one of the Judges spent several weeks on this work and he received more than 400 applications in the matter of appointment of district munsifs. Having regard to these facts to say that such appointments were made by casting lots is doing absolute injustice to the officers concerned.

"Something was said about the Official Receiver. It is a new office which has existed only for the last dozen years or more. Formerly such work was done by the ordinary courts. It was because we heard complaints that such work was not properly done by the courts that this officer was appointed. Now we hear that this officer does not do his duty properly. If it is represented to the proper authorities that a full-time officer should be appointed, I am sure that such a representation would be duly consulted. But to say that a separate officer should not be appointed and at the same time to say that there are delays in disposal of insolvency matters is a contradiction in terms."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Why?"

* Rao Bahadur C. V. ANANTHAKRISHNA AYYAR:—"It was suggested that German procedure and German law should be studied. The complaint here is not that our law is not sufficient to meet the situation. We have got Indian law and Indian procedure. We have also English law and English procedure. Why should we go to German law and procedure? I can't understand. I don't think it will enable us in expediting the disposal of cases."

"Then as regards the appointment to the mufassal judiciary it is well known to hon. Members of this House that only B.A. B.L.'s in 99 cases out of 100 are appointed. They are having Court training before appointment. One cannot expect a busy lawyer of 15 years standing to accept a District Munsif's post and therefore to say that better hands are not appointed will be doing injustice to the authority concerned."

* Mr. K. R. KARANT:—"Mr. President, Sir, on a matter of personal explanation. I am sorry the hon. the Advocate-General has misunderstood. What I said in regard to the selection of district munsifs is very unsatisfactory. As regards the statement made by me it was not intended to be a calumny. I never made it with that intention. That was made on the information I had received."

"As, however, the Advocate-General has assured me to the contrary, I do not wish to say that my information is right. Anyhow I do say that a great deal of improvement is required and can be effected in the matter of the recruitment to the subordinate judiciary of this province."

* Mr. K. V. R. SWAMI:—"Mr. President, Sir, the Advocate-General has taken pains to explain the various points raised here in the course of the debate, but I am sorry he was not able to appreciate them. He said that their Lordships of the High Court are doing their best; we are all aware of that. Our quarrel is not that their Lordships are not doing their best. The litigants want that the arrears should be cleared off so that there may not be so much cost for their litigation. By this time they must have known what provision should be made in order to clear off the arrears and begin with a clean slate."

"As regards mufassal courts, Mr. Karant made a suggestion to recruit lawyers with some experience to the Bench and keep them on for ten or fifteen

[Mr. K. V. R. Swami]

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years till the arrears are cleared off instead of having additional judges and munsifs as a permanent measure and instead of taking in young men who are just learning their work. The cases are pending for four years and five years and not less than three years in many cases. There is no difficulty in serving the other side. After everyone is ready, the court will have no time to take up the case. This is the difficulty ordinarily. It is not the desire of this House to hurry the judges of the High Court and make them care more for quantity than for quality. We are not for calling for monthly reports though there is a practice of calling for such reports. That would only drive the judges to finish their work as early as possible without giving sufficient time and thought to the cases and as a result the interests of justice will not be served. We do not want the High Court to hurry the judges of the mufassal courts. But some other arrangement satisfactory to their Lordships should be made to clear the arrears. A promise was made to this effect, but the arrears are still there. I hope that the Advocate-General would see that proper recommendations are made and the Law Member also would write to their Lordships and communicate to them the discussion that takes place here. We are not in any way suggesting that their Lordships are not doing their best; it is only to indicate to them that the litigants really feel the burden of the high cost of litigation caused by delays due to frequent postings extending to twenty, thirty, forty or fifty times. Special arrangements have to be made to put an end to this. Experienced lawyers may be recruited to the Bench and kept on for ten or fifteen years. The long pending litigation is ruining many families. There is no use of saying that everything possible is being done; this defence of their Lordships is not at all required. We are all aware of what is being done by their Lordships and the Subordinate Judges. More is required to satisfy the needs of the situation and that is what is submitted by the motion of my hon. Friend Mr. Saldanha."

* The hon. Mr. A. Y. G. CAMPBELL:—"I have listened with considerable interest to the discussion on the demand for Administration of Justice, especially dealing with mufassal courts. I feel that it is unnecessary for me to add very much to the remarks which have been made by the Advocate-General and which covered the whole ground traversed in the course of the debate. I am glad to observe that hon. Members recognize that the hon. the Judges of the High Court are doing their best to minimize the evils complained of and I may assure hon. Members that the Government and the High Court will continue to do what lies in their power to ascertain the extent of the evils and to minimize them in any way that seems feasible. I am sure that whoever is appointed as Law Member after me will make it his business to study the report of this debate and decide what action he should take upon it."

The question that the allotment of Rs. 63,06,200 for Civil and Sessions Courts be reduced by Rs. 100 was put to the House and declared lost. Mr. Saldanha demanded a poll and the House divided thus:—

Ayes.

- | | |
|------------------------------------|------------------------------------|
| 1. Mr. S. Arpadaswami Udayar. | 7. Mr. P. C. Venkatapati Raja. |
| 2. " Sami Venkatachalam Chetti. | 8. " G. Harisaravotta na Rao. |
| 3. " S. Satyanmurti. | 9. Abdul Hamid Khan Sahib Bahadur. |
| 4. " C. V. Venkataramana Ayyangar. | 10. Mr. K. V. R. Swami. |
| 5. " P. Anjaneyulu. | 11. " D. Narayana Raja. |
| 6. " J. A. Saldanha. | 12. Dr. B. S. Mallayya. |

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Ayes—cont.

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| 13. Mr. K. Uppi Sahib. | 24. Mr. C. Maradavanam Pillai. |
| 14. " K. R. Karant. | 25. " K. Madhavan Nayar. |
| 15. " C. Obi Reddi. | 26. " C. Venkatarangam Nayudu. |
| 16. " A. Parasurama Rao Pantulu. | 27. " K. S. Sivasubrahmanya Ayyar. |
| 17. " C. Ramasomayajulu. | 28. " A. Ranganatha Mudaliyar. |
| 18. Basheer Ahmad Sayeed Sahib Bahadur. | 29. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 19. Mr. P. Bhaktavatsulu Nayudu. | 30. Mr. R. Nagan Gowda. |
| 20. " A. Kaleswara Rao. | 31. " C. R. Parthasarathi Ayyangar. |
| 21. " R. Srinivasa Ayyangar. | 32. " Chavadi K. Subrahmanya Pillai. |
| 22. " K. Koti Reddi. | 33. " K. R. Venkatarama Ayyar. |
| 23. " L. K. Tulashian. | |

Noes.

- | | |
|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 15. Mr. R. Foulkes. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 16. " Abbas Ali Khan. |
| 3. " Mr. T. E. Moir. | 17. Subadar Major S. A. Nanjappa Bahadur. |
| 4. " Mr. A. Y. G. Campbell. | 18. Mr. K. Krishnan. |
| 5. " Mr. M. R. Seturathnam Ayyar. | 19. " N. Siva Raj. |
| 6. " Mr. S. Muthiah Mudaliyar. | 20. " M. V. Gangadhara Siva. |
| 7. " Dr. P. Subbarayan. | 21. Rao Sahib L. C. Guruswami. |
| 8. Rao Bahadur C. V. Ananthakrishna Ayyar. | 22. Mr. V. I. Muniswami Pillai. |
| 9. Mr. F. B. Evans. | 23. " W. P. A. Soundarapandiya Nadar. |
| 10. " H. A. Watson. | 24. " Daniel Thomas. |
| 11. " G. T. Boag. | 25. Rajkumar S. N. Dornai Raja. |
| 12. " A. MoG. C. Tampoe. | 26. The Zamindar of Kallikota. |
| 13. " S. H. Slater. | 27. Swami A. S. Sahajanandam. |
| 14. " C. B. Cotterell. | 28. Mr. V. Ramjee Rao. |
| | 29. " P. J. Gnanavaram Pillai. |

Ayes 33.

Noes 29.

The motion was carried.

* Mr. C. RAMASOMAYAJULU:—"Mr. President, Sir, I beg to move

'that the allotment of Rs. 63,06,200 for Civil and Sessions Courts be reduced by Rs. 100.'

"My object is to discuss the desirability of abolishing the practice of calling for monthly statements of disposal from subordinate judges and district munsifs.

"I must at the outset clear any misapprehension in the minds of hon. Members that this motion runs counter to the previous motion. Because as the Advocate-General has pointed out, calling for monthly and quarterly statements does not in any way expedite the disposal of the suits in the courts. On the contrary the practice has an undesirable effect on the judges. This puts them on the nerve in order to find out by shuffling process what suits are easily disposable and to dispose of them and adjourn the really difficult suits which would take a long time. The district munsifs and subordinate judges are recruited from the ranks of people who possess high academic degrees and we can expect them to have a high sense of duty. There is no use in merely egging them on, because it will have a contrary effect. It is not quantity alone that is required, but quality in the disposal of suits. In order to put an end to the bad effects caused by the system of calling for monthly statements the system must be put an end to.

"It is not at all a wholesome practice to call for monthly statements. I am therefore against this practice. The practice of calling for quarterly and half-yearly disposals has been in vogue for a number of years. This additional practice of calling for monthly statements from subordinate judiciary shows that there is suspicion against them. We have to take it

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p.m.

[Mr. C. Ramasomayajulu]

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that these people have got some sort of responsibility. I shall illustrate my statement by some instance. There are some cases which are likely to drag on for more than a month. Suppose the Sub-Judge is engaged in one such case. What is the sort of statement he is going to make at the end of the month? The necessity of monthly statements is likely to impel them to shove it aside and take up lightly disposable cases to the detriment of really valuable litigation work, which has no chance of being finished at all. Therefore heavier suits will go on rotting there and accumulating for years. I propose that this method should be discontinued altogether."

* Rao Bahadur C. V. ANANTHAKRISHNA AYYAR :—"Sir, the office has no information whether monthly statements referred to by the hon. Member are being called for. The High Court has got power under section 107 of the Government of India Act to call for returns and it is a matter within their own discretion whether the High Court would call for monthly returns or be satisfied with the other returns. The hon. Mover was anxious to have speedy disposals. One of the modes by which speedy disposal can be gauged by the High Court is to call for frequent returns; if the monthly returns are objected to it is very likely to be mentioned that the lower courts sleep for 2½ months and then wake up at the end of the period and towards the close of the quarter, they are very likely to take up small cases and dispose of them rather hurriedly. This system of calling for monthly statements, if it does obtain in the High Court, will keep lower courts in proper and regular activity and not allow them to do work by fits and starts. This is a matter within the discretion of the High Court and they are entitled under section 107 of the Government of India Act to make their own arrangements for discharging the duties of the High Court under that section."

* Mr. K. V. R. SWAMI :—"Sir, we are all aware that this matter is entirely within the rights of Their Lordships of the High Court. That is not the question which we want to discuss now. The point of view that is now urged is that we are compelling the subordinate judiciary to take up small cases by calling for the monthly reports and that the big cases are postponed from time to time. They are enjoined to show a certain number of disposals. In Sub-Courts and District Courts there are always big cases like partition suits and partnership suits, etc. They are all continuously being postponed from time to time and the parties have to wait for years and years. The Advocate-General's opinion seems to be that if there is no progress in big cases it does not matter. He says if we do not call for these reports the Subordinate Judges would be sleeping. That is the protection he gives in this House to the hardworked subordinate judiciary. They are very good people. They would look after their duties carefully. That ought to be the attitude of the Government. When a certain matter is brought to the notice of the Government by the Hon. Members of this House they must show some consideration to it and they must try to understand the view point that we express here and try to meet that view point as far as possible. There is no good of taking refuge behind the rules. We are aware that there are such rules. We are aware also that Their Lordships of the High Court have got full power and that they are using their powers in the best interests of the people according to their lights. That is not the question now. It is possible that Their Lordships do not know exactly what is happening. If the litigants have really got any grievances, remedies

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[Mr. K. V. R. Swami]

should be effected. Is there any meaning in saying that the subordinate judiciary are not doing their duties and that only Their Lordships of the High Court are attending to their duties? That is a very poor compliment to the subordinate judiciary. They are working day in and day out to the best of their ability. So we submit that no monthly reports need be called for so that the judiciary will devote their time to big cases also and show a sound state of things at the end of every quarter. That is really the point that was raised by the motion and I hope the hon. the Law Member will kindly represent this matter to the High Court. We do not want anything more. We are really representing what is taking place in the country. We are not casting any slur on Their Lordships. The Advocate-General need not be under any such misapprehension that any submission to the High Court is an interference with Their Lordships' jurisdiction or with their discretion. Nothing of the sort. What we request the hon. the Law Member is to represent to Their Lordships that no monthly reports need be called for. They have to take special care to see whether the subordinate judiciary are taking up big cases as well as small cases. That is the real point involved in the motion."

* Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, it is true that under the Government of India Act the High Court has got power to call for monthly statements. This system, if I remember right, came into vogue three years ago when the High Court taking into consideration the number of cases disposed of in the previous quinquennium fixed for each court the number of suits to be disposed of by it. Calling for monthly reports, far from attaining the object in view, seems to have a pernicious and unsatisfactory result upon proper and equitable administration of justice. Looking from a distance everything looks all right. What is the actual practice in the mufassal? The manner in which the enforcement of this system works is highly objectionable. As the hon. Mover has put it there is always a tendency to get hold of money suits and light suits to the detriment of heavy suits which are being adjourned from time to time either for want of time or for other considerations. There will always be a tendency to take up light suits in order to meet this departmental requirement.

"Not only that; there is one other matter to which advertence has not so far been made. In mufassal areas what is generally done is that adjournments are improperly refused and even cases are dismissed for default. Is it a satisfactory state of things? If necessary an inquiry may be started. I shall lay before the Government or before the Committee specific instances of serious miscarriage of justice. In some cases such miscarriage of justice has been set right on appeal and in other cases not. I can very well understand the existence of a rule which requires a minimum number of cases being disposed of in a quarter because a quarter embraces three months. Even if in a month he is not able to come up to the standard the judicial officer concerned may try to make it up in the succeeding month. To insist upon a given number being disposed of within a month is hardly a very satisfactory state of things. It is up to the hon. Advocate-General to communicate these proceedings to the High Court and if necessary advise the High Court that the time has come for doing away with the insistence of monthly returns which seems in the long run to produce results presumably not contemplated by the hon. the Judges of the High Court."

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* The hon. Mr. A. Y. G. CAMPBELL:—"Sir, I shall be glad to draw the attention of the hon. Judges of the High Court to the discussion regarding this subject. I am sure that the hon. Judges will give it their careful consideration."

The motion was, by leave, withdrawn.

Mr. K. R. KARANT:—"Sir, I move

'to reduce the allotment of Rs. 63,06,200 for Civil and Sessions Courts by Rs. 100.'

"I shall not take more than one minute of the time of the House. As a further illustration of delay in the courts I shall only mention that between the two courts of South Kanara, the District Court and the Sub-Court, we have 900 appeals pending now, of which 800 are more than six months old. That is the time-limit fixed by the High Court. There are 180 applications pending which are contested and posted from time to time. The Sessions Court is practically engaged with sessions. No civil work is ever done at all. I do not know why the Government do not give us a sub-court at least for six months so that delay may be avoided and arrears cleared up."

The hon. Mr. A. Y. G. CAMPBELL:—"Sir, inquiries will be made on the statements made by the hon. Member."

The motion was, by leave, withdrawn.

* The hon. the PRESIDENT:—"The question is that the Government be granted a sum not exceeding Rs. 85.13 lakhs minus Rs. 100 under Demand XIII—Administration of Justice."

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

* The hon. the PRESIDENT:—"The House will now adjourn and reassemble to-morrow at 11 o'clock."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 21st March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, M.C.I.E., C.S.I., I.C.S., The hon.
Norman.
Usman Sahib Bahadur, The hon. Khan
Bahadur Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Campbell, C.S.I., C.I.E., C.S.I., I.C.S.,
The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturamnam Ayyar, The hon. Mr. M. R.
Abbas Ali Khan Bahadur.
Abdul Hye Sahib Bahadur, K.
Abdul Basook Sahib Bahadur, Khan Bahadur
S. K.
Abdul Wahab Sahib Bahadur, Munshi.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Madaliyar, Diwan Bahadur
B. N.
Arpadaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsulu Nayudu, Mr. P.
Bheemayya, Mr. J.
Biswanath Das Mahasaya, Sriman.
Boag, C.I.E., I.C.S., Mr. G. T.
Ohidambharanatha Mudaliyar, Mr. T. K.
Congreve, Mr. C. R. T.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Dorai Raja, Rajkumar S. N.
Ellappa Chettiyar, Rao Bahadur S.
Evans, C.S.I., I.C.S., Mr. F. B.
Foulkes, Mr. R.
Gangadhar Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. O.
Hamid Khan Sahib Bahadur, Abdul.
Hampayya, Rai Sahib M.
Harisarvottama Rao, Mr. G.
John, Mr. V. Oh.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Beldi, Mr. K.
Krishnan, Mr. K.
Krishnan Nayar, Diwan Bahadur M.
Kumara Raja of Venkatagiri.
Kuppuswami, Mr. J.
Luker, Mr. A. T.
Madhavan Nayar, Mr. K.
Malayya, Dr. B. S.
Manikkayala Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S. Muham-
mad.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur
A. M. M.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raja, Mr. D.
Narayanan Chettiyar, Mr. A. I. Ar.
Narayanan Nambudripad, Rao Bahadur O. M.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parasurama Rao Pantulu, Mr. A.
Parthasarathi Ayyangar, Mr. C. R.
Patro, Kt., Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Panagal, C.I.E.
Raja of Ramnad.
Rajan, Mr. P. T.
Ramaobandra Padayachi, Mr. K.
Ramaobandra Reddi, Mr. B.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ramaswami Ayyar, Mr. U.
Ranganatha Mudaliyar, Mr. A.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Simpson, Kt., Sir James,
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Slater, C.I.E., I.C.S., Mr. S. H.
Soundarapandia Nadar, Mr. W. P. A.
Srinivasa Ayyangar, Mr. B.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib B.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dubash
Kadir Sahib
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. Moth. O.
Uppi Sahib Bahadur, K.
Vanavudaiya Gounder, Mr. S. V.
Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. B.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zaminder of Gollapalli.
Zaminder of Kallikota.
Zaminder of Seithur.

[21st March 1928]

I
QUESTION AND ANSWER.

STARRED QUESTION

Arms and Explosives

Refusal of licence for a revolver by the District Magistrate, South Kanara.

* 1783 Q. — Mr. K. R. KARANT: Will the hon. the Home Member be pleased to lay on the table a copy of the application for licence for a revolver, dated 17th October 1927, of Mr. Shesha Bhat Bhide, B.A., B.L., landholder and first-grade pleader, Mangalore town, to the District Magistrate of South Kanara and the order of the District Magistrate refusing the licence and to state—

(a) the reasons why the District Magistrate is not satisfied that a revolver is required for the protection of the applicant;

(b) what are the real reasons for the refusal;

(c) whether the Government will be pleased to call for the papers and satisfy themselves as to the necessity or otherwise of the application;

(d) whether the District Magistrate called for any reports from the officials in the Kasaragod taluk (wherein are situated the two estates of which the said Mr. Bhide is a Receiver of Court); and if so, to what effect have they reported; if not, why not;

(e) whether it is a fact that the District Magistrate has issued a circular restricting the issue of licences; and

(f) whether the circulars will be laid on the table of the House?

A.—The papers referred to are placed on the table.^a

(a) & (b) South Kanara is a peaceful district and the District Magistrate found no special circumstances to justify the grant of a revolver licence to the applicant.

(c) The Government have satisfied themselves that there is no real necessity for the grant of a revolver licence.

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

(f) The Government do not propose to take any such action.

II

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND XIV—JAILS.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

* The RAJA OF RAMNAD:—"May I rise to a point of order, Sir. There is no quorum."

(The division bell was rung and after some time a quorum was obtained.)

^a Printed as Appendix on pages 496-497 infra.

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* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move
'that Government be granted a sum not exceeding Rs. 31.12 lakhs under the head XIV—Jails'."

* The hon. the PRESIDENT:—"The question is that Government be granted a sum not exceeding Rs. 31.12 lakhs under the head XIV—Jails."

* Mr. A. B. SHETTY:—"Mr. President, Sir, I rise to move
'that the allotment of Rs. 36,600 for Superintendence (Jails) be reduced by Rs. 100.'"

"My object is to discuss the question of the better administration of jails and of reform in the treatment of convicts. Sir, the question of prison reform in India is nearly a century old. The first committee on this matter met as far back as 1836 and since then we have had three committees and several conferences. The last committee, the Indian Jails Committee, met in 1919-20. They found that the Indian jails had made notable advances in the material aspects of administration, health, food, labour and the like, but they had not made equivalent progress in other directions. They saw that our jails had somewhat lagged behind on the reformatory side of prison work. Last year, in replying to my hon. Friend Mr. Satyamurti, the hon. the Home Member made mention of the several reforms that had been introduced in our jails in accordance with the recommendations of the Jails Committee of 1919-20. Sir, many experiments have been made in the West in prison administration, many new methods for reforming criminals have been invented and developed. The movement on behalf of prison reform has become international. Several of the Western countries, notably the United States of America have gone far ahead of us in the treatment of criminals. They have achieved extraordinary success in restoring criminals to society. Can we say that we have done all that we can in regard to our jail administration and treatment of convicts? A perusal of the administration reports of our jails is by itself enough to show how much remains to be accomplished. One of the recommendations made by the Jails Committee was to the effect that all possible measures should be taken to avoid commitment to prison, when any other course of action can be followed without detriment to the public interest. The Jails Committee made a number of recommendations such as, the extension of the probation system, the prohibition of short sentences, the application of the principle of indeterminate sentence with a view to promote the prospect of reformation in the criminal and also to bring down the convict population in our jails and effect some saving to the Government.

"Now let me take the question of short sentences. What do we find? We find that out of a total admission of 21,890 persons to our jails in 1926, as many as 7,475 are convicts who have been sentenced to a period of less than a month. Government no doubt feel satisfaction in the fact that the number of short sentences had decreased from 7,897 in 1925 to 7,475 in 1926. But the total number of admissions in 1925 was also larger than what it was in 1926. At least one-third of the total number of convicts are sentenced for short periods. Now, the results of short sentences have been found to be most unsatisfactory all over the world. Opinion is practically unanimous regarding the futility and harmfulness of short sentences. Every Inspector-General of Prisons in India has expressed himself against

[Mr. A. B. Shetty]

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the imposition of short sentences and pointed out their uselessness. Our own Inspector-General of Prisons has time and again drawn the attention of the Government to the necessity of legislation to put a stop to short sentences. A man who once serves a sentence in prison not only loses all fear of the prison, but loses his self-respect. He comes out with the stigma of prison on him. So, short sentences have been universally condemned. A special Probation Act on the lines of the English Act has been suggested by the Inspector-General of Prisons and a Bill also drafted by him for this purpose. But the Government have not accepted his proposal. They are contenting themselves with the amendment they have made to section 562 of the Criminal Procedure Code. Sir, the probation system has been introduced and found to work with success in many of the civilized countries of the west. In the United States of America, it has been developed in recent years. It is not restricted to youthful offenders or to first offenders only. It is utilized for dealing with grown-up offenders also. Why should we not then introduce this measure of reform in our province? Why should we lag behind the western countries in this matter? It is claimed on behalf of this system that it is not only a more humane and a more effective means of reforming prisoners than confinement in jails, but it will also help to give relief to our overcrowded jails and save money to the Government.

"One of the distinguishing features in the treatment of criminals in America is the abolition of short sentences and the institution of indeterminate sentences. The main idea underlying this is that the Judge is not in a position to know sufficiently full particulars about the antecedents of accused persons, their mental condition, their environment and the cause of their crime, and so he cannot say exactly what sort of punishment or punishment of what duration will fit the needs of the case. They say, therefore, that the Judge ought not to pass a definite sentence. The court must only declare whether the accused is guilty or innocent, and if he is guilty, hand him over to an expert body of penologists to be detained and dealt with in accordance with his subsequent conduct. Now it is in accordance with this idea that the Indian Jails Committee recommended that the sentence of every long term prisoner should be subjected to revision by a revising board as soon as he had served half the period awarded by the court in the case of the non-habitual and two thirds of that in the case of the habitual convict. I want to know how far this recommendation of the Jails Committee has been given effect to. Long-term imprisonment means enhanced cost to Government. It is also bad for the prisoner. It means removal from the free life of the world and subjection to the cast-iron methods of jail discipline; the longer the sentence the less likely is it to be of benefit to the prisoner.

"Habitual offenders, however, stand on a different footing. There are what are called born criminals, criminals who are incorrigible; people who cannot be restrained by the fear of any punishment or reformed by any effort, however noble or well-directed. They are a perpetual source of trouble to the Police and a menace to the public. They come back to jail time after time and such people must be dealt with differently. Our present system of dealing with habitual offenders has been characterized by the Inspector-General as neither deterrent nor reformatory and condemned by him as unscientific. No doubt, there are separate jails for these people, but they are subjected there to the same treatment, viz., prolonged imprisonment with hard labour. There are people among these who are mental defectives, who are devoid of

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moral sense. Such people deserve to be treated in a special way. Not prolonged imprisonment with hard labour, but preventive detention is the method of dealing with people who cannot be cured of their criminality. Many of the civilized countries of the world have adopted this method. The Inspector-General of Prisons has rightly suggested that some scheme of preventive detention should be brought into force for dealing with these incorrigible people. If Government are really serious about reducing grave crime in this country, they ought to undertake legislation on the lines suggested by the Inspector-General of Prisons for dealing with these habitual offenders who form one-fifth of our prison population. The Inspector-General is against giving any remission of sentence for the habituals; for it is a mistake and a folly to let loose on society criminals who cannot be reformed, to allow them to prey on the community, to re-arrest and imprison them time after time.

"Next we shall consider the after-care of prisoners. Sir, the time of a prisoner's release from jail is admitted to be one of the most critical moments in his life, especially when he comes out of jail after a long period of imprisonment. He has been working in jail like a machine without any feeling of responsibility. When he comes out and finds himself free it is difficult for him to keep his balance. In addition to this he finds that people naturally suspect an ex-convict and they do not easily give him any employment. It is at such a time that he requires help and guidance. The Madras Discharged Prisoners' Aid Society and its district branches are no doubt doing a much needed humanitarian work in this direction. But their organization and the manner of working have been found fault with by the Inspector-General of Prisons. There are still many districts where we have to establish homes for accommodating the ex-convicts till they succeed in getting some employment. There are still many places where paid officers have to be employed for carrying on the work of these societies. An efficient system of aid for the discharged prisoners is one of the most important factors in the reduction of crime. Government ought not to neglect this work, on grudge to spend money on it. About three years ago a conference of the Inspectors-General of Prisons went into this question and unanimously recommended that Government must spend more money for this purpose. Even in England where philanthropic bodies are carrying on this work in a very efficient manner Government help has been found to be necessary for this work. Much more, therefore, in our province Government backing will be essential for such sort of work. Government must not only give larger grants but they must also see that district officials in their respective places help in organizing branches of this society and see that they carry on their work properly.

"After all, Sir, success in the work of prison administration, and in reforming the criminals depends not so much on systems and methods, however perfect they may be, as upon the men who are in charge. It is the personal factor that counts. So it is that the Jail Committee have pointed out the importance of entrusting the care of criminals to people who are adequately trained in penological methods. Not only the Superintendent must be a trained expert but the whole prison staff from the jailor down to the warder must be men who are recruited with care, who are well-trained for their work and are sufficiently remunerated. In this House in previous years it has again and again been urged that the jailor and his assistants

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should be men of character and education. I would say it is not enough if the prison officials are men of good education and character. You must have men who are well trained in humane and rational methods of treating criminals. Are our present prison officials taught the psychology of crime. Are they able to adopt their methods of education, work and discipline to fit each individual case? That should be the test. A great English Statesman has said that the method of treatment of crime and criminals is one of the tests of the civilization of a country. If this country is to keep up to the standard of a civilized country, reform and progress is necessary in the several directions that I have suggested as well as in other directions."

The hon. the PRESIDENT:—"Motions 639 to 643, 648 and 649 are connected with this. They will not be allowed to be moved separately."

* Mr. D. NARAYANA RAJU:—"I heartily support the motion moved by my hon. Friend Mr. A. B. Shetty, who has covered the whole ground of jail reform. I would point out the difficulties with regard to the internal arrangements of prisons. The sanitary arrangements are very defective especially in prisons where there is not the cellular system and where the prisoners are housed in a single hall at nights. The prisoners will be chained in a single row. To pass urine in the night, one vessel will be put at one end and each one will have to pass the vessel from one end to the other, whenever it is required by any one in the row. This system of keeping one vessel is very bad. The sanitary arrangements even in prisons where there is cellular system are not at all good. Again the food given to the prisoners is bad. No proper supervision is exercised with regard to the kind of food supplied to prisoners. About the hospitals in jails the less said the better. It is a misnomer to call them hospitals. There is little stock of medicine and the doctors take very little care of the prisoner patients. The treatment in general given to these prisoners is such as not to reform them. It is more of a brutalising kind—it helps more to make brutes of them than to restore them to society. The practice of appointing convicts as warders is very pernicious in the results. It is a fact that convict warders are more harsh on the prisoners than the paid staff. They try to please their masters by being very harsh to their fellow prisoners. They out-herod herods. Therefore this system of having convicts as warders should be abolished. Again the distinction made with regard to the comforts provided to the European prisoners and the Indian prisoners must be objected to. Of course the European prisoners may be given the food to which they are accustomed to; but the same treatment must be accorded to the Indian prisoners also. Indian prisoners are not always given the food to which they are used to. Even with regard to other amenities the treatment to European prisoners is very different from the treatment given to Indian prisoners. Even in the prisons we are reminded of the subject nature of our country and the slave condition of the people. It is not that I grudge the treatment given to Europeans. I claim that similar treatment and food should be given to Indian prisoners also, especially when political prisoners accustomed to high life in society are sent to jails. It is but right that they should be given all possible facilities or comforts consistent with jail discipline. I hope therefore that hon. Members of the House would unanimously vote for this motion."

* Mr. A. KALESWARA RAO:—"Mr. President, Sir, I have also given a out with regard to the treatment of political prisoners. The treatment given

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to political prisoners in our country is barbarous, to say the least. In all civilised countries and under all Governments which claim to be civilised, political prisoners are treated like gentlemen. They have gone to prison only for their conscience and their country and there is no meaning in giving them the same food, the same clothing and the same kind of treatment and the same kind of hard labour as is given to ordinary prisoners who are convicted of ordinary offences, offences of a social nature like dacoities and murders."

* Mr. ABRAS ALI KHAN:—"Offences of a social nature?"

* Mr. A. KALESWARA RAO:—"I mean offences against society. I am sorry if my friend could not understand it correctly. The question came up before the House several times on previous occasions. Sometimes adverse votes were given and sometimes favourable votes were given. Whatever that may be so far as Government is concerned they do not seem to have changed their heart or changed the manner of treating them. Particularly this question is very important in our country because we are fighting and struggling for the freedom of our country. So long as there is this struggle for the political rights and privileges of our country the question must remain a living one—the question of better treatment of political prisoners. Now, Sir, there are the Satyagraha prisoners in connection with the Neil Statue. The other day we read in papers that Satyagraha prisoners were handcuffed and were taken in chains to the railway station in order to be taken to the jails in which they were imprisoned. Of course we had similar experience. I had the honour of being handcuffed by the police simply when we were transferred from one place to another."

"So the police authorities and the Home Member who is in charge of this portfolio all seem to be callous about the treatment given to men and women of position and status and who have gone to prisons only for their patriotism. We knew, Sir, how ladies who were convicted of political offences have been treated in these jails. I do not think any Government can feel proud of having given hard labour to a lady who has gone to prison for having preached non-co-operation among people. Hard labour like grinding was given to her. The clothing that is given to political prisoners does not in any way differ from that given to the ordinary prisoners—only two small shirts and two small trousers—and they have to remain like that throughout day and night. They are also given some thread to the neck and iron chains to the legs. All things that are humiliating are given to them. They are given very hard matting and the food that is served is very bad and dirty and it spoils their health. Of course, it may be said that people who commit political offences ought to be punished. But the punishment given to these ought to be different because these offences are consistent with the highest civilization. Of course, when people belonging to a subject nation unsuccessfully fight for the freedom of their country against their rulers, they are called rebels and offenders. But when people are able to drive out foreign rule and establish self-government, then it is called a fight for freedom because they have won."

"I shall also draw the attention of the House to another matter now as we are considering the question of prison reform. I mean the imprisonment of debtors. That subject seems to have been in front of this House for the last many years, and questions seem to have been put whether the Government propose to abolish civil imprisonment for debtors. I learn that

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in most of the western countries imprisonment for decree debts has been abolished altogether. I should also urge for the abolition of imprisonment for debtors in this country. Of course, the rich men might contend that if that form of coercion is removed debts cannot be realized easily. But I think that kind of coercion is a barbarous one and the sooner it is given up the better. When they give money they can take proper securities for their debts and they can only give such amount as that they can expect to realise from the debtors without difficulty. Therefore in the interests of the poor people and in their self-respect also I think it is necessary to abolish this form of coercion."

* Mr. A. RANGANATHA MUDALIYAR:—"I have just risen to ask for information whether on this motion questions connected with dietetics regarding which there are notices of other motions can be discussed."

* The hon. the PRESIDENT:—"Perhaps the hon. Member was not in the House when I remarked that items 639 to 643, 648, 649 and 650 might be discussed together."

Mr. A. RANGANATHA MUDALIYAR:—"Thanks, Sir."

* Mr. ABDUL HAMID KHAN:—"Mr. President, Sir, I beg to draw the attention of the Government to two things connected with the administration of jails. My hon. Friend, Mr. A. B. Shetty, dealt at length with the immediate need for reform in the jails in India. I do not propose to traverse the ground further. But I should like to draw the immediate attention of the Government to one or two things. First with regard to recruitment; the Government might remember, or might not remember even—because I find that Government sometimes forgets (Mr. Satyamurti: 'often')—that early last year they did call for applications from Indian graduates for employing them as jailors and deputy jailors. I do not know what the Government has done. I understand that many applications came and even the applicants were sent for and they were asked to wait till they could be called again for employment. I do not know what became of it afterwards. With regard to that matter, perhaps, they are not intending to employ Indians in that service or they have been influenced by the Anglo-Indian community in order to retain these posts for that particular community alone. It is really necessary that the Government should employ educated Indians in these posts, particularly as jailors and deputy jailors. It is they who will understand the need for the reform in the administration of jails which has been very well dealt with by my friend, the Member for South Kanara. With regard to the treatment that the Mussalman prisoners receive in jails, I wish to draw the attention of the Member in charge that the Mussalman prisoners during the month of Ramzan have been asked to do hard labour that is allotted to them even though they observe fast. In this connection I have read the correspondence which has passed between the then Member in charge of this department and some leading Mussalman from one of the districts in our Province. He requested the then Member to allow the Mussalman prisoners who observe fast by freeing them from the day's work. The reply that the gentleman received to his request was that Mussalman prisoners even though they fast will not be exempted from the work that they have to do in the jail. We have a Mussalman representative on the Treasury Bench and I dare say that he will certainly make the other Members of the Treasury Bench realise the hardship which the Mussalman prisoners—particularly the

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Mappilla prisoners who all of them fast during the month of Ramzan—have to undergo when they are asked to do hard labour during that time. I hope, Sir, the Government will not be so hard-hearted as to extract work from prisoners who fast.

"With regard to the fact that the Government has not so far abolished the system of sending the Mappillas to colonize the Andamans, this House has more than once given its verdict in condemnation of that scheme. I cannot understand the hardihood with which the Government persists in this most pernicious system of sending out whole families of Mappillas to this place. I hope that the Government will not do these things against the wishes of the people."

* Mr. K. V. R. SWAMI:—"Mr. President, the subject has become very vast because we are discussing all the items about which motions are given. As regards the jail reforms they were dealt with by my hon. Friend, Mr. Shetty, and he took pains to go into each item and compared the system here with the system prevailing in other countries. I do not know how far the Government would note these matters and try to reform the jails on the lines suggested. As regards other matters, the first thing I would like to deal with is the dietary. With regard to this I submitted last year how deplorable the condition is. I do not grudge that Europeans and Eurasians should be given the sort of food that they are used to. That is the right principle to be followed—the prisoner should be given the sort of food he was used to previously; otherwise it would be very difficult for him to get on and his health may be affected. Now, unfortunately, this principle is not adhered to in respect of other prisoners. Most of the things needed in their diet are cut off. We cannot think of an Indian who does not use buttermilk at every meal of his, at least that should be given to them. With regard to prisoners who are non-vegetarian, no non-vegetarian food is given. It seems one Superintendent observed, 'for the sins committed they are here; why should they commit more sins?'. He is a European, I suppose. With regard to that there is not much difference between a European prisoner and an Indian prisoner. As for the European or Eurasian prisoner, he is given both fish and mutton and every other item. Even if he is given more I shall be delighted. My complaint is why should these poor people be deprived of the ordinary articles of food which even the poorest of the poor are used to. Another thing is, sufficient food is not given. Sir Arthur Knapp in replying to a question raised in this House said that it was very difficult for the Government to deal with this matter. How efficient is this Government? They cannot make arrangements to give each prisoner the quantity of food he wants. I do not know what else they are capable of. They want to give every man the same quantity of food. I do not know how the hon. Home Member would fare if he is given the same quantity of food as would be sufficient for me. I do not know how the hon. the Home Member would think the matter. Do not different people want different quantities? If you say that you will give one-fourth of a seer of rice to every prisoner, that is no good at all, and it is not even economical. So many prisoners would throw away the food which is in excess and so many do want more food, who otherwise might even be tempted to steal, for nobody would like to starve. That matter is not attended to. We may criticise the Government, we may represent to them, we may pray and appeal to them, but they never move in the matter. This is the unfortunate situation.

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11-45 a.m. "I should think, whether they take the trouble of representing these things or not, their diet is the same, their quantity of food is the same and is not going to be cut down or increased. That is the sort of feeling of the hon. Members of this House. Now, as regards clothing, my hon. Friend was suggesting that each prisoner has got two pairs and no more. I don't very much mind that. The prisoner is given one piece of cloth to be used as towel. If the man is naked he can dry himself and if the man covers himself he cannot dry himself. These unfortunate men want extra clothing. At least one towel more. As for the other comforts it is very horrible to know. They are in no way better than hells on earth. Sir Arthur Knapp was priding himself and the Government he represented that a gentleman who had visited Indian jails complimented the Madras jails on the arrangements that were made and the treatment the prisoners had and so many other things. So, the other jails must have been worse than hells. What I submit in this matter is that more food should be given and better clothing should be provided and the principle that is applied in the case of Europeans and Eurasians should also be applied in the case of Indians. For people who are used to buttermilk—my impression is there is no man who does not use buttermilk—the same must be given to him and the non-vegetarians should be given non-vegetarian food.

"With regard to the work that is given to prisoners, it is more intended as punitive than anything else. If a prisoner is not able to stand the hard work he is put on ordinary work if he can please the men in charge of him. I have experience of these jails as I was a visitor for three years—though I was not an inmate for a sufficient time—and my first impression was the working of the oil mill through prisoners. This appeared to my mind the rudest method of getting work from convicts. I wrote in the Visitors' book with a request to dispense with that form of work which is considered to be hard work even for animals. The compliment I got was, that that had never been found fault with by any visitor though it had been in use for a very long time. I was told that no other gentleman had taken any objection to it. Such is the attitude adopted by this Government and they have no regard for public opinion at all. When any abuse is pointed out, I think they take pride in doing the very thing. You will presently see that my hon. Friend the Law Member who is now in charge is not very capable in denying all these charges, but if there was the other gentleman the Home Member who was in charge till recently he would have defended every point that has been raised by saying that everything is good and nothing is bad, but only our remarks are not correct.

"What is now attempted in jails of other countries is to have reformatory influence in the jails so that as soon as a prisoner is released from the jails he should take his proper place in society. If a man gets into jail you must so reform him that he does not commit the offence of the kind that he had committed or any other offence. It is our duty to reform the man and to make him fit for the world so that he might occupy a better place in society after he is released. That is what the jails are intended for. The object of sending a man to jail is to deprive him of his liberty for that is sufficient punishment for him. The responsibility of reforming him and making him fit for society rests on the State.

"With regard to political prisoners, their lot is still worse. It is not defined anywhere as to who the political prisoners are. The question is

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whether Neil statue Satyagraha prisoners, some of whom were committed under the Police Act and others for mischief under section 426, are political prisoners. Mischief is not a political offence and so they will be treated as ordinary prisoners. Of course some of the Superintendents and Jailors take delight in giving trouble to such prisoners. They think they are real rebels and ready to fight against Government and drive the Englishmen out of the country. Perhaps it is good for the people who want liberty that they should be treated like that, but I think it is much worse for the Government, because these people would become confirmed in their opinions and the uselessness of the present system of Government. The unfortunate thing is that some of them think or are tempted to think that now-a-days the young men that have gone to jails do not believe in non-violence. Unfortunately that is the tendency that is being developed at present—I regret this because I belong to a group which has faith in non-violence. The young men think that they should not be non-violent because they are encouraged in this view by the treatment they get at the hands of these Superintendents and Jailors and others. Whatever it may be, if a man is convicted for his political faith he should not be treated like other prisoners. Even in war this kind of treatment is not given for prisoners of war. When you once convict a man there is no use ill-treating or bullying him.

"Again and again, similar cuts requesting Government to improve the diet, to improve the clothing, to improve the treatment and to give better facilities, were passed. Nothing seems to have been done to improve things. They only point out to the report of a committee which was set up once in 1920. That committee has made certain recommendations and they say they are going on with these recommendations. I think the report is already antiquated. It is also better to see what progress has been made with regard to the suggestions made in that report and it would be better if another committee is set up and a report called for.

"Another suggestion made in this House is to make the members of this House ex officio Jail visitors so that they might get an idea about how things are going on there. If the Government really want to profit by criticism and want to do something in the matter it cannot take any objection to this suggestion. The objection on behalf of Government is that these gentlemen may not take an interest in the matter and they would only appoint such gentlemen who are philanthropic and who may take real interest in the matter.

"Suppose every one of the Members is made an ex officio visitor, and many of us do not take any interest at all but only half a dozen do any useful work, where is the danger? The real object is that hon. members should know the real conditions in jails. I am convinced that the Government do not want to accept this suggestion and to improve the treatment accorded to the prisoners, but they want to whitewash everything and to conceal everything. I do not think that any improvement can be made in these matters if Government entertain opinions like this. They ought not to have objected to the suggestion, but ought to have welcomed it. The hon. members who take an interest in the matter may go and see the jails and tell the hon. member in charge of the department that such and such things are happening there and get them reformed. One thing more and I am done.

"There are libraries provided in these jails and these libraries are more frequented by rats and spiders than the inmates there, because the books are

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not worth reading. The books are all antiquated and we don't find any provision for new books and periodicals. Even the Forest department and other departments have got separate provision made for periodicals and books. So far as the Jail department is concerned, we always miss that item. They have got only 20,000 men to deal with. Even if an illiterate man gets into a prison and if he is a long-term prisoner he could be taught to write and read. Of course they say, 'we have got arrangements for this', but they are not sufficient at all. Then those who have some education must be provided regularly with interesting books and there should also be preaching of morals, so that they may make themselves useful citizens in after life. With these remarks I heartily recommend the various cuts proposed."

* Mr. T. ADINARAYANA CHETTIYAR:—"If my hon. Friend Mr. Swami was a non-official visitor for three years, I had the fortune or misfortune to have been a visitor for nine years. So, I am fairly conversant with some of the things that are going on in the Indian jails. The root evil of the present system is the unsatisfactory nature of the recruitment. Sir, a little later down in the list I have given notice of a motion about the present unsatisfactory recruitment in the Jail department and with your kind permission. . . ."

* The hon. the PRESIDENT:—"That subject is also included in the motion under discussion, viz., to discuss the question of the better administration of jails."

* Mr. T. ADINARAYANA CHETTIYAR:—"Therefore, Sir, I am glad that I shall not be out of place in referring to the unsatisfactory nature of recruitment. The recruitment is particularly unsatisfactory. In all civilised countries particular care is taken to place the right sort of people in charge of jails. The reverse, however, seems to be the case in Indian jails. Anybody is good enough, and as long as the Jail department will keep down the expenditure and promote what is called discipline, Government is satisfied. Whether the human beings that enter the portals of the jails come out as brutes or whether their mentality and their character are improved, (although much lip-service is done in reports) though not in actuality—we don't find any attention paid to anything of that kind. Sir, most of the higher officers, except perhaps some of the Superintendent grade, are generally from one community—the Anglo-Indian community. I have no quarrel with that community, there are very eminent men in that community, but unfortunately those jailors, deputy jailors and others who are chosen from that community have invariably a very poor knowledge, at least not of the desirable kind. No examinations are insisted upon and no virtues are sought to be possessed by these gentlemen. I have got my nine years' experience with these people. Some years back owing to some change in the diet—a fad of a then Inspector-General of Prisons—the quantity of salt was reduced while that of dhal was increased. The prisoners complained because in this part of the country, much salt is used. They complained about the sudden taking away of the quantity of salt. When I was talking to some prisoner, this amiable gentleman (jailor) turned up and asked me 'what are they complaining about?' I said that they complained about the insufficiency of salt. That gentleman roared out, 'Tell them that the quantity will go still

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lower and lower'. Of course, he was not the man to fix the diet in the jail but that was his wish to see that the people suffered more and more and that was the spirit in which he ruled in the jail."

(A voice: "Was he promoted?")

* Mr. T. ADINARAYANA CHETTIYAR:—"Sir, my friend asks me whether he was promoted. He was promoted to the other world. His wife deserted him some weeks after this and I believe he committed suicide. But we have nothing to do with that. That is only an example of the severity of treatment given by these unfeeling people. Sir, I have myself detected cases in which the milk intended to be given to the sick prisoners is taken away in arrow-marked hospital bottles outside and even the tamarind and the spices have been bundled and thrown out of the jail walls to be picked up by convenient prearrangement. The very meagre diet which is given to the prisoners is thus sought to be pilfered by various ways and they do not get even the regulation diet which they are entitled to. As regards the treatment they get, so many speakers have already referred to the matter that I need not dilate much upon it. But the House is familiar with that old adage 'dead men tell no tales'. The same is true of people inside the jails. Whatever happens there, the world shall know nothing of it. When a non-official visitor goes there, two warders are sent along with him, ostensibly for the protection of the visitor. I do not see where the need is for that. But it is really to report to the Jailors and Deputy Jailors and all the hierarchy of the higher jail officialdom what the prisoners have said to the visitor. The moment the back of the non-official visitor is turned there the tortures begin, tortures, compared to which, the old inquisition will pale into insignificance. Sir, that is the treatment which is given to the prisoners in our jails. As regards dress, Sir, when the hon. the Home Member goes to visit these jails, of course, he sees them trim and the prisoners neatly clad. But, I am sure that for the other 364 days, (provided it is not a leap year) when he does not go there, the dress worn by the prisoners is entirely of a different kind. They wear their dress in tatters, and they are full of vermin. That is the sort of dress which the prisoners are given. Even that scanty clothing is often denied to them and sometimes removed as a punishment, though the higher officials do not perhaps know anything about it. On parade days and on days of the visits of the hon. the Home Member the dress is very passable. As regards the vermin in the jails, Sir, the same thing is true. When His Excellency or the Chota Excellency, the Home Member, goes there the whole jail is beautifully whitewashed. If he would take care to go up the flight of stairs,—rather a difficult thing for the hon. Gentleman,—and see for himself some of those walls which are never whitewashed, he will see those walls dotted with red spots, where the bugs and the vermin are killed during the long and lonesome nights, by the prisoner and if you examine the skin of the arm, which is the only pillow that these unfortunate prisoners know of, you will find the skin turned into a horny substance by the incessant biting of these insects. Such is the beautiful life which these prisoners are leading. But the Home Member always presses for money for electrification of the Borstal or brand new buildings for the Alipuram jail. . . ."

* The hon. the PRESIDENT:—"Probably, the hon. Member is not aware that the demand is made by the hon. the Law Member and not the hon. the Home Member."

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* **MR. T. ADINARAYANA CHETTIYAR** :—"Excuse me, Sir. The hon. the Law Member is probably not aware of these things. But there is this small reform, at least, which is long overdue, a reform, the need for which was felt even by such a reactionary gentleman as our present Chief Minister, namely, the proper treatment of political prisoners. A convenient reply is given in this House times without number that the Jail Code does not know of the existence of a class of creatures called political prisoners. Sir, the only reply that this House can give, the only decent reply that this House can make to that answer is that the sooner the Government knows of such a distinction, the better for its good name, if it wants to be written down as a civilized Government. Sir, may I ask the hon. the Law Member whether he knows of any civilized country in this world where political prisoners are not treated differently from other prisoners? I can assure him, at any rate, even though it may be convenient for him to be silent on that point, that there is no country in the world where political prisoners are not recognized as a special division. The political prisoners often coming from the best of families and from the most cultured of houses are treated worse than the worst criminals and their treatment compared with that of the ordinary loafer belonging to the Anglo-Indian community is a thing known only to people visiting jails.

"One day, Sir, I happened to visit one of the European wards as they call them in the Salem jail. A man was lying, fully dressed, on a cot, with his two legs poised in mid-air one over the other. Only, he did not have a cigar in his mouth. But he had his coat, trousers, boots and hat. As it was my duty to see how he was treated, I just called that gentleman to me,—because he was still a gentleman in dress, whatever may be the crime he had committed,—and asked him who he was. He replied setting up his nose in the air, 'well, I am a prisoner'. He flouted that answer in my face. I politely requested him to come up. I saw his food, and Sir, his food was such which many members in this House may envy. He had hoppers, his coffee or cocoa,—he had his choice in that—and potatoes and onions and every sort of thing that he would like. Good dress, good treatment and I dare say he was lording it over the 'native' warders who were supposed to keep watch over him. May we ask whether political prisoners were never considered as misdemeanants in civilized parts of the world, and should not be treated, as regards diet, dress and other things at least just as those loafers are treated though they are there for some of the most heinous offences. Sir, in this House certain interpellations were asked not many months ago, in which it was brought out that young students from very respectable families, all of them in their teens, attached to the handcuffs were taken along the public roads to Egmore station, and they were encouraged, at any rate, they were not discouraged to have their Gandhi caps on, so that, probably, the world may know what comes to one by wearing these Gandhi caps. Well, Sir, if that was the desire of the hon. Member, I may assure him that Gandhi caps will not frighten away people. On the other hand, I am sure, Mr. President, that more and more people will come into the breach to fill their places. What is it, Sir, that requires that these young men should be taken in chains along the streets to the Egmore Railway station? Are they the people to run away? If they are the people to run away, would they go in broad daylight and throw mud balls and other things at the statue, which, for political grounds and proper grounds too, they take objection to? Are they dacoits

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to try to run away? Are they people who believe in violence for themselves or to others? Then, Sir, the creed of non-violence is so well known and the garment which they wear and the cap that crowns their head is all symbolical of that creed of non-violence, which has been propagated by the greatest living man in the world. If such young men in their teens have to be led in the broad daylight along the streets of Madras to the Egmore Railway station in chains, the shame is not to these young men, but to the Government and to the Members of Government in charge of that department, who think that this national humiliation is necessary.

"Sir, we may get justice in this world or we may not get it. But I suppose there is a Power above which notes all these things. Let that fear at least put some wholesome thoughts into the mind of our Government. Sir, as it is, if things go on at this rate, it will be a standing disgrace to any Government.

"Sir, as regards the library, I had the privilege of supplying some books to the Jails' libraries. But they exist only in name as far as the prisoners are concerned. Just before an inspection by a big person, there is a register in which these books are marked as if lent to certain prisoners. The prisoners never see the books; moreover, where is the time for them to see the books? They have to get up rather very early, do a good deal of work and it is not possible for them to read even if they had the inclination. I do not think the Government cares either, that the prisoners should read. The only journal which they care to supply is the *Howard Journal*, if it is still in existence. That consists of the safest literature which any human being can be given, namely, extracts from the *Madras Mail* and moreover the *Howard Journal* is in English. You can understand how genuine is the desire and interest of Government that our prisoners should come out of the jails as better, more moral, more cultured and even more religious men.

"Sir, another thing which I strongly object to, is that under the guise of equal facilities for religious instruction and equal opportunities for all religions, there are certain jails in the Province where Christian Missionaries and pro-Christian teachers are encouraged. Sir, the matter was the subject of an interpellation, I think, a year ago in this Council, that in the Madras Penitentiary, and also I suppose there was some correspondence in the *Madras Mail* about that. Under the very nose of the Government House, certain Christian teachers were given preference to carry on their Christian propaganda inside the jail,—I mean proselytizing propaganda. Sir, in the Vellore Jail one of the non-official visitors, who is also the Secretary of the Discharged Prisoners' Aid Society, and the learned Secretary of this Council is the Secretary of the Provincial Organization of that Society, I am told was indulging in pro-Christian and proselytizing propaganda of this sort, though of course all these are denied officially. As I said before, dead men tell no tales and anything which happens inside the jails never comes to light. (A voice: 'All poetry'.) Sir, it may be poetry to the hon. Member, but it is quite a different thing to the prisoners. Sir, I have mentioned only a few of the difficulties which are patent even to a casual observer of our jails. I desire that Government would, for its own good name, if not for anything else, see that these are rectified at no distant date."

MR. K. UPPI SAHIB :—"Mr. President, Sir, many hon. Members of this House spoke on this subject and spoke in general terms of the bad

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treatment of prisoners. They have said that generally prisoners are treated badly and that political prisoners were treated worse than criminals. But I must say that the treatment meted out to the Mappillas is the worst. It is said that Military, Police and Jails are the three machines which this Government uses to terrorise Indians and to curb them down. Everywhere it is this policy of curbing the spirit of the Indians that is exercised. In the case of ordinary prisoners it is to curb down their spirit of resistance; with the political prisoners it is to deprive them of their patriotism and in the case of the Mappilas it is to curb their patriotism and their spirit and their zeal and to send them away from jails to the Andamans, in fact, to force them to go to the Andamans. In order to force them to the Andamans, all sorts of means are employed, and force and bad treatment are meted out to them in the Alipuram Jail. The food that is given them was reduced, if not by the order of the Government, at least with the connivance of the Government. They have reduced the food and the nature of the food given is the worst possible for human consumption. Then as regards the dress, Sir, it is said that 50 per cent of the Mappilas in the Alipuram Jail are going naked. As my hon. Colleague here said when the Chota-Excellency visited that jail, all people who had not sufficient dress were sent away to a pit near a quarry near the jail, and those who had bare dress were brought before him.

12-15 p.m. "And he came away with the idea that these prisoners were kept in a very good condition and that they are happy.

"Secondly, I am afraid these prisons are also missionary houses to persuade people to forego their religion. In Alipuram Jail, which is a purely Mussalman jail, there are no proper facilities for the prisoners to observe their religious rites. Water is not given to them even for religious purposes. I know the hon. Home Member will rise up and say every facility is given to them. But let me tell him this, that very recently I had been to a jail where the prisoners said to me that water is not given to them even for the ordinary purposes, such as washing their body and vessels. Generally a mud *chatti* is given and though the rule is that once a year it should be renewed the prisoners have to keep the same *chatti* from year to year. Very often it happens—I don't know whether the House will believe me when I say—that several of them have to take their food from one mud pot, and having had their food they are not given sufficient water to wash the vessel.

"With regard to the medical aid meted out to them, I submit, Sir, it is very very horrible. Though there are doctors and hospitals within the jails, nothing is done to alleviate their sufferings. It is said that no sooner prisoners are admitted they are discharged. Recently, about two or three months ago, the prisoner who told me all these things informed me also that when one of the prisoners sought admission in the hospital the doctor said to him:—'You are well, I can't admit you' and refused to admit him. The poor prisoner retraced his steps to his cell and before he reached his destination he dropped down dead on the way. Sir, the treatment is so horrible and insufferable that recently seventeen prisoners told the authorities that they are willing to go to the Andamans. But as soon as they came to the Madras Penitentiary they declared their unwillingness to go and added that they said so only to relieve themselves of the untold suffering in Bellary, and asked the Superintendent to keep them in the Penitentiary itself. But the Superintendent confessed his inability in the matter and asked them to

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choose one of the alternatives, namely, to go to the Andamans or to return to the Bellary Jail. Driven to their wit's end the prisoners agreed to return to the Bellary Jail.

"Now, Sir, this is the month of Ramzan and it is incumbent on every Muslim to observe it. The hon. the Home Member knows—he cannot disown it, for it is only fifteen days since he gave up this portfolio—that for the last two years complaints have been received that in the Alipuram Jail where there are four thousand Mussalmans no facility is given to observe the religious rites, such as those of fasting, the offering of Friday prayers, etc. I can't understand why the hon. the Home Member can't make arrangements for these when the Christian Government allows the Christians to observe their ceremonies."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Question?"

MR. K. UPPI SAHIB:—"Thirdly, Sir, the Mussalmans in the Alipuram Jail are not allowed to bury the dead bodies of the deceased Mussalman prisoners with the religious ceremonies. I do not know whether the British Government have got their agents in the other world to keep them prisoners in that world. (Laughter.) Because, Sir, these prisoners are buried with the iron chains in their legs. My hon. Friend, the hon. the Home Member, knows that certain rites have to be performed by the Mussalmans before the dead body is buried. I am sorry to say that this liberty is denied to them and they are buried like dogs. In Malabar which is the native place of the Mappillas, the Mappillas are not accustomed to menial services, such as scavenging. They refuse to do such services under any circumstances. But in the jails these people have to remove not only the nightsoil of theirs but also that of the Superintendent and his wife and the Jailor and his wife.

"Of late pilfering also takes place there. Every day an ounce of ration is taken away from what is due to each prisoner. There are four thousand prisoners and four thousand ounces of ration is pilfered every day. These are used to feed the poultry kept by the Superintendent, the Jailor and the Deputy Jailor. Now that the hon. the new Law Member has taken the reins of office, he has shown himself to be very sympathetic towards the Mussalmans, and all credit to him for the kind services he has hitherto done unofficially, and I hope he will do everything in his power to redress the grievances of the prisoners who are kept in prison in a vindictive spirit."

* MR. C. R. PARTHASARATHI AYYANGAR:—"Mr. President, Sir, if there is any reform which is more urgently needed, it is jail reform. For, it is the duty of society to see that when prisoners come out of jail they come out not in a worse form but as better men. Sir, the present system requires to be reformed in many respects. The first and foremost reform that is immediately required is that of the physical condition, namely, food and raiment, so that they should be made to believe that they are not worse than the rest of the people in dress and work; for by doing so this sort of treatment will affect their mental calibre to change for the better. The treatment meted out to them for a violation of the jail rules is very bad. For a violation of a rule the punishment is very severe. One way of reforming them is by making them feel that what they have done is wrong. For this purpose, care should be taken in the choice of jailors and warders so that only those who are conversant with the psychology of men should be appointed. So that when the prisoners come out of the jail they should not come with a hard heart,

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so that his conscience does not become more elastic and he does not become a dead weight upon the society. Therefore, the first change that I would suggest is that the person who is in charge of the prison must be sympathetic, large-hearted and genial; he must come into close contact with the convicts, understand their frame of mind and find out what their disease is and how that can be cured, mentally or morally. For this purpose the present system of warders and jailors must go. By the system I suggest the prisoner may be made a better man. What we should really aim at is that he should be made to repent for the sins he has committed. We know the old story how the king asked the prisoners one after another for what offence they have been committed to jail. Each one of them levelled a charge against the officer and only one of them confessed his guilt. Therefore it is necessary that the person who is in charge of the prisoners, that is, the Superintendent of the jail, must be made responsible for the administration of the jail so that every person who comes out of the jail must be a better man. So that it is essential that he must study the mental condition of the convicts. Take the case of the Criminal Tribes Act. Far away from the human habitations the criminal tribes are made to live and they are put under the care of some persons, some missionaries who look after them. By so doing they are kept away from the haunts of the criminal tribes and thus they are made to forget their old habits and new and good ideas are formed in their stead.

12-30 P.M. "You make them live at a distance; you give them all the amenities and try to make them better beings. Let not the convicts be kept within the precincts of the town. Give them general instruction so that these people when released may become better human beings.

"I want also to refer to one other matter and that is with regard to the manner of taking the prisoners to the court-house. A decent man is handcuffed with a bad criminal. Why should a man be handcuffed even before he is sentenced? These are petty annoyances to which the prisoners are subjected; they could be very easily remedied. These people must not be reminded of the fact that they are worse than ordinary human beings; they must be induced to think well of themselves and raise themselves. There is need for a revolutionary change in the present system of jail management. If the prisoners do not come out of the jail better than they went in, we may as well not send them there."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, it may be convenient if I say a few words now with regard to the various points raised in the course of the discussion. My hon. Friend, the Mover of the resolution, referred to a committee, which I think sat in 1919-20 and made various recommendations for the improvement of the prison system in India. Hon. Members are aware that the Government of India and the Local Government have given their very careful consideration to these recommendations and have given effect to a large number of them so far as funds permit. One of their recommendations referred to the undesirability of short sentences of imprisonment. This matter has been borne in mind and has been pressed on the attention of the magistrates by the Government from time to time and I believe considerable progress has been made in this respect in recent years. The number of criminals sentenced to short terms of imprisonment has been materially reduced. The hon. Member also suggested the extension of the probation system on the lines adopted in the United States of America and

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England. That subject is at present under the consideration of the Government of India and it is desirable that legislation on that matter should be undertaken by the Central Legislature rather than by a Provincial Legislature. It involves the amendment of the ordinary criminal law of the land. In the same way any legislation relating to indeterminate sentences should also be applicable to the whole of India as it would involve a very material alteration of the present system of criminal law and I am not prepared to say that it is one which we should adopt in the immediate future, though this matter is considered from time to time.

"As regards the treatment of habitual prisoners, at the present time two jails have been set apart for the reception of these habitual prisoners. They are at Salem and Vizagapatam and they are intended to prevent the mixing of habitual with other prisoners.

"A certain amount of work is being done by the Discharged Prisoners' Aid Society in looking after discharged prisoners, finding work for them and assisting them to become good citizens. The activities of the society can only be extended gradually; from time to time new branches are opened in such districts as it is possible to find people to take up that work. The Government assist the society by giving them grants. The grant has been raised from Rs. 8,000 to Rs. 5,000 a year and I am sure that it is the wish of the Government as well as hon. Members of this House that the work of the society should be further expanded.

"A suggestion has been made by various hon. Members that special treatment should be given to political prisoners and that there is no provision for that being done. As a matter of fact, a few years ago, rules were made by which prisoners could be included in what is known as the special division. Prisoners sentenced to simple imprisonment can be included in the special division by the court subject to the confirmation of the Government. Such prisoners are allowed various special concessions such as separation from the ordinary prisoners; they are allowed to have uncooked food brought to them from outside besides the jail diet; they are allowed to wear private clothing provided there is no political symbol; they can have private beds; they can have books, magazines, newspapers subject to the orders of Government; they are exempt from the performance of menial duties; they can have their own furniture to a reasonable extent; they are exempt from handcuffs and fetters. There is, I believe, no such classification of prisoners as political in other countries; the courts can direct that convicts shall undergo imprisonment in a specified division.

"In this connexion some reference was made to the prisoners who were sentenced to imprisonment for attacks on the Neill statue. As already explained in answer to a question put by my hon. Friend, Mr. Adinarayana Chettiyar, these prisoners were not treated in any other way than ordinary prisoners; they were not subjected in any way to any special disabilities. As regards their proceeding to Egmore station wearing Gandhi caps, it is the usual practice to allow the prisoners to wear their private clothing when they are transferred; and for that reason these prisoners were then wearing the clothing which they wore at the time they were arrested.

"Various hon. Members referred to the subject of the diet of the prisoners and to the sanitary conditions of the jails. It was said that there

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is no provision to give the prisoners the kind of food to which they were accustomed before they were sent to jail. The rule on the subject is as follows:—

'In the case of newly sentenced prisoners the class of diet whether rice, ragi, cholam or oomba which they are to receive in jail should be determined by the convicting courts and entered in the committal warrant issued by them. The magistrates should make personal enquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and note in their own hand the following particulars at the foot of the warrant:—

- (a) the diet to which the prisoner was accustomed according to his own statement;
- (b) the diet recommended by the magistrate; and
- (c) brief reasons if rice diet is recommended.'

"This classification is not liable to any change whatever by the Jail authorities except on medical grounds. I think, Sir, that this rule shows that some account is taken of the habits of the convict before he was sentenced, in determining what diet he should receive. But the real test of the suitability of diet and of the other conditions in the jails is to be found in the results which are shown by the health of the prisoners. I should like here to quote the remarks made by the Public Health Commissioner of the Government of India on the health of the prisoners in jails during the years 1925 and 1926, the latest year for which we have his report. These reports deal with the jails throughout India. With special reference to Madras, he says, summarizing the general conditions: 'Vital statistics were again very satisfactory, the daily average sick and the total deaths both showing a decrease.'"

Dr. B. S. MALLAYYA:—"What is the mortality rate?"

*The hon. Mr. A. Y. G. CAMPBELL:—"The mortality rate for the Presidency in 1925 was 12·51 and in 1926 it was 11·46.

12-46 p.m. 'Sanitation in all its branches has received the closest attention and the universality of automatic chlorination where water-supplies are unreliable in the hot weather is a very sound policy. I consider all money spent on good water-supply, artesian wells, and on chlorination as the soundest of investments. The report shows again the enlightened policy which we have come to associate with the direction of the Madras Jails.'

"In his report on the jail administration in 1926 he remarks:—

'The keynote of this report is steady progress along the lines of previous years. Special features are the improvement of water-supplies, the extension throughout the Presidency of the Borstal Schools Act, the Madras Children Act, the opening of a new Junior Certified School at Rajahmundry, and the further lowering of sick and mortality rates and the amount of dysentery and tuberculosis of lungs. Vital statistics show a further improvement, the ratios for daily average sick (14·08) and mortality (11·46) being the lowest since 1917. Automatic chlorination of water was extended to more jails and several other improvements on water-supply were carried out. Conservancy arrangements have also received much attention—a specially important point in view of the ankylo stomiasis situation.'

"I submit that these reports of the Public Health Commissioner of the Government of India show that in this province every attention is being paid to the necessity of looking after the health of prisoners. I think hon. Members will agree with me in thinking that no one is keener on this subject of the improvement of our jails and of the introduction of more up-to-date systems of treating prisoners and of undertaking reformatory methods than the present Inspector-General of Prisons, Lieutenant-Colonel Cameron. It is to him that the very great deal of the progress that has been made in our jails for the last few years is due and I believe that it is acknowledged that the jails in our province are very much in advance of those in other parts of India. I think, Sir, that during the past few years we have been making

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steady progress on right lines and no doubt that progress will be continued, but we should proceed with caution; we should do nothing in too great a hurry; we must consider carefully whether methods which have been successful in other parts of the world are suitable for this province and if so, in what form they should be adopted. I think that we have every reason to be satisfied with the progress that has been made in recent years."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I have also given notice of a similar cut. I would like to say a few words on these questions. I agree with the hon. the Law Member when he said that for the last five or six years attempts have been made to improve the condition of prisoners in our jails. I say we should not grudge to admit that in several cases there has been much improvement. Our complaints are not that matters are becoming worse; all that we say is that there are several other improvements which can be given effect to very easily and I would request the Government through the hon. the Law Member not to be very cautious and not to be very slow. He told us last that they were very anxious to do everything with caution and that nothing should be done in a hurry. I would say that it is only this over-caution that has prevented further and more useful reforms being given effect to in our jails.

"One important question is that of jail offences. Within the jails they have got their own law; they have got their own courts and they have got their own punishments. The pernicious system of the prosecutor and the judge being one and the same person is still found in our jails. I would therefore request the Government to look into this matter and see that offences in jails which are after all petty offences and which are supposed to be against jail rules are not summarily dealt with by the jail officers themselves. We have now for our jails a fairly good number of official and non-official visitors and they meet every quarter to deal with jail matters. I would therefore request the Government to consider the desirability of placing these jail offences before those committees so that they may go into the matter and award punishments if necessary.

"Another question which has been dealt with by my hon. Friend and the hon. the Law Member is the question of conditional release of prisoners on probation. I would, if I may, humbly give an advice to the Government and to the hon. the Law Member. It is not right to shirk our responsibility and say that everything should be done by the Government of India. The Government of India find enough work in having to deal with the troublesome Assembly. We cannot compel them to have any progressive Act on such social and philanthropic lines as probations for convicts. Mr. G. Narayana-swami Chetti, one of the Provincial Secretaries, has been recently lecturing in several places as to the necessity of having some Act regarding probationers. It is high time that the Government request their hon. Advocate-General to frame a short Bill. A very short Bill is quite enough, and will enable what is now practised to be authorized by law. The Government have now passed a Government Order appointing a number of visitors to be members of Advisory Committees. As Secretary of the Discharged Prisoners' Aid Society in my district I have had the privilege of being an ex-officio member of that committee which has been doing very good work. The committee consists of the Inspector-General of Prisons—himself presiding—the District Judge of the locality and only one non-official member. Such being the case, my complaint is that the Government are quite wrong in throwing several of

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their recommendations into the waste-paper basket. I appealed to them successfully in a few cases to reconsider their decisions and to accept the recommendations of our committees. I would ask the Government to extend the privileges of those advisory committees and say that the unanimous recommendations of those committees should be binding on the Government except under exceptional circumstances. Various cases are placed before them and they are very carefully scrutinized. The Police and the District Magistrate are asked to give their opinions and the committee are asked to give reasons if they differ from those officers. After all these scrutinies are done and recommendations are made, the Government draw a red line over their recommendations. I would request the Government to extend the scope of the Government Order.

"At present, some long-term prisoners are released before their term of imprisonment expires and I would request the Government to release the short-term prisoners also a little earlier than the expiry of their term. If the ex-convicts have some control and if some monetary help is given to them for a few months after their release, they are all right afterwards. I ask the Government to see that in almost all cases people who behave well in the jails should be given the opportunity of being released a little before their term, whatever the sentence may be, so that they may be under probationers. Even without an Act the practice is going on. I have been asking the District Magistrate to appoint a probationer for every convict that comes out of the jail and the District Magistrate of my district has been kind enough to appoint probationers. There is no legal authority either for him or for me to do so. But we have been doing so with excellent results. If a probation officer is appointed there is some influence in the conduct of the prisoner. The probation officer is asked to send reports. If the prisoner wants any money, a loan is advanced to him. That system has been working very well.

"The hon. Member said that the Government had been taking steps to reduce the number of short-term prisoners. It has been usual now year after year that question has been debated in this House and if we take the reports of the last five or six years I do admit that the number of prisoners who were sentenced below a period of one month has been considerably reduced. I would suggest to the Government to extend the principle still more. While strictly asking the magistrate not to convict and sentence any person for less than a month, I would be glad if the Government would go further and ask the magistrates that the sentence of three months on a prisoner should be an exception rather than a rule, because the offences committed are petty ones. Persons who unfortunately go to jail for these petty offences belong to fairly respectable families. If such a person is sent to jail for a period of three months, his experience in the jail and his contact with habitual offenders in the jail is likely to make him unfortunate in his after-life.

"Our society also as a whole should be blamed in this matter. When once a man goes to jail, many of us think that he is incorrigible for all time to come. I am one of those who believe that no man is hopeless and that no man is above redemption. But unfortunately our society condemns and black-marks every man who goes to jail whatever the nature of the offence may be except probably political offenders who are generally regarded as heroes. Unfortunately the society and the Government do not treat the convicts properly. I am mentioning this only to show that persons should not be sent

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to prison for short terms. The Government should also consider that no man is above redemption. I am glad that the hon. the Law Member said much in favour of the work done by the Discharged Prisoners' Aid Society. I would ask the Government and the heads of departments to appoint people who are released from the jail to various Government posts. Of course the Government have increased the grant to the society from Rs. 3,000 to Rs. 5,000. This is a very small amount considering the vast area of the province and the enormous work to be done. It is unfortunate that the public and employers of labour think that if a man comes from the jail he should be blackmarked and that he should be avoided. I would ask the Government to set an example to other people by themselves leading the way and making it a rule that under ordinary circumstances such applicants should be given appointments. In some cases the Government themselves have been giving appointments to some people chiefly on my recommendation. But unfortunately some heads of departments consider that they are criminals and bad people and that they should not be given any appointments. I wish to bring this matter to the notice of the Government so that a rule may be issued that ex-convicts—unless they are very bad—should be given appointments as I say no one should be considered to be impossible of improvement. If the Government think otherwise, it only casts discredit on their jail administration and nothing else.

"And now, Sir, about the treatment accorded to the Neill statue prisoners. 1 p.m. I do not think that Government want to ill-treat some people on the ground that they wear a particular kind of cap which is usually worn by Congressmen. Neither is it reasonable that they should be given severe punishment simply because they were Congressmen. There is no doubt whatever that these offenders are poor young men who did what they did considering it their national duty. There is therefore absolutely no necessity for the Government or the Police officers to treat them like other ordinary criminals and much less to give them a worse treatment. I think Government should issue orders that in these cases there is absolutely no necessity for hand-cuffing them as even ordinary prisoners are not taken to the court hand-cuffed unless they are dangerous persons.

"Now, Sir, about the health of the prisoners, no doubt, the death-rate is going down. But if this Government is really civilized Government, it should not rest satisfied with the mere fact that it is going down, but it should compare its figures with the figures in other countries. Sir, most of these prisoners generally belong to a healthy community and are people who are accustomed to live in open air. Most of them are in their prime of age. It is therefore not surprising that the death-rate among the prisoners is low, but this Government, if it is a civilized Government, should compare their figures with the figures in other countries and see that the rate is minimized by giving better treatment to the prisoners.

"Now, Sir, the question relating to the quantity of the rice or food supplied to these prisoners is a very unfortunate thing. There is a saying in Tamil சொல்லுதல் அல்லாது which means that the *Sokkan's* measure is his portion of food. Sir, this is the maxim which Government also follows in the distribution of food. Young and old, men who work and men who have no work, men who are disabled and men who are sick are all given the same quantity of food. The rules probably are against one prisoner giving a portion of his food to another. But there are sympathetic people among the

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prisoners who give portions of their food to men who naturally require more food on account of the hard work they do. I therefore think that it is better that something is done to give the Superintendents power to give larger quantities of food in special cases. Sir, this a very important thing.

"Sir, in the Coimbatore jail there is a European officer in charge who is very sympathetic. But there are several subordinate officers. I know of a jailor who used to take pleasure in caning people whenever he considered that they were doing mischief. This was brought to my notice. Although the convicts are prevented from making statements to people outside, we get all possible information about the jails from ex-convicts. I brought it to the notice of the Superintendent, and the Superintendent was kind enough to call for the jailor and ordered him not to take his cane with him in his rounds in the jail. Sir, such things happen very often. I think it is better people belonging to this country who can talk to these prisoners in their own languages and who know their habits and customs are appointed as Superintendents.

"Sir, these jails should also be provided with reading-rooms and libraries. I had the honour of coming across a political prisoner in the Coimbatore jail who wanted to read some newspaper. It was with very great difficulty that I managed to make the officers of the jail give their copy of the *Hindu* and other newspapers to that political prisoner for his reading. Sir, the conduct of the Jail department requires sympathy and knowledge in the officers. If the Government take care to tell the Jail Superintendents and other officers to be sympathetic and merciful towards these people, much more can be done.

"Sir, I have already stated that I am one of those who believe that no man is hopeless and beyond redemption. I believe that a man commits an offence simply because society drives him to do it, and therefore society is responsible for the offence. It is we who are responsible for some unfortunate men entering the jails. Government should not therefore say that the jails should be self-supporting. They should spend more money on them, and society must be made to pay the penalty for driving some of its members to commit offences."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—
"Mr. President, Sir, I would like to say a few words in connexion with this debate on account of the fact that I was the Member of Government in charge of the Jail department till ten days ago. Sir, reference has been made to the committee appointed by the Government of India over which Sir Alexander Cardew presided. The committee have made various recommendations and Government have adopted most of the recommendations of that committee. For example, we have now introduced the Borstal system for the adolescents and established the certified schools for the juveniles. We have appointed committees connected with our jails whose function is to advise Government to release long-term prisoners after two-thirds of their term of sentences have been served. I may also point out that Government are aiding and financing the Discharged Prisoners' Aid Society and Madras Children's Society. The Madras Children's Act has also been brought into force during recent years.

"Reference has been made to the food that is given in the jails. I have paid a great deal of attention to this question. In my visits to jails I have found that the food that is being supplied is absolutely pure. As regards

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health, perfect sanitary precautions are being taken. A question has been raised with regard to buttermilk. The question of supplying buttermilk was examined, and it was found that the buttermilk brought from outside being liable to risks of contamination, its use might give rise to diseases like cholera. It was said that Government does not listen to any suggestions made in this House with regard to food. I may say that when this House brought to the notice of Government that M. P. Narayana Menon was losing weight and that he should be given special food Government immediately accepted the suggestion.

"Some hon. Member said that some prisoners are naked. I may say, Sir, that they are all clothed. With regard to Muhammadan prisoners, we have accepted the recommendations of the Jails Committee. I was myself one of the witnesses before that committee and pleaded that Muhammadan prisoners should be given long trousers. That is now being carried out in all the jails in the Presidency. My hon. Friend, Mr. Uppi Sahib, made a scathing criticism in regard to the Muhammadan prisoners in the Alipnram Jail and said that no facilities are being given to them for their religious observances. I have visited the jail twice. I may say that ample facilities are being given to prisoners to perform their prayers and to fast. With regard to fasting, the Inspector-General of Jails has already passed orders that light work should be given to those who fast.

"With regard to moral instruction this was introduced in our jails about ten years ago. I myself was an honorary moral lecturer in the local Penitentiary. Therefore when this department was in my charge, I gave a great impetus to this side of the activity.

"My friend, Mr. Uppi Sahib, said that when Muhammadan prisoners die in the Bellary Jail, no care is being taken to give them a Muslim burial. Sir, as a matter of fact, scrupulous care is being taken in that direction and whenever a Muhammadan prisoner dies the body is given to some non-official Muhammadan body in order that it may be properly buried according to Muslim rites.

"It was also said that some kind of instruction might be given to the prisoners. I think that no one can have any reasonable cause for complaint against Government in this direction. We are teaching them the three H's. We give them moral instruction. We teach them some industry or other so that when these prisoners go out they may eke out their livelihood. We found that the Madras Penitentiary was wanting in providing certain facilities to the prisoners. It was for that purpose that we have accepted a scheme for remodelling the Madras Penitentiary at a cost of 18 lakhs of rupees and we have allotted Rs. 50,000 for the current year.

"Reference was also made to the Bel-chain system. As far as I know, there is only one place in which that system exists and that is Alipuram. We are now making structural alterations in that jail to end that system.

"I am thankful to my friend, Mr. Venkataramana Ayyangar, whose criticism on jail administration has always been helpful. I am sure the criticisms he has made will be carefully considered by the Government and the Inspector-General of Jails. He pleaded for sympathy. May I take this opportunity of telling him that there is no one who is more sympathetic towards prisoners than Colonel Cameron, the Inspector-General of Jails?

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He has very progressive views. Sir, I am extremely grateful to him for all that he has done. It was my good fortune to have had such an officer under me and I take this opportunity of publicly thanking him."

1-15
P.M. Diwan Bahadur P. KESAVA PILLAI:—"I listened with great pleasure to the speeches delivered by the hon. Mr. Campbell and the hon. Member who was in charge. I am sure they have given hopes that improvements would be introduced rather more rapidly than they are doing now according to the recommendations of the Jail Committee. I would mention one or two points. Now they use germinating dhol for the diet of the Indian prisoner. When I referred to it on a former occasion, the hon. Member defended it on medical authority. Dhol is soaked over night and it is ground into paste next day and sauce is made."

Dr. B. S. MALLAYYA:—"It is a specific for fattening people."

Diwan Bahadur P. KESAVA PILLAI:—"If he ever tasted such a preparation of dhol."

Dr. B. S. MALLAYYA:—"It is not for tasting, it is for smelling."

Diwan Bahadur P. KESAVA PILLAI:—"It gives greater quantity. I have had complaints from people who have come out of prisons that it has a nasty flavour. Most of us are dhol eaters. But they do not make dhol curry out of germinating dhal. Brahman gentlemen are very particular about dhol but they do not soak dhol and make it germinate before cooking it. I appeal on behalf of the prisoners? It must be most disagreeable to taste. As I pointed out, it might not be quite digestible to all as it is disagreeable. My friend on medical authority said that the prisoners were thriving on it. But I would beg of him to make enquiries of the prisoners as he has promised to do, and get rid of this sort of nasty cheap diet. The other complaint is a grave one, and that is about the convict warder system. No convict warder system exists in England. I have read books on prisons in other countries. This convict warder system exists only in India. I gave evidence on this subject before the Jail Committee and I have been agitating for the reform of our jails since 1909 and I know that eminent jail authorities have held it to be a most reprehensible system. A man can become a convict warder if he had managed to get a long term of imprisonment and earned good conduct certificate. Short-term prisoners are as a class casual offences and yet they are kept under the control of a convict warder. He gets concessions and better dress. As a rule these convict warders are appointed from people who are convicted of dacoity or some such grave offence. Some of them belong to the criminal tribes also. I do not know if special steps are taken to select them now. They serve as the tools in the hands of corrupt jail officials. This has been brought out not only here but elsewhere to the notice of Government. Yet they have not abolished it. I do not know if the hon. Member has ever thought over this system. It is confessedly an immoral and indefensible system not abolished in this country to save money. What is condemned in England is allowed to continue in India. It is a standing reproach on the administration. One word about towels to Indian convicts—towels of a small size were given on my agitation along with rice. Previously it was not the practice to give towels. Then jails were not considered as reformatories but as places of punishment and

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hardships. A marvellous change has come. In 1909, when it was pointed out to the Member in charge that prisoners died of diarrhoea and other bowel complaints because they were forced to eat food to which they were not accustomed he was angry. I said by way of argument to drive home my point, why do you give Anglo-Indians food that they are accustomed to? Why should you not give rice diet to Indians who were used to it? I was subject to a wild attack. Gradually the Government realized that I was right and the hon. Member and his advisers were wrong. I must thank them for that. I am very glad to see that when a magistrate notes after enquiry a particular diet for a prisoner, it ought not to be altered except on medical grounds. That is a very good rule. Once the Superintendents of Prisons were not heeding the recommendations of the magistrates. As regards curds, my hon. Friend referred to it."

The hon. the PRESIDENT:—"He referred to buttermilk and not curds."

Diwan Bahadur P. KESAVA PILLAI:—"At any rate buttermilk can be very easily churned in jails. Sir, it is said that buttermilk is such a good thing that old Rockefeller began to take butter milk to improve his digestion. I am afraid that the excuse given for prohibiting its use is untenable. Every Indian is used to it. It is cheap and it helps digestion and promotes health. No meat is given now. Why?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"It is given."

Mr. K. V. R. SWAMI:—"It is omitted altogether."

Diwan Bahadur P. KESAVA PILLAI:—"When my good friend, Mr. Swami, who had an experience of it says it I must take it as reliable testimony and not the words of the hon. Member. (Laughter.) I would appeal to him to look into this question. It is said that only one towel is given. Of course when the Indian prisoner is given one, the European prisoner is given two."

Mr. G. HARISARVOTTAMA RAO:—"Additional langotees. Not towels."

Diwan Bahadur P. KESAVA PILLAI:—"Since your getting out of the jail, towels are given." (Laughter.)

The hon. the PRESIDENT:—"The hon. Member should address the remarks through the Chair."

Diwan Bahadur P. KESAVA PILLAI:—"Of course. My friend is one of those gentlemen who have suffered for the country for whom I have of course affection and regard. I do not refer to this experience of his in a spirit of, (A voice: 'Tamash') tamash, thanks for suggesting the word. I referred to him because he had suffered from the rigors of jail treatment in those days of indiscriminate prosecutions. Since then towel is given which is 2 feet square. I have visited jails in several places and I have seen each prisoner having one towel. One will not do; at least two ought to be given. These things will humanise. They used to give only langotees. They had nothing to wipe off their body with after bath. People had to bathe naked under the humane administration. Now we should be thankful that they give towels. I request the Member in charge of this portfolio to take notice of these suggestions also along with what Mr. Veukataramana Ayyangar had said. This is a very big subject and I hope every Member would study it and try to help the Government to humanise it. The lot of English

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prisoners has vastly improved since the days of Charles Reade. His book, 'It is never too late to mend Prisons' were horrors, in his time. Prisons are improving day after day all over the world, and the spirit of the immortal howard has been at work. Oscar Wilde, once a favourite author of society, went in as a convict and he has written books on the subject like 'De Profundis', and since that time also English prisons have improved. Many American prisons also have been visited by the Jail Committee in their world-tour, and the Committee's recommendations should therefore be carried out as early as possible. I was reading the other day an account of the latest visit of a lady to the prisons in Soviet Russia, which is tabooed by most of us. Prisoners are treated quite differently. There the prisoners are permitted in harvest season to go to their villages and harvest their crops and come back; and they are given other concessions which only improve and uplift them. And it made me wonder whether we are really more civilized than the Bolsheviks in Soviet Russia. We include of course the British. I think some of these things should be studied by gentlemen in charge of the department and they should introduce reforms. When they cannot, they must make recommendations to the Government of India for necessary enactments and orders. The jail reform is a progressive one. All that go to jail are not criminals. And the offences for which people are convicted are not always involving moral turpitude. The classification of prisoners, the nature of penal treatment to be meted out, the suitable diet for each class, the humanising and reforming elements to be introduced should receive greater and more consideration at the hands of our Government."

The motion was put and declared lost.
A poll was demanded and the House divided thus:—

Ayes.

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| 1. Mr. A. B. Shetty. | 17. Mr. C. Ramasamayajulu. |
| 2. " S. Satyamurti. | 18. " P. Bhaktavatsulu Nayudu. |
| 3. " C. V. Venkataramana Ayyangar. | 19. Briman Biewanath Das Mahasaya. |
| 4. " T. Adinarayana Chettiyar. | 20. Mr. A. Kaleswara Rao. |
| 5. " P. Anjaneyulu. | 21. " R. Srinivasa Ayyangar. |
| 6. " J. A. Saldanha. | 22. " K. Koti Reddi. |
| 7. " P. C. Venkatapati Raju. | 23. " C. Marudhavanam Pillai. |
| 8. " O. S. Govindaraja Mudaliyar. | 24. " K. Madhavan Nayar. |
| 9. " G. Harisavottama Rao. | 25. " C. Venkatarangam Nayudu. |
| 10. Abdul Hamid Khan Sahib Bahadur. | 26. " A. Ranganatha Mudaliyar. |
| 11. Mr. K. V. R. Swami. | 27. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " D. Narayana Raju. | 28. Mr. R. Nagan Gowda. |
| 13. Dr. B. S. Mallayya. | 29. " C. R. Parthasarathi Ayyangar. |
| 14. K. Uppi Sahib Bahadur. | 30. " Chavadi K. Subramania Pillai. |
| 15. Mr. C. Obi Reddi. | 31. " K. R. Karant. |
| 16. " A. Parasurama Rao Pantulu. | |

Noes.

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| 1. The hon. Sir Norman Macjoribanks. | 11. Mr. A. MoG. C. Tampoe. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 12. " S. H. Slater. |
| 3. " Mr. T. E. Moir. | 13. " C. B. Cotterell. |
| 4. " Mr. A. Y. G. Campbell. | 14. " P. J. Gnanavaram Pillai. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 15. " R. Foulkes. |
| 6. " Mr. S. Muthiah Mudaliyar. | 16. Abbas Ali Khan Bahadur. |
| 7. " Dr. P. Subbarayan. | 17. Rao Sahib M. Hampayya. |
| 8. Rao Bahadur C. V. Ananikrishna Ayyar. | 18. Mr. V. Ch. John. |
| 9. Mr. H. A. Watson. | 19. Subadar-Major Nanjappa Bahadur. |
| 10. " G. T. Boag. | 20. Mr. K. Krishnan. |
| | 21. " N. Sivaraj. |

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Noes—cont.

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| 22. Mr. M. V. Gangadhara Siva. | 34. Diwan Bahadur M. Krishnan Nayar. |
| 23. Rao Sahib L. C. Guruswami. | 35. Mr. P. T. Rajan. |
| 24. Mr. V. I. Muniswami Pillai. | 36. " T. K. Chidambaramatha Mudaliyar. |
| 25. Rajkumar S. N. Dorai Raja. | 37. Rao Bahadur S. Ellappa Chettiyar. |
| 26. Mr. S. Arpudawami Udayar. | 38. Abdul Razaq Sahib Bahadur. |
| 27. K. Abdul Hye Sahib Bahadur. | 39. Khadir Mohidin Sahib Bahadur. |
| 28. Mr. K. Ramachandra Padayachi. | 40. Rao Bahadur K. Sitarama Reddi. |
| 29. Swami A. S. Sahajananda. | 41. " B. Muniswami Nayudu. |
| 30. Syed Tajadin Sahib Bahadur. | 42. Diwan " Bahadur A. M. M. Murugappa Chettiyar. |
| 31. Mr. B. Ramachandra Reddi. | 43. Kumara Raja of Venkatagiri. |
| 32. Raja of Panagal. | |
| 33. Rao Bahadur Sir A. P. Patro. | |

Ayes 31. Noes 43.

The motion was lost.

The Demand was put to the House and carried and the Grant made.

The Council then adjourned for lunch.

After Lunch (2-30 p.m.).

DEMAND XV—POLICE.

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—
"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move

'for a grant not exceeding Rs. 152.03 lakhs under Police'."

Mr. P. BHAKTAVATSULU NAYUDU:—"Mr. President, Sir, I beg to move the motion that stands in my name, viz.,

'that the allotment of Rs. 68,800 for superintendence be reduced by Rs. 18,000'. To discuss the necessity of two Deputy Commissioners and two Assistant Commissioners of Police for such a small city as Madras and to abolish the posts of two such officers.

"Sir, in this connexion, I beg to point out that the City of Madras is no doubt said to be a city of distances, but it covers only a small area of about 27 square miles or so. There are any number of constables and head constables, inspectors and sub-inspectors. Added to this that there should be two Deputy Commissioners and two Assistant Commissioners and above that one Commissioner clearly shows that the administration is topheavy. At a time of trouble or so-called alarm created by the Government itself, they think of indenting for police from Malabar and elsewhere. That shows the inefficiency of the work of the police in this city. I consider and seriously consider that the police administration in this city is very inefficient, very backward and wanting. This inefficiency is patent in view of the fact that disturbances and robbery and other things happen under the very nose of the Deputy and Assistant Commissioners. Burglaries have taken place in the very houses of these officers (Dr. Mallayya: Even in their offices!) and they are not detected. That goes to prove that so many posts at the top are unnecessary, and instead of having such costly officers, the constables and head constables may be increased and more pay given to them. Now the head constable gets in the city a maximum of Rs. 42 and the constable a maximum of Rs. 30, the minimum being Rs. 22. This, I submit, is hardly a living

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wage, in the city especially in these days. What this means is, simply that the Government is aiding and abetting the temptation to bribery. The poor constable standing all day in the sun and actually getting roasted up is only paid one rupee extra for traffic control. That, I say, is inhuman and not at all adequate to the service he renders; whereas the Commissioner of Police gets Rs. 2,000 and odd, the Deputy Commissioner, Rs. 1,000, and the Assistant Commissioner up to a maximum of Rs. 800. These gentlemen sit in their offices occasionally going about perhaps when there is a serious alarm or when Royal Commissions come out and otherwise entirely depending upon the reports of their inspectors and sub-inspectors and head constables and get such fat salaries whereas the actual men that do the work are paid less than the minimum living wage. I consider this as a very inhuman conduct on the part of the Government, not to consider their case and give them increased pay that they so much deserve. Whether they deserve it or not, their pay must be increased at least to keep them above corruption which is so rampant in the City of Madras just now; and it is within the knowledge of every one concerned that the constables in charge of the regulation of traffic are amenable to such temptations. The Commissioner of Police may have also had knowledge of it.

"Another point is, the recruiting for the police is so bad that people from the lowest strata of society are taken in, so much so that they do not feel the weight of their responsibility and the seriousness of the nature of the work they are doing. I submit, Sir, that the recruitment of the constabulary should be from respectable families, and the minimum salary to be given to them should be fixed at Rs. 50, so that they may be above temptation. With these remarks, Sir, I submit that the top-heavy administration of so many Commissioners of Police should be done away with and the recruitment to the constabulary should be from the higher ranks of society and a minimum salary of at least Rs. 50 should be fixed if the police is to work efficiently in Madras, which I think is the sole intention of Government. Further, there is one aspect of this inefficiency of police in the matter of motor traffic. Motor buses ply even at the rate of 50 miles a hour, and such rush speed is costing many lives in the city. If the Commissioner of Police goes about incognito—it may be a humiliation to him—in some of the buses, discarding the paraphernalia of his office, without being noticed and without notice to anybody, he will find out for himself that what I say is perfectly true. He will observe that the seating accommodation is quite insufficient."

* The hon. the PRESIDENT:—"The hon. Member proposed to discuss the necessity for two Deputy Commissioners and two Assistant Commissioners of Police for such a small City as Madras and to request the abolition of two of the officers. I am not able to understand how his remarks relating to the seating accommodation in the running buses of the Madras City is relevant to this motion."

* Mr. P. BHAKTAVATSULU NAYUDU:—"It is relevant in this manner. In spite of the existence of so many responsible officers, these things are not properly attended to, though they are paid separately for such work."

* The hon. the PRESIDENT:—"I am sorry it is not at all relevant."

* Mr. P. BHAKTAVATSULU NAYUDU:—"I bow to your ruling. With these remarks I move that these offices be abolished and the strength of the constabulary and their pay increased."

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* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, Sir, this question was examined by a committee appointed by the Government in 1923, with the Chief Secretary as President. After the recommendations made by that committee, the Government thought that it was impossible for them to lessen the number of superior officers referred to by the hon. Mover of this resolution. Further, Sir, I should like to point out that the posts of Deputy Commissioner of the City Police belong to the cadre of the Indian Police Service, the abolition of one or both of them would require the sanction of the Secretary of State. (A voice:—"You apply to him.") As regards the Assistant Commissioners, we have two of them, one in charge of the headquarters office of the Commissioner of Police, who is not only looking to the office matters but is also in charge of the Intelligence Department, hackney carriages, motor-cars, firearms, etc. The other Assistant Commissioner of Police is in charge of the investigation of crime. As I said, Sir, the Government examined this question and found that it was not possible to reduce the number of these officers. I may say that of the four officers three are Indians."

"With regard to the question raised by my hon. Friend, viz., that the administration is top-heavy, I may point out that in Bombay, which is smaller than Madras, there are twenty superior officers of the grade of Deputy Commissioner and Assistant Commissioner, and in Calcutta there are fourteen such officers. In Madras we have only four."

"With regard to the question of motor-buses running at 50 miles speed . . ."

* The hon. the PRESIDENT:—"I have ruled it out of order and the hon. Member need not reply to it."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"The hon. Member referred also to the question of our importing the Malabar Special Police in connexion with the arrangements made for the Simon Commission. It only shows that we are running the police force with the minimum strength, and the fact that on occasions like the one referred to it is impossible to provide police handobast without getting the police force from the mufassal goes to show that we manage our affairs with economy."

Dr. B. S. MALLAYYA:—"I have been listening to the hon. the Home Member. He says in Bombay there are more superior officers than in Madras, and so also in Calcutta. Sir, he forgets that in Bombay there is a special rowdy class called Pathans, and they are preying on the population and creating terror everywhere. In Calcutta there are what are called Gundas who are also terrorising the people there. We have none of those classes in Madras. The Madras crowd flies away at the sight of a red cap whether it is worn by a superior officer or by a constable. There is absolutely no justification for having these superior officers. Are they doing their work properly? Have they given protection to the people when needed? Have they maintained discipline and order? Sir, Madras is the headquarters of the police who are supposed to be an example to the mufassal people. But what is the sort of language they use? Sir, I am ashamed to relate to this House, their slang outbeats Chengam Bazaar language. And what are they doing? Things were going on smoothly till Mr. Bhavanandam Pillai was here. There was quiet everywhere, in the Esplanade division in

[Dr. B. S. Mallayya]

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particular. But immediately that gentlemen goes out, comes the C.I.D. officer going about from house to house, stripped of all official dress, asking for the names of the prostitutes living there behind the Kandaswami temple. Under whose orders are they going? Were they deputed by Government? I ask the hon. the Home Member, is it advisable to depute these males to take the census of these prostitutes if there are any? And in the work they were doing, they were really harassing the honourable family women.

"It is a disgrace to any Government."

2-45
p.m.

* The hon. the PRESIDENT :—"Order, order. I am not able to understand the relevancy of the remarks to the motion under discussion."

Dr. B. S. MALLAYYA :—"I really want to inform for the benefit of this House so that they may understand what sort of officers are being recruited . . ."

* The hon. the PRESIDENT :—"The hon. Member may take an appropriate opportunity to give information on the various subjects which he knows, but this is not the occasion for him to give information which is not relevant to the motion under discussion. The hon. Member will resume his seat."

Dr. B. S. MALLAYYA :—"I don't question, I obey. This is the only opportunity for ventilating grievances . . ."

* The hon. the PRESIDENT :—"The hon. Member will resume his seat."

(The hon. the President called on Mr. G. Harisarvottama Rao to speak.)

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I am merely astounded at the bland dexterity of the hon. the Home Member. He referred us to a report of a committee but he did not tell us what the reasons were that prompted the Government to accept this number of officers. Madras is 27 square miles in area and the population is about 5½ lakhs or near 6 lakhs and for this area five superior officers are required according to the hon. the Home Member. He talked of Bombay and Calcutta. Of course Bombay and Calcutta are more populous cities. I don't mention their population to institute a comparison. The question of Madras stands on its own merits or falls on its own defects. If he wants to satisfy this House it is open to him to ask after giving information in a manner as to convince us as to what necessity there is for this large number here. He was telling us that the very fact that the Government imported the Malabar Police was proof positive that they were running with a minimum force. Hon. Members on this side of the House pointed out that if necessary constables might be increased, they might be better paid, etc. I don't understand the relationship between the shorthandedness in the force and the number of officers required to man it. I really wonder where from the hon. Home Member made his calculations as to the number of officers required. The hon. Home Member might have enlightened us on a more rational basis. We really don't know exactly why five superior officers are required for a small city like Madras. In all other matters Madras City claims the lion's share of the expenditure and even in the matter of the Police department, has it to take a lion's share? Have we, the poor tax-payers of the Presidency, to bear this expenditure on extra numbers of officers for the metropolis? That was the real question that had to be answered. I am not satisfied and I do not believe that any Member of the House has been satisfied with the answers given by the Home Member. It is a fact that the administration as a whole

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[Mr. G. Harisarvottama Rao]

is defective and this is a part of the top-heavy nature of the administration of this country. Madras is treated as a district. It is not more than a district. It cannot be more than a district in population or in extent—in population it is probably not two-thirds or half of some of the ordinary districts in the presidency, in extent it is not as big as a firka of a district—why such a large establishment as that should be required for Madras and why five officers should be employed to discharge the police duties in this city is a question that is not understood by us on this side. I wish that the hon. the Home Member had given us rational answers to this question, but we have none of these answers. The only answer that he has vouchsafed to us is 'We are bureaucrats, we have a right to determine and we have determined that Madras shall have five officers; we appoint a committee and they give us advice, we consider their advice as we choose, we come to conclusions and you must accept the conclusions'. That is the argument of the hon. the Home Member. That is an argument that will satisfy no party. I therefore have great pleasure in supporting this motion."

* Mr. J. A. SALDANHA :—"Mr. President, I will only speak on this occasion to put some queries to the hon. the Home Member. I find that in Bombay there is a Commissioner and five Deputy Commissioners and the others are what are called Superintendents. I want to know whether these Superintendents correspond to the Assistant Commissioners of Police here. If they don't correspond to the Assistant Commissioners, the question is whether this number is not too large for a city like Madras, having regard to the population of only four lakhs, whereas in Bombay it is over a million with a badmashi population which is much larger than is here and where there are professional thieves and robbers more than in Madras. What I am afraid of is that in this Presidency there is much more of a peaceful people and yet we are at a loss to know why there is a supernumerary force here. Yesterday there was a good number of police officers here. . . ."

* The hon. the PRESIDENT :—"Did he find a good many Assistant Commissioners here yesterday? He will be quite in order if he refers to superior officers?"

* Mr. J. A. SALDANHA :—"Yesterday I found so many police officers parading. I only want to know the necessity for so many officers. The visitors and others who came to see the Council were wondering why so much police force was summoned and where was the necessity for the display of the police force. Be that as it may, there is always a fondness for display of the police force in this Presidency, and they are too much fond of making their presence felt. Here the officers are riding about the town and without any necessity. In a peaceful city like this, Government must show adequate reason for such a large number of higher officers."

* Rajkumar S. N. DORAI RAJA :—"Mr. President, Sir, as I remarked the other day, the subordinate police men's Bible is the Criminal Procedure Code. We know what our constables are; they are not sufficiently educated to take upon themselves the responsibility of acting on the spur of the moment. It seems to me to be very necessary in a city like Madras that there must be superior officers to direct them in the proper channel. I thought the complaint made the other day was that the police abdicated their functions, and that they were not in sufficient numbers to put down the rowdy element. As a matter of fact, I found that even though one Deputy Commissioner was

[Mr. S. N. Dorai Raja]

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hit in the jaws which was badly damaged, he kept his temper and level-headedness; and that shows that in an emergency a superior officer is absolutely necessary. As a matter of fact, all the arguments advanced on the other side go to show that the superior officers are an absolute necessity in the City of Madras. For that reason I don't agree with my hon. Friends that these high officers are not necessary."

* Sriman BISWANATH DAS Mahasaya:—"I am sorry that the hon. the Home Member should have compared Madras with Calcutta and Bombay when there is nothing to compare. In the first place, both these are very populous cities. Bombay has a population double that of Madras, while Calcutta has more than two and a half times. Bombay is a first-rate city so far as commerce is concerned. It is the richest city in India having a first-class harbour where ships are always going out and coming in. And then, Bombay and Calcutta have always a floating population of about a lakh daily. There is therefore no comparison between Madras and these two cities so far as the necessity of police force is concerned. Then besides this Calcutta has the misfortune of having to face communal riots and occasions arise when police forces are needed even now. Added to these there are special difficulties such as the administration of the Gunda Act. Such of those as have experience of Madras and also of Calcutta and Bombay will surely agree with me that the people of Madras are far more meek and docile than those of Bombay and Calcutta. An ordinary coachman is more troublesome there than the so-called rowdy element in this city. This being the case, I don't think it is fair to the Madras City and to the people within this corporation to say that the rowdy element is more to be seen here or that the need for law and for order is greater here than in Bombay and Calcutta."

3 p.m. "Then, Sir, I am not in possession of facts as to the number of superior officers in the city of Bombay or Calcutta. But this much I can say, that the police expenditure as per population in Bengal is far less than that of Madras and the total expenditure on the police is also much less in Bengal than that of Madras. Not only do I speak of Bengal but also of the other provinces, except Bombay and the Punjab. Thus we incur more expenditure on police in Madras per head than the other five provinces of India. This being the situation, I think, my hon. Friend has done less than justice when he finds an excuse in comparing Bombay and Calcutta with Madras. So, Sir, with these words, I heartily support the motion."

* The hon. the PRESIDENT:—"I take it that the House is ready for a vote on the motion. The question is to reduce the allotment of Rs. 63,800 for Superintendence by Rs. 18,000."

The motion was put to the House and lost.

Mr. S. Arpudaswami Udayar rose to move a motion standing in his name, viz., to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100—to discuss (a) the inefficiency of police in affording protection to the citizens of Madras on the hartal day and (b) the need for better direction.

* The hon. the PRESIDENT:—"Does the hon. Member propose to move his motion? If so, before he moves, I wish to know whether he agrees with me or not that it is out of order, because the Council discussed the matter in connexion with a Supplementary Demand on the 13th. Mr. A. Kaleswara Rao then moved a motion to discuss the misconduct of the Madras Police in

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abetting the rowdies in molesting and injuring and preventing peaceful citizens from attending the Simon boycott meeting at the Beach on the 3rd February 1928. Does the hon. Member propose to say that his motion is different from that?"

* Mr. S. ARPUDASWAMI UDAYAR:—"Sir, I was thinking of making some suggestions. I may refer to the same facts, but my object is to speak of the need for better direction."

* The hon. the PRESIDENT:—"Perhaps, if he re-opens the old subject, it will give an opportunity to the House again to vote thereon with the possibility of an inconsistent vote being given. That is the reason why the rule of repetition is enforced as regards motions in a current session."

* Mr. S. ARPUDASWAMI UDAYAR:—"In that case, I do not move it, Sir."

Mr. BASHEER AHMAD SAYEED:—"May I make a submission, Sir?"

* The hon. the PRESIDENT:—"It is not his motion. The hon. Member agrees not to move it."

* Mr. A. B. SHETTY:—"Mr. President, Sir, I move—

that the allotment of Rs. 12,05,000 for Presidency Police be reduced by Rs. 100.

"I wish to discuss the question of better control of motor traffic in the Madras City and in the mufassal. It is painful to note that motor accidents resulting in injuries and fatalities are increasing in number. We read sickening reports in the daily papers every now and then. These frequent accidents show that either the motor vehicle rules are defective or that proper control is not exercised over the motor traffic and drivers. The accidents seem to be mainly due to three causes, viz., (1) the unsatisfactory condition of roads, (2) some defect in the motor vehicle, and (3) rash and negligent driving. It seems to me that there is a better chance of motor vehicles being kept in a fit condition for traffic if the inspections required under condition (4) of 'G' permit are made quarterly, the present inspection fee being reduced by half, and if there are surprise inspections made free of charge. For this purpose special officers to inspect buses must be appointed in every place where there are a sufficient number of taxis plying for hire. Driving licences seem to be issued now without sufficient care. It is not enough if the man simply know how to drive. The test applied should not be merely the ability to drive. If there is some defect in the eyesight or the power of hearing or if the man is given to too much drinking or anything is wrong with his nerve, such a person, however well-trained he may be in the art of driving, cannot be regarded as safe. It will be dangerous to allow him to drive a car or bus plying for hire."

"To avoid motor accidents every endeavour has to be made to control the speed of motor vehicles. It is no use having any set of rules if the police do not rigorously enforce them and people are not given deterrent punishment for the contravention of speed regulations. It seems necessary to have a new rule making it compulsory to have a speedometer in every motor vehicle kept for hire. The maximum rate of speed at which motor vehicles can be driven should also be painted or marked in a conspicuous place in distinct colour so that passengers may easily know the speed limits and check the driver when he exceeds it. The question of reducing motor accidents requires the immediate and serious consideration of the Government. They must find out what rules and regulations are in force in other countries where though

[Mr. A. B. Shetty]

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there is more of motor traffic the accidents are fewer. I trust the Government will lose no time in taking all the steps necessary for the better control and regulation of motor traffic and the safeguarding of the life and property of the people."

* Mr. V. I. MUNISWAMI PILLAI :—"Mr. President, Sir, I would like to associate myself with the motion before the House for two reasons. Sir, it is heart-rending to see so many accidents happening in the motor traffic both in the city and the mufassal. Sir, the unfortunate plight to which the people and the dependants of such of the passengers who are victims to such accidents must be deplorable. In many instances, Sir, people who are busy in trade could not travel in these motor buses on account of the various accidents that are taking place."

"Another point, Sir, which I would like to bring before this House and the Government is that the members of the depressed classes are not allowed to travel in the buses kept for the public in the mufassal. (Cries of 'No, no.') I know, Sir, this state of affair exists in this country and I do not think proper steps have been taken to remedy matters. To instance one case, the other day, one hon. Member of this House coming from the depressed classes could not travel in a bus through the South Arcot district and consequently he could not attend the Council meeting. Such are the defects now existing in the control of the buses. The other point which I would like to bring before this House is that the speed limit must be fixed according to the weight of the bus and the lorries to reduce the accidents now taking place."

* Mr. A. T. LUKER :—"Sir, as one who is interested in this matter of traffic and who has spent many years in a study in all its aspects, I would ask not for a cut of this grant but for an increase rather, so that we may have some more educated police on this work. Much has been mentioned here about tests of drivers. I am in favour of having tests. But the reason for the accidents is not so much that drivers have not been tested but where the human element comes in and I think you will find when it is investigated that in nearly every case the accident is due to carelessness. However efficient the police might be, I think I am right in saying that we shall not be in a better position and traffic in Madras none the better until we have the co-operation of the people who own the buses, those who ride in the buses and the police. At present, the police are looked upon as enemies and all the mud is thrown at them, whereas they are trying to do their best in the difficult circumstances and I would plead for more co-operation between the users of the buses and the police so that better control might be exercised."

"About the speed limit which was being mentioned. In England this is largely abandoned and in many other countries also. What may be a safe speed at one hour in the day and at particular street corners may be dangerous at another hour of the day. It is not, therefore, a practicable thing to have fixed speed limits. It only tends, as in other things, for the drivers to drive up to the limit regardless of the dangers on the road."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I am glad that the hon. Member who has just sat, has made some good suggestions. Sir, so far as my experience goes, both here in this city and in the mufassal, there is a great deal of rash driving, especially circumstanced as those places are."

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Very often, the streets are narrow. Even the main roads in the mufassal are not broad enough for foot passengers and other traffic. Here in the city, I have been observing that near the places where the tramcars stop to take up passengers, just before one could get into the tramcars, one finds half-a-dozen buses madly rushing past. Those getting into the tramcars have to remain very near the tram lines, for, otherwise they run the risk of being run over or knocked down by the buses. It is quite possible for rules to be framed that when a tramcar stops at a place where the passengers wait, no bus should come near. Also, rules may be framed to confine foot passengers to certain portions of the road, so that there may be no risk. So many things have to be attended to to promote the safety of the passengers. All are not young. There are old people, some of whom are infirm and who naturally out of sheer fright run here and there amid the whirl of buses and in spite of the care taken by the bus driver or the tramcar driver, meet with accidents. Such accidents take place very often. I know the case of a lady belonging to a very respectable family who out of sheer fright at the sight of a bus in front ran to the wrong side, was knocked down and was crushed to death a few months ago. My hon. Friend spoke of tests. I think, Sir, before licences are issued not only the condition of the buses but also the intelligence, the tact and the patience of the driver should be taken into consideration. There should also be co-operation between the police and the bus and tramcar owners, at the same time I am for stricter rules being framed and their being strictly enforced to avoid risk and accidents to the unfortunate people who frequent our roads."

* Mr. K. V. R. SWAMI :—"There is one important point in connexion with this question, Mr. President, and that is, the issuing of the licences to the drivers. One condition in the licence should be that the drivers should not use any liquor while they are driving the buses. Most of the accidents are due to the carelessness and the drunkenness of the drivers more than anything else. Very little control is being exercised over this traffic by the police, and there should be special officers to look into these things, so that the number of accidents may be minimised. I am very sorry to hear from my hon. Friend, Mr. Muniswami Pillai, that the members of the depressed classes are not allowed to get into the buses that are plying in various places. I have never heard of such a case; but if it does exist in certain places, care should be taken in issuing licences to the drivers, to make it a condition of the licence that no member of the public should be excluded on account of his caste or creed. This is a very important point, Sir, because it is a question of inconvenience to the members of the depressed classes to be excluded from a public conveyance. If anybody wants to increase his business by excluding the depressed classes, care should be taken to compel him to accommodate every member of the public. This right ought not to be denied to any member of the public. The bus service is going to be an important means of conveyance hereafter, and so steps should be taken and rules framed, so that the buses are not very crowded and there are not many accidents. Accidents should be avoided as far as possible. Especially in Madras, such accidents are becoming more and more frequent; these are mostly due, apart from other considerations, to the inefficiency of the drivers, their carelessness and the want of rules to be observed in the matter. I support this motion and hope that it will be voted upon favourably by the House."

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* **MR. ABDUL HAMID KHAN** :—“ Mr. President, Sir, I wish to say one or two words with regard to the bus traffic in this city, because I do not know much about what happens in the mufassal. I am afraid, Sir, that in spite of the rules and regulations formulated by the Commissioner of Police in Madras, all that used to happen owing to the inefficiency of the police control over the bus traffic does continue to happen. Sir, there are very many centres in the city where it is hardly possible for both a bus and a tramcar to run together at the same time. I may mention one instance, and that is near G. Cunniah Chetti's shop corner. I wish the Police department had co-operated with the Corporation of Madras and asked them to round off that corner, so that it might be easy for both a tramcar and a bus to pass that side without endangering the pedestrian traffic. It is in that corner, Sir, that many accidents have happened and will continue to happen as long as that corner is not rounded off. Further, I wish to point out that there are three or four other places where buses are allowed to stop, for instance, near the Law College buildings, near the Round Thana, i.e., near Misquith's, where I have noticed four buses standing abreast on the road at the same time, making it impossible for a tramcar or any private car to pass that way. This is mostly due to the fact that the police control over the bus drivers is not sufficient. Either the police people do not want to control them or they wantonly allow them to go on in the manner in which they do. There is something wrong somewhere, and I hope the Police Commissioner will take note of this. The police officers who are looking after this matter, ought to be above temptation. I think, Sir, either on account of the poor salary which they are paid or on account of other reasons, they are not free from temptation. It is indeed deplorable that the Police department in their endeavour to have control over the bus traffic, are doing a great wrong to the bus-owners themselves. For, instead of keeping adequate control over the bus drivers, and instead of punishing them and making them responsible for what they do, it seems the bus-owners are being charged for the mistakes that are committed by the drivers. This is a matter which some of us cannot understand. The bus-owner can be called upon to see that the bus is kept in good repair, to see that there is nothing wrong with the machinery; and if he does not look to it properly, then he should be called upon to repair the car and asked not to run the car in a damaged condition. But how can he be held responsible for any mistakes which the driver may commit, say like stopping a car at one place prohibited by the police or going beyond the speed limit prescribed? That is what is beyond my comprehension. If the police is really desirous of controlling the bus drivers, I would suggest that when a licence is issued, the driver should be asked to give a certain amount of surety. If he makes a mistake or if he goes against certain rules of traffic, mentioned in the licence, then a certain amount of money may be taken away from his surety money. It seems to me that by that means some control may be exercised over the bus drivers. If the bus drivers are made to realize that, if they do not abide by the rules prescribed by the police, they will suffer, I think there will be better regulation of traffic. Unless they have that fear, there is no use. They may not care if their masters suffer, when they themselves have committed the mistake. Therefore, if the police in the city want to have a real and regular control over the bus traffic, I suggest they should have better control over the bus drivers and a better control over their own subordinate police officials.”

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* **MR. K. KOTI REDDI** :—“ Mr. President, Sir, I only hope that the charge made against the bus-owners that the depressed classes are not allowed to get into the buses is not true. As you know, Sir, these buses are owned by private people, and they are naturally more interested in getting as many passengers as possible than in refusing admission to anybody. There may of course be an occasional instance here and there, but I do not think that on account of that it can be said that the depressed classes as a rule are excluded from these buses. I have not come across any such instance.

“ As many hon. Friends have suggested, it is just possible that the control over the buses can be so improved as to minimise the number of accidents that are daily happening in this city and in some of the big cities. But with all the improvements that could be made, Sir, I do not believe it is possible to get rid of these accidents altogether. One obvious remedy that seems to suggest itself to me is this: that these public conveyances in big cities ought not to be in the hands of private people. What really happens is this: most of the bus drivers seem to have financial interest in the buses, and their interest is to make as much money out of their buses as possible. We are daily witnessing the huge competition between these drivers; whenever one driver wants to get some persons to get into his bus he runs the bus at such a high speed so as to overtake the other buses. This competition between the buses seems to be responsible for the high rate of speed at which most of these buses are run. Therefore, if these public conveyances are taken over either by the Corporation of Madras or some other big company, I think the competition will be very much minimised and matters will very much improve. Unless that is done, I am afraid, whatever control may be exercised by the police over these buses the attempt to avoid all accidents will be a failure. There is the spirit to run the bus as fast as one could, so that as many people as possible might be got at; that is the danger.

“ With regard to the accommodation available in these buses, we have had a good many complaints. I have myself gone so many times in the buses in Madras and the seats intended for three people are so small that they can seat only two and not three. I have myself experienced that difficulty and I think that something must be done in this direction if the comfort of the passengers is to be safeguarded.”

* **MR. G. HARISARVOTAMA RAO** :—“ Mr. President, Sir, while discussing the question of the control of motor traffic in the mufassal, I feel that it is becoming a very complicated question day after day. There is one grave defect which is responsible for a good deal of trouble in the mufassal. The control of bus traffic is now a dual control. It is controlled by the police on the one side and by the local boards on the other. The very offence for which the police charge a bus driver or the bus owner is an offence for which the local boards also can equally charge him and do charge him. In this country unfortunately, police prosecution means judicial interference as well. I do not want to charge the independent Judges of the High Court or the District Judges with interference, but there are the subordinate magistrates who are the creatures of the police in the mufassal, and any amount of harassment takes place of these bus owners in the name of ‘charges’.

“ I have known cases where sub-magistrates are not satisfied with anything but free service for themselves; they expect this from the bus drivers and if this is not rendered there is a great deal of injustice and

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harshness in the sentences that are passed against them. For instance, I drew particular attention of this House to the punishments that were meted out in the Kurnool district, more especially in the Nandyal subdivision. For the mere offence of carrying one more passenger than the number allotted a fine of Rs. 75, or 100 or 150 is levied. As a matter of fact, I have sometimes drawn the attention of police men that the bus was full and could not accommodate any other; but still they insisted on their right of being carried. The poor driver has no option. Breach of rules does not apply to the police men, the magistrate and the local board official. I have drawn particular attention to this and I have very often influenced the bus-owners to be correct in their duty so far as overcrowding was concerned. But I find that unless some measures are taken to set right things, matters will go from bad to worse. I would rather leave the control of bus traffic to the local boards. It is an open secret to-day that any police official or any local board official can commandeer, as it were, the bus owners and bus drivers. They have to take the sub-magistrate, the head constable, the constable, the district board engineer, the district board officials, the henchmen of all these, and a host of others free of all charge. What is the poor bus-owner to do? He has to make up the loss by taking to all questionable methods. That is the situation in the country. Motor traffic is becoming a very real factor in the communications of the country and because it is important all these difficulties arise. Hence it is necessary that the whole question should be carefully gone into. I do not say corruption will not be there at any time. Probably even if Gods should descend to the earth in the purest form and try to administer bus traffic they may not succeed. But it is unbearable to see buses carrying plantain leaves and plantains to the houses of the District Superintendents, in fact, any goods belonging to the officials in the police or local board departments must be carried. How are the bus-owners to carry on their trade? Unless you simplify the position by declaring how much a motor driver or owner should be fined and by taking other steps the lot of the bus-owners will become miserable. Is it in the power of a sub-magistrate to levy a fine of Rs. 75 or to refuse to let a man on bail on his own cognizance on a charge of overloading.

"Let me come to another point. I myself have witnessed an European gentleman coming into contact with another car in that corner near the Eye Hospital, driving in a drunken mood. One of my friends said that bus drivers should not be drunk. That is all right. What about that gentleman who was fully drunk and yet drove the car? I submit, in the city of Madras, every man has to be controlled. If you are making rules make them applicable to every one concerned. I say that bus traffic must be controlled in a manner so as to do justice to all those who are concerned so that bus drivers and bus-owners may rest satisfied that justice is done to all alike.

"Take the financial aspect in the mufassal. What an amount a man has to pay to get licences in some places! In my own district Rs. 250 for every six months and Rs 2 at every toll-gate per day. Consequently motor traffic is wretched. This has a cramping influence on the motor trade. To add to these we have got very bad roads. Therefore I think if the Government is anxious to see that something is done in the matter, they should do it early. I grant motor traffic has developed very rapidly and Government might be right if they said they were not in a position to understand the whole situation so easily in a short time. Still it is of such importance that

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a thorough inquiry is necessary, especially with a view to a readjustment of the rules. There are certain rules which are very very defective and which work great hardship on the drivers. Is it not within the knowledge of all of us that the licence of a driver can be cancelled at any moment by any Police official? For all these reasons I feel this motion should be carried."

Mr. ABBAS ALI KHAN :—"Sir, if I am to speak now I have to speak in the presence of Police officers that are sitting opposite to me." (Laughter.)

The hon. the PRESIDENT :—"Members of the Council need not take any notice of the visitors in the gallery."

Mr. ABBAS ALI KHAN :—"I have listened very carefully to the various speakers who had suggestions to better the existing traffic in the city of Madras and in the mufassal. I would place before the House some practical suggestions which could be adopted by the Government. Unfortunately a great deal of discussion took place away from the main issue. (A voice : Question?) The main object of traffic control is to see as far as possible that nothing happens to endanger life. Bus drivers have not got the requisite learning nor are there any institutions where they can learn how to handle difficult situations and how to manage in dangerous corners. Their training is very short. They start as cleaners and after a study of short lessons they start driving. I think the best thing will be to leave the matter to the Police officers who get journals where the latest methods of regulation of traffic are found. For example, we have got the system of keeping to the white line. I may also say that in Germany there is a system by which buses stop in certain places where the tramcars are not allowed to stop and tramcars stop at places where buses are not allowed to stop. Further, where a bus or tramcar stops no other vehicle can come within a specified distance. This has been framed to avoid danger to persons who get out of the tram or bus, as the case may be.

"As regards the allegations against the Police and local boards, the fact is this. The district boards are hard put to maintain their roads in a proper state of repair. It is a well known fact that roads get very soon into disrepair on account of the very heavy loads that these buses take and at very frequent intervals; and our boards are not able to recover the enormous drain. Hence the local boards are justified in demanding large sums as licence.

"As regards the Police in important districts like Madura, Trichinopoly and Tanjore, the Superintendent of Police has to examine the cars before issuing licence and also at periodical intervals. There is what is called a brake certificate and unless that is issued the licence is not complete. All these things are taken with a view to ensure the safety of the passengers. Hon. Members of the House will suggest some practical ways for the proper safety of the person instead of indulging in mere criticism."

Mr. ABDUL HAMID KHAN :—"Why can't you suggest?"

Mr. ABBAS ALI KHAN :—"I have already suggested two things and that is all that my poor brain can think of."

Mr. BASHEER AHMAD SAYEED :—"My hon. Friend has asked us to give some suggestions. A number of my friends spoke on the subject that they have not said anything about two things. The most important cause for the frequent occurrence of collision seems to be the fact that the Madras public

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is very little accustomed to fast traffic. The Madras public, especially the people who come from the mufassal, of whom there are many in the city, are hardly used to very rapid traffic as it is obtaining in the city at present. Government will do well to spend large sums of money to carry on a propaganda for educating the people to get themselves accustomed to fast traffic. The other reason is the roads in the city of Madras are too narrow to admit of very rapid traffic; but nevertheless licences are issued to such roads for bus traffic. Government should use their money in a more deserved way and one of such will be in investments of liberal grants of funds to local bodies like the Corporation of Madras to widen the roads. Financially several of the local bodies are not very sound and the Government will do well, especially from out of the Police grant, to make allotments for this purpose of widening all roads on which the buses run.

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"The third thing is that there should be a constant examination of the condition of the buses from time to time. Especially the mechanical side of it should be tested. The drivers should be made to undergo examination for driving carefully and avoiding accidents. If all these suggestions are considered and adopted, I think that the number of accidents will be minimized."

*The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, Sir, the object of the hon. Member in discussing this question is to have better traffic control in the city and in the mufassal. The Government and the Police authorities are of the same opinion as the hon. Member himself with regard to the ever-increasing motor traffic being properly controlled. As pointed out by my hon. Friend, Mr. Harisarvotama Rao, motor traffic has increased in recent years. The question of better control of motor traffic has been before the Government on more than one occasion. About two years ago the Commissioner of Police submitted a scheme which was accepted by the Government, as a result of which the number of traffic points were increased from 35 to 65. The staff of 2 sergeants, 7 head constables and 74 constables was increased to 10 sergeants, 15 head constables and 125 constables, in addition to the two Crown sergeants, three head constables and four constables. Again, very recently I think, the Commissioner has applied for increase of staff for the sanction of Government. That is with regard to the City of Madras. With regard to the mufassal, the Inspector-General of Police has applied to the Government for increasing the staff in one of the districts. It has been sanctioned by Government and the amount necessary for it has been provided in this year's budget. I say all this to show that Government are not unmindful of their duty in this matter and they are doing their best. We want to prevent rash driving and bus accidents. Everything is being done by the Government in this connexion and the remarks made in this House will be brought to the notice of the Police authorities so that they might take necessary steps in the matter.

"With regard to the complaint of the members of the depressed classes that they are not allowed to get into the buses in the mufassal, I think it is a complaint that should not exist. I am sure it is more a matter for the hon. Members who are sitting here, the elected representatives of the people, to educate public opinion in this direction. So far as the Government is concerned, we are prepared to examine the question."

The motion was by leave withdrawn.

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Dr. B. S. MALLAYYA:—"Mr. President, I beg to move

'that the allotment of Rs. 12,05,000 for Presidency Police be reduced by Rs. 100.'

"My object is to discuss the action of the City Police in harassing the fruit sellers and detaining them in the lock-up without food and water for twelve hours and more, and preventing the mothers from nursing their babies at breast. Mr. President, I request you to permit me to mention two or three other instances of the mismanagement of the City Police. Sir, it is not my object to throw mud on the much-abused Police, but simply to ventilate the grievances of the public of Madras so that the authorities concerned might enquire into them and see that such things are not repeated in future. I have no other motive. They are grave charges no doubt and I realize my responsibility in making these charges. They started some time back on this campaign of mass arrest of the shopkeepers of Rasappa Chetti Street, the 14th division in the Esplanade. A batch of policemen went there at 10 o'clock in the morning, caught hold of a number of petty shopkeepers, deprived them of their goods and took forty or fifty in a mass to the Police station. They were marched to and fro for three or four days and put to considerable annoyance and on my intervention on their behalf were let off with a warning.

"Then there was the arrest of an old man, a Marwari gentleman 72 years old, a sweetmeat seller. There is a big story behind the arrest of the 72 years old man. He was arrested on a non-bailable warrant on a Sunday morning. The man was suffering from Bright's disease; he was passing only three ounces of urine for 24 hours. A respectable doctor of Georgetown was treating him. The old man was asked to appear before the Magistrate. He produced a certificate that he was ill. But a non-bailable warrant was issued for his arrest on Thursday; while he was arrested, here again, on a Sunday morning. On his behalf I went and saw the Police officer there, and I was told that it was a non-bailable warrant. We tried our level best to get hold of a vakil, paid him a big fee, went to the Magistrate's house and got an order for his release. He was released at 5 p.m.; he had been arrested in the morning. I expected him to collapse. No arrangements were made for any food or for any treatment. Because that is not their business. They stripped him of all his clothes, he was perfectly naked in front of a huge crowd in Georgetown, near the place where he had been conducting his sweetmeat shop for the last 50 years. The man was released with a light fine of Rs. 2. What was the charge against him; it was only not replacing a glass pane in the sweetmeat box. The man was not there; his servant alone was there running the shop. The man was sick and bedridden. This is the mentality of the police. Questions were asked here but all that was of no use.

"The next thing to which I want to refer is this. A rich man's son drives a motor car; he has not learned the art well; I do not know whether he held any licence or not. He drives the car in one of the congested quarters in Mint Street. He knocks down a child, nine years old and runs away without taking the child to the hospital. The angry crowd chases this car, and he avoids them, puts on speed and runs away without taking the child to the hospital. The child was lying on the road unconscious with half a dozen ribs broken on the left side and I had to attend on it for more than two months. A complaint was made to the Police by the father of the child,

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but no action was taken. Reference was made to this in the press. I myself personally narrated this incident to the Commissioner, but no action was taken, and there are even to this day ugly stories circulated in Sowcarpet about this unhappy incident, as to how the rich man easily silenced the Police and avoided investigation. If he had been a poor man, the investigation would have started at once automatically. I leave it at that.

"Now I come again to the harassing of the poor fruit-sellers of Georgetown. That game is going on merrily. Large numbers of them, males and females, are charged every day for causing obstruction to traffic. They are charged in large numbers and fined large sums in a vindictive manner. Who is causing obstruction to traffic? Is it the Tramway Company who place their sleepers on the side of the road without any lights at night, or is it the Corporation that stacks the road metal there? Here are poor women living from hand to mouth, carrying a basket of oranges and earning 8 or 10 annas a day. They are arrested and asked to appear on a particular day. They go there, but the case is adjourned to some other day. There happens a death in their village and they all go there. The summonses are taken and some of them are posted on the doors of their houses. Then non-bailable warrants are taken against them; the women are arrested and taken to the Police lock-up, here again on a Sunday morning at 8 o'clock. They are detained there till 8 in the night; two or three of them have little children four or five months old. They brought those children and left them on my pial in Georgetown. When I asked the Policemen to allow the women to take their children, they say, 'No, we are charging only the mothers but not the children.' Who is going to feed the children? Some kind mothers are willing to give one side of their breast to the children affected by this Police zoolum. I asked a question on the floor of this House and the hon. Member said that no arrangements were made since they were released immediately after the arrest. I repeated the question three months after and the reply was that they were arrested at 8 in the morning and released at 9 in the night after 13 hours. Neither the Police supplied them with food, nor were they allowed to bring their own food. The Police made a wrong statement that they were released immediately after they were arrested. Is it their object to starve them also for their crime of selling fruits? It was said that they failed to appear in a court on a minor charge of causing obstruction to traffic, but these poor honest people told the Presidency Magistrate in person in the lock-up at night that no summons was served on them, and that they were absent at a funeral in a village outside Madras, and that they were unable to read and write. I state these things, because there is a story behind them. The game was given up for some time and it has been started again and it is going on everywhere. Sympathetic Magistrates fine them 4 annas and 8 annas; a complaint was made by the Police against them and they were asked to fine them heavily. For some time these poor women were fined 8 or 10 rupees. Their whole earnings for a month will not be 8 or 10 rupees. How are they to pay the fine without carrying on the trade? Are the Police there for merely harassing these poor people? This kind of Police persecution is forcing them to give up their honest profession and many of them go in for prostitution. Many of them are seriously thinking of this course if the Police persist in their persecutions. Sir, they came in a body, about 120 or 150 of them, to the President of the Corporation while the meeting was going on and he was kind enough to address a letter to the Commissioner.

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requesting him to desist from prosecuting them till they were provided with proper places for carrying on their trade. How far the Police are going to accede to this request it is to be seen.

"Then again we saw how the city was in a terror-stricken condition by the shooting of the Burma Oil Company people on the poor labourers. What have the Police done? they failed to carry out their primary duty of protecting life and property, but allowed the servants of the company to use firearms on the unarmed crowd of labourers. They held a mock enquiry, charged some labourers, but hushed up the cases against people who used the guns and pieces of steel piping for belabouring the people.

"Again, Sir, during the recent disturbances, a poor student was arrested who by accident happened to be among the crowd. He was taken to the Penitentiary and kept there for seven days and was not allowed to bring his own food. Neither was he given the food to which he had been accustomed.

"The hon. the Law Member told us recently that the food given to prisoners was that to which they were accustomed. Here is a rich man's son. The Police were very fortunate in getting hold of him. He is kept there for seven days. At 11 o'clock he is taken to the Penitentiary; at 3 o'clock a cup of ragi kanji is brought to him; he refuses that; poor fellow not used all his life to it; he went to the college simply to oblige his teachers; his mother asked him not to go; still he went. He is now in the Penitentiary not as a prisoner and not as an under-trial prisoner but as a demonstrator in the bartal which he was not. He is denied any food for two 48 hours, but is starving and drinking corporation milk coming out of the tap; there is no chlorination even. He could not resist any longer the pangs of hunger. The Superintendent of the Jail took pity on him and brought some rice kanji for him. He tells me that there are bugs there. Bugs have robbed him of a third of his blood. Mosquitoes are intolerable. He is not allowed to have any books. He has no clothes, except one mundu one shirt and one cap. A blanket and a gunny cloth are given to him to sleep on in the night. That night was specially designed evidently by the Penitentiary authorities for feeding the mosquitoes and bugs. What was the charge against him? Nothing except that he was in the crowd. Nobody saw him throwing stones. He was in the Penitentiary; he was brought out on bail by my friend Mr. Thanikachalam Chettiyar. He was the only student caught out of the whole lot. He was the most timid boy. Sir, I have offered these remarks as I told you not to throw mud, to use the expression of the Police, not to abuse the Police force but to see that such occurrences are made impossible in future. One point I gather from the Police force itself is that the pay you give them is not sufficient to keep them above want. They are paid Rs. 21 for wife and children. A Policeman has to seek other avenues. His wife being the wife of a constable with a dignity attached to her position cannot make a living by doing any other work; Policemen get only Rs. 21. They have to augment their income from other sources. The Government themselves are responsible for this state of affairs. If only these men are given sufficient money to keep them above want, many of these petty offences and petty prosecutions will disappear altogether. You want them to be decent people and well behaved people. You want them to be of the type of London Police. If you do not keep them above want they have to yield to temptation. I request my hon. Friends, the nominated Members who represent the depressed classes, to support the motion . . ."

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* The hon. the PRESIDENT :—"Has the hon. Member completed his list of charges against the City Police?" (Laughter.)

Dr. B. S. MALLAYYA :—"I have still more; I have an order from my chief to close my remarks."

* The hon. the PRESIDENT :—"The hon. Member may exhaust his charges."

Mr. SAMI VENKATACHALAM CHETTI :—"They are inexhaustible." (Laughter).

Dr. B. S. MALLAYYA :—"I have given the main point of the whole charge. I ask the Police officials who are here now . . . (A voice :-- 'No; no'.) I refer to the hon. the Home Member who is in charge of the Police portfolio. I have one more incident to be placed before the hon. the Home Member. I wanted to avoid it, but since I am reminded of it I shall give it for the information of the hon. the Home Member. On the Ramzan day one charitable gentleman wanted to distribute clothes and money to the poor. It is an avoidable incident; it could have been easily avoided if the Police had common sense. They knew that there was going to be a big crowd. The lane is narrow. The incident would have been avoided if the Police did not charge from both ends. It resulted in the death of nine women and one of them, I am told, was unfortunately a pregnant woman. The distribution of alms and charity in Anderson Street is an annual function. There is a Police station about 150 yards off. They could have done everything to avoid the incident. It was not in their nature. They will be here to see that there is no crowd here. The whole Police force is here with lathis. When I walked into the Chamber I had a mild surprise from the Commissioner of Police. He called me by my name. He is my friend; I have nothing against him; absolutely nothing. They are more concerned with rich and official people and not with the poor who are left to their own destinies. I request the hon. Members, representatives of the Depressed classes, to support me in this motion."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"Sir, the only issue before us is the specific case of the action of the Town Police in harassing the fruit sellers and retaining them in the lock-up without food or water for 12 hours and more. That is the only question before the House. Of course Dr. Mallayya has mentioned a number of other cases. I am not in a position to answer them, as no previous notice was given to me. All I can say on the point before the House is that six fruit-sellers, three men and three women, were arrested on the 8th May under non-bailable warrants issued by the Second Presidency Magistrate. The charge against them was that they caused obstruction on the public road by selling fruits and they did not appear in the court in accordance with the bonds taken from them. They were arrested at 12-30 p.m. on the 8th May and taken to the Police station at 12-40 p.m. They were released at 7-30 p.m. Therefore they were locked up only for about seven hours. With regard to the question of food, the Government have called upon the Chief Presidency Magistrate to submit a report. We are told that the food hours in the lock-up are between 10 and 12 noon and 8 and 9 p.m. These fruit-sellers were taken to the Police station at 12-40 p.m. and released at 7-30 p.m. Therefore there was no occasion to give food to them. If they had asked for

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food, it would have certainly been supplied to them. Under these circumstances, I feel that there is no serious charge at all. Regarding the question of preventing the woman from nursing her baby, I may say that it is not a fact. On the whole, I think there is nothing serious in the charges made by the hon. Member."

Diwan Bahadur P. KESAVA PILLAI :—"May I know why non-bailable warrants were issued for the offence of obstruction caused by selling fruits?"

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"Because they failed to appear in court."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100."

The motion was put to the House and lost.

* Mr. P. BHAKTAVATSULU NAYUDU :—"Sir, I move

'to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100.'

to consider the question of introducing khaddar clothing and equipment.

"It is the burning question of the present times that khaddar clothes should be encouraged by all sorts of people, especially the Government who are spending several lakhs of rupees for clothing for their several departments. Policemen are after all mostly Indians and I do not think there will be any conscientious objection to go in for the cloth manufactured in their own country which will go a great way to relieve unemployment among the masses of the people. If the Government would think of buying about Rs 7 lakhs worth of khaddar hand-woven and hand-spun for Police alone, it would be conferring a very great boon upon the starving masses of this Province. The question of unemployment is seriously engaging the attention of every thinking man in this land. It should be the duty of the Government to attend to this matter especially as they call themselves benign and benevolent when defending the cause of the poor. They shed tears in the cause of the poor and they say that they are the only champions championing the interests of the poor people. Here is a serious problem which should be faced by them. If they are honest in their intentions and in what they say, this resolution should really be given effect to. It will, I submit, go a great way to relieve unemployment which stands to-day unsolved. With these few words, I move my motion."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, at the last budget meeting I remember that this question of hand-spun khaddar was discussed and the hon. Member representing the Government on the other side almost appeared to challenge and ask me to supply the necessary yarn or the necessary khaddar. One year has passed and no demand has been made of me. To-day the hon. Member from Madras has raised this question. I am sure the hon. the Home Member will make up his mind early enough to introduce khaddar for the dress of the Police outright. I know, Sir, that he will stand up and tell me that it will cost very much more to produce khaddar cloth than the cloth which is now being supplied. I am almost certain that, if he enters into details and gets proper estimates, considering the amount of supply that is now available, the cost will not be materially very different. The hon. Member has a manufacturing department under

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the control of the Government, viz., the Jail department. I was told in reply to an interpellation on the floor of this House that hand-spinning had not been introduced into the jails so far as cotton spinning went. I ask why the Government should not introduce spinning in the jails and manufacture cloth therefrom. Jails cannot carry on commercial production, I know . . .

* The hon. the PRESIDENT :—"I wonder why the hon. Member introduces jails and jail production into this question. The question now before the House is to introduce khaddar in the Police department for Police dress. I wonder how the hon. Member is able to connect jail manufactures with this motion."

4-16 P.M. * Mr. G. HARISARVOTTAMA RAO :—"For the simple reason that I was anticipating an objection from the Home Member that khaddar would be costly. I was suggesting to him that he could get khaddar cheap enough if introduced through this department."

The hon. the PRESIDENT :—"Order, order. I might inform the hon. Member that he could well have taken an opportunity of speaking on this subject on the Jail demand. I do not think he will be justified in doing so now."

Mr. G. HARISARVOTTAMA RAO :—"I am afraid, Sir, I have not been understood. However, I bow to your ruling."

"To continue, Sir, there is sufficient material in the country and sufficient power in the Government to attend to this question immediately and get our Police clad in khaddar. I can promise the hon. the Home Member that with khaddar on, the Police will make a very splendid display. He has only to think of the Congress volunteers and realize how smart they looked and how sweet they were. I am sure that if the Police are clad in khaddar a change of temper will come over not only the Police force but the whole of the country. I am certain that to-day khaddar is considered a symbol of peace, and the people of this country have come to recognize khaddar as national dress, whatever the Government may say to the contrary. Sir, the Police must be of the people. They are no doubt born in this country, they are no doubt paid out of our taxes, but they are not of this country for the simple reason that they are controlled by agencies which are foreign to the country and which are not under the control of this House. Therefore if you want to bring the police to the position of forces that can command the confidence of this country, it is essential that step by step, stage by stage, the Police must behave in such a manner as to command our confidence. The whole Police force can be clad in khaddar within one year if serious attempts are made. Therefore, for the Police to become more national, for the Police to command more respect in the country, for the people to feel that the Police department is coming into line with the people, it appears to me symbolic that khaddar should be used forthwith. Before the transfer of the whole Government to us, which we have demanded, I think this would be a symbolic transfer of the power vested in the Police if the Government are prepared to clothe them in what is accepted as the national costume."

Mr. R. SRINIVASA AYYANGAR :—"Sir, I would like to say a few words in support of this motion. By this motion, it should not be understood that any grave political issue is sought to be raised. It is purely an economic question. By introducing khaddar, by making the Police force wear

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khaddar, you will be helping a large number of poor persons by giving them sufficient work during the off-season to eke out a living. Sir, I feel some diffidence about the attitude of the Government. Let not the bogey of prestige stand in the way of Government in accepting this motion. In a matter like this, prestige ought to be allowed to play only a subordinate part. I hope the bogey of prestige will be made to yield to wise and sagacious statesmanship. So far as khaddar is concerned, nobody now-a-days has the slightest prejudice against khaddar. Khaddar has come to stay in the country. It has begun to command a large sale and people are taking to khaddar cheerfully even at some sacrifice. In the All-India Khaddar Exhibition held in December last, very fine khaddars were offered for sale. The cloth was durable and the texture was good. In a matter like this, Government can very well afford to spend a few more rupees, as the loss, if any, will be more than compensated by the amount of surplus money that will go to afford relief to the poor and the needy. Moreover, Sir, khaddar, as everybody knows, has come to be regarded as the symbol of purity and simplicity. Sir, when this question came up before this House this time last year, the hon. the Home Member said that the matter would be considered. So far, it does not appear to have had any sympathetic consideration in the hands of the Government. I make an appeal to the Government to make a beginning in this direction. It will go a great way to make people understand that Government are not only not against khaddar, but are sympathetically inclined towards khaddar. With these few words, I beg to support the motion."

* Mr. K. V. R. SWAMI :—"Sir, our reason for making this motion is this. The taxes of this country are collected from the poorest and the Government should try to see that they go as far as possible to the poorest. Khaddar is prepared by the poorest people. By purchasing the cloth used for the police elsewhere, money is sent out of the country; not only that, the country is poorer for it and the poor are not getting any benefit out of it at all. As regards the texture and the durability of it, there is no doubt that khaddar is giving a good account of itself. What we propose by this motion is that khaddar should be used for all police purposes. If the Government have got any regard for the opinion of the Council in this respect, this motion ought to be given effect to. I am sure the House will be unanimous in this. I am sure the members of the depressed classes would vote with us because this would give employment to some members of that class. I am fully aware that many members of the depressed classes are employed in preparing yarn and in producing khaddar in some parts of the country. I do not think my friends of the Justice Party would fail to support this motion, because now they have accepted khaddar and do intend to give encouragement to it. They have passed a resolution that they would encourage khaddar. (Hear, hear.) The only opposition I expect is from the European bench. (An hon. Member: No, they will vote for it.) But I have not much confidence. After having deprived this country of its textile manufacture, after having stopped the importation of piece-goods into England in 1720 and 1740, they would perhaps feel that this country ought not to be allowed to develop khaddar and thus retain for themselves the money that is now going to foreign countries. Sir, we are now sending every year Rs. 60 crores to foreign countries as cost of the cloth we are purchasing from them. We want to retain a part of that money, by ourselves producing khaddar. The hon. the Home Member smiles,

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It looks foreign to him. It is unfortunate that some of us look at the matter from the foreigner's point of view. You will soon see how the gentlemen of the civilized West indicate their opinion with regard to this motion. They are quite aware that if this motion is passed, they would lose so much money and that therefore they should try to prevent this country from developing this manufacture. That is the principle involved in this. And so, Mr. President, through you I appeal to the Members of this House, the Indian portion of it, to support this motion and encourage khaddar. Sir, this is a matter which was introduced by such a great man as Mahatma Gandhi. He has pleaded on every occasion for khaddar. His whole aim is to introduce khaddar in the country and to see that it is encouraged by all classes of people and especially the Government which is in charge of the national funds and which has taken so much from the poor people of this country."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, the question now under consideration before the House is to my mind really part of a bigger question, namely, whether it is going to be the policy of the Government that, so far as their requirements are concerned, they would, wherever possible, try to meet them in India instead of from outside. So far as the question of the use of khaddar is concerned, I am not prepared to say now that it is not an economic or a feasible problem. In fact, the matter has engaged the attention of the Government, and people who have devoted their time and labour to this question have been communicated with to see whether they could not put this problem of manufacture of khaddar cloths and the handspun yarn necessary for them on an economic footing. I am not aware if replies have been received to these communications, or at what stage the matter now is. I think it is a matter of great importance that the Government here should constitute a Purchase Department which should be in touch with the different agencies which could give us the articles for which we are now going into the foreign market. When I was touring in the United Provinces, I was pleased to find that there was a Purchase Department under the Department of Industries there, and the officer in charge of that department told me with pride and gratification that he had been able to find in India agencies which could provide many of the articles which they were till then buying from England and elsewhere."

"That matter again is, I take it, under the consideration of the Government and I do hope that my successor in office and the hon. the Home Member would give it sympathetic consideration and if that department is organized, I have not the slightest doubt that many indigenous enterprises in this country will find an encouragement, for want of which they are languishing now."

Mr. ABBAS ALI KHAN :—" If I rise to oppose this motion, it is to express the considered views of a considerable section of this House and a considerable portion outside on this question. I wish first to point out the impractical nature of the suggestion made by my friends opposite. My hon. Friend, Mr. Swami, who is sitting on the opposite side with his British spectacles and the khaddar dress might urge upon the Government the necessity of purchasing khaddar for the whole Police department. However nice it may be, somehow or other many people have come to associate with khaddar nothing but political revolution (Cries of Oh, Oh.) It has not been heard of in any civilized country to compel others as to what food they

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should take, how they should behave and such other things. After a lapse of some years, friends who are to sit here on this side like Sir John Simon (cries of: Sir James Simpson), Sir James Simpson, will be told that if they put on their hats it will be highly impertinent. What I submit is this. Khaddar is uneconomic. It takes a long time to make. They want in these days of iron and machinery to go back to the old order of things, the archaic method of spinning by hand. They want hand-spun yarns. This House is very much accustomed to the spinning of yarns. (A voice: Spinning Government yarns.) It does not look so well; it does not suit well. (Voices: Question.) My friend, Mr. Basheer Ahmad, looks certainly better with his cap than the other friend with the khaddar cap some 2 or 3 seats behind him. He looks like a Marwari behind him. (Voices of: How does a policeman look with his khaddar dress? It is an insult to the Marwaris.) What I am saying is this, that khaddar is not for wear because when there is perspiration khaddar does not absorb moisture. (Voices: What science is it? Ignorance, ignorance.) I have myself worn khaddar. When the country was suffering from a complex disease called khaddar complex I was also a victim. I wore that khaddar dress at least for the purpose of election; (voices: Oh, oh) for the misguided Muhammadan voters would not think of seeing me if I went in foreign dress. (A voice: What a fashion? Another voice: Election dodges.) I know that I had to spend some of the most terrible days of my life then. I have been also told that khaddar has got a peculiar property of irritating the skin. A policeman ought not to be irritated and should not be irritated by the cloth that he is called upon to wear. I therefore submit to the House that it should not insist on pressing this motion to a division. I am also told, and I may state it with all the seriousness that the matter requires, that a lawyer who was suffering from this khaddar complex got by the irritation of khaddar a carbuncle which developed seriously (a voice: Wonderful revelations) and the man, (voices: Spinning yarns) to use that common expression, kicked the bucket. The khaddar-clad constables who have to maintain much calm and wear the uniform for 13 or 14 hours much to their discomfort will feel it difficult to wear this which may ill-fit and ill-suit them. I therefore submit to my hon. Friends that on account of these impracticable reasons and other things, they should not press this motion to a division."

* Mr. S. SATYAMURTI :—" Buffoonery and poltroonery cannot go far. My hon. Friend has performed a theatrical performance treating the House as a comic theatre and I am sure it was intended to awaken the slumber of hon. Members at the lag end of the day. It is a tragedy that when we are discussing a question on which all of us on this side feel strongly, my hon. Friend should have so far forgotten himself as to show what he now displayed for want of arguments. I know my hon. Friend and if he wants to make out a strong case against a particular question he knows how to make it. If the House was laughing all the time, he was airing his views and he knows the one who laughed most was himself. He knows that more than I do. The motion I have the honour to support is this. To the extent to which this Government is responsible to this country, if not politically at least morally, it should encourage indigenous industries and it should see that as much as is possible of the money spent to-day is spent in this country for the benefit of the people of this country. Now, Sir, so far as the defects of

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khaddar are concerned, my hon. Friend said that it does not suit well and that it does not fit well. After all they are matters of opinion. My hon. Friend may think that by imitating fashions two decades old he may be passing off as a first-class gentleman in the streets of Madras. But after all even in these civilized days, no civilized country in the world goes about imitating other countries in search of manners and fashions. Each country tries to maintain its own manners and fashions. As for khaddar fitting well, if my hon. Friend would visit a session of the Assembly, he would see there men who are as fashionable and as well dressed as he, if not better, and clad in khaddar. Therefore there was no point in saying that."

Mr. Abbas Ali Khan:—"I fainted there."

* Mr. S. SATYAMURTI:—"My friend is not capable of fainting—my hon. Friend who is far too muscular and robust. But, Sir, two hon. Members of the Treasury Bench who are here once spoke of khaddar, came to this Council clad in khaddar and appeared in khaddar. I do not think they have produced any such impression now by their sartorial achievement. Evidently their dress does not frighten him. Therefore even if my friend's susceptibilities will not be wounded by their khaddar, he may as well allow other people to hold that belief, to dress in khaddar and appear well and decent and command his approval and admiration. My hon. Friend the Chief Minister is even now wearing some piece of khaddar, and also is occasionally getting irritated. I am sure it is not khaddar that is the cause of his irritation nor political difficulties. But apart from that I suggest that the police are not, to the extent to which they ought to, encouraging khaddar. I will give an instance. About two years ago the Council of the Corporation of Madras passed a resolution that all Corporation employees who are clothed at the expense of the Corporation must be given khaddar clothes. The resolution was carried out except in respect of the fire brigade which is under the control of the Commissioner of Police who strongly objected to it. The police carry their vendetta to the extent of discouraging a responsible body with regard to clothing its own servants, simply because a section of that service is under the control, for administrative purposes, of the Commissioner of Police. It was suggested that khaddar symbolises political revolution. I do not know what is exactly meant by that phrase. I have known permanent Government servants dressed in khaddar. Even to-day there are permanent Government servants dressed in khaddar. I am not at all sure, when a general election comes, whether all the three hon. Ministers may not go about once again dressed in khaddar proclaiming that they are not revolutionaries. My hon. Friend said that he put on khaddar because he wanted to cheat the electors. That is a very good certificate to himself. But it seems to me what he failed to do or what he did is not an argument for others to do or not to do a thing. My hon. Friend from East Godavari doubted whether the European Colleagues would vote with us on this matter. I am certain they are going to vote with us. For this reason, viz., that their Leader has been telling me in season and out of season, inside and outside this House, 'Don't plough the sands, do not try to destroy the Government. You had better bring forward constructive proposals. We are with you. We are not against the interests of the country. We are for the economical progress of the country.' Now I say, Government want money to clothe the police. I will give you what money you want, only clothe them with the cloth produced in the country."

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[Mr. S. Satyamurti]

And I am altogether fortified in that hope because the Leader of the European party is a Scotchman who, like all Scotchmen, would love home-spun things. There must be a peculiar fascination for Scotchmen to sympathise with Indians who want home-spun things. Mr. President, I am sure we shall be quite content if the Government make a genuine beginning by starting a khaddar factory this year or encouraging existing factories to produce enough khaddar to clothe the police. What is the meaning of their condemning khaddar even before giving it a trial? To me as to many other Members, this is a crucial test as to whether the Government mean what they say, when they often say: 'We are here co-operating with you. Only don't fight us. Give us constructive suggestions.' This is an eminently constructive suggestion. Khaddar has become much cheaper than it was. Khaddar is being produced on a large scale in different parts of the Tamil Nadu and the Andhra Desa. I appeal to the Indian Member in charge of the Police to take courage in both hands, to initiate, if he pleases, an experiment and then come and tell the House as a result of his experiment whether he agrees with the Public Prosecutor of Ramnad or whether he agrees with the Members on this side of the House. I hope he will give the liberty to the nominated and official Members to speak and vote as they please. We shall certainly press it to a division. The Justice Party has expressed its well-known love for khaddar in conferences and outside, and I hope it will show its earnest interest by helping us in this vote. I hope by their co-operating with us in this constructive endeavour we shall carry the motion by a majority."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"My hon. Friend, the Deputy Leader of the Opposition, said that this question was considered by the Corporation of Madras about two years ago and they passed a resolution that their employers should wear khaddar; but when it affected the fire brigade the Commissioner of Police brought to the notice of the Corporation certain facts and on reconsideration the Corporation of Madras dropped the proposal so far as the fire brigade was concerned. The reason why it is not possible to ask the police to make their uniforms in khaddar is that khaddar clothing is uncomfortable (A voice: No) for policemen as they have to wear the uniform for about 16 hours a day or so. (A voice: What do you mean by 'uncomfortable'?) Further, I may point out that khaddar is not a popular dress. Not even 25 per cent of the Members of this House wear khaddar. First of all convert all the Indians to wear khaddar before you think of the police. (Voices: 'Policemen are Indians' Are you Non-Indian?) I may point out that khaddar dress is the political symbol of a political party. (Voices: No, no.) Many people do not care for khaddar. To-morrow some other party sitting in Opposition may say that Assam silk is the symbol of their party and they may ask us to make out of it police uniforms. It is not possible for the Government to do any such thing. The cloth used for police uniforms is manufactured in India and India alone. The woollen cloth is manufactured in Cawnpore, and the drill is made in the mills which employ Indian labour mostly belonging to the depressed classes. I may say that cloth manufactured in our jails is also used largely. In these circumstances, it is not possible for me to accept the motion."

* Mr. ABDUL HAMID KHAN:—"Sir, I must express my astonishment at the arguments that have been advanced by the Home Member with regard

[Mr. Abdul Hamid Khan] [21st March 1928]

to this resolution. I expected that a gentleman who is occupying a very important position in this Government would have advanced more serious arguments against a proposition of this description. I am certain that his arguments would not satisfy even children. My hon. Friend says that khaddar has not become popular, that khaddar is not worn by a majority of the Members of this House. Is that the argument, Sir, to be advanced against khaddar. (The hon. the Home Member: Yes.) If he is really interested in the advance of the country, he should go into the very merits of the question."

The hon. Mr. T. E. Moir:—"May I ask the hon. Member, Sir, what is khaddar?"

* MR. ABDUL HAMID KHAN:—"Mr. President, the only answer that I can give to that question which has been asked by the hon. the Finance Member is that he has been a Member of this Government so long and it is high time that he has understood what khaddar meant instead of asking at this late hour what it means. Khaddar is the cloth, if he does not know it already, hand-spun and hand-woven and produced in our country. It is not produced in England or other countries. Khaddar produced in England is different from what is produced here. Sir, I am extremely sorry, that some Members of this House instead of coming forward with serious arguments have given very flimsy arguments in support of their position. By encouraging khaddar you give the means of livelihood to hundreds and thousands of our poor people, including the depressed classes. My hon. Friend, the Home Member, wanted to placate the depressed classes and get their vote by saying that the cloth that was produced by the depressed classes was used by the police and other departments of Government. I do not know how far that statement is correct. I want the hon. the Home Member to place facts and figures before us. What amount is spent by Government in purchasing cloth that is made in India? What we want by pressing this motion is not to call upon the Government to forthwith purchase all the cloth necessary. My hon. Friend, Mr. Satyamurti, has given a hint to Government; let them make a beginning and if they find that there are difficulties, let them come forward and state the difficulties to this House. But even before giving it a trial, to come forward and say that it is not worn by a large number of Members of this House, is not fair for one occupying his position."

"Well, Sir, I am sure even though some of the Members have not yet begun to wear khaddar, they will certainly not stand against giving khaddar a trial and introducing it in the Government departments."

* SIR JAMES SIMPSON:—"Mr. President, I have no desire to prolong this debate; but as my hon. Friend for the Madras University had just said that I was going to support him on this occasion, I should like to say that I regret I must disabuse him. He said, as a Scotchman, I should support home-spun. (Hear, hear.) Well, Sir, it is only wealthy American millionaires that can afford Scottish home-spun. In Scotland, nowadays it is much too dear, and we have got to go for the cheaper production of England and elsewhere. Sir, yesterday, the hon. Member for the Madras University wore a beautiful sort of Roman toga which he threw about this way and that way. Is that khaddar? (Mr. Satyamurti and others: Yes, Yes, fine khaddar. Is the black coat that he is wearing khaddar? (Mr. Satyamurti: Yes.) Well, khaddar is getting on. (Hear, hear and

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[Sir James Simpson]

laughter.) Is that cloth that he is wearing round his neck khaddar? (Mr. Satyamurti and others: Yes.) The gold threads in it? (Mr. Satyamurti: Yes, and laughter.) Is the turban khaddar? (Mr. Satyamurti: Yes.) He looks much better in the khaddar turban than with the Roman cloth of yesterday. (Laughter.) Seriously it is not a practical proposition, to clothe the police in khaddar. (Voices: Question: Why not!) The hon. the Home Member has proved beyond doubt that the police are wearing Indian-made cloth. (Voices: Mill cloth.) Cloth made here in India from Indian cotton and Indian yarn. (Voices: Foreign yarn!) To clothe the whole of the police in khaddar is totally impracticable. As the hon. the Home Member pointed out, a beginning can be made. (A voice: Do it.) You must make khaddar cheaper and better and more comfortable. That is why I want to tell the House with great regret that I do not support this motion. I am always willing to help the under dog. I have told the hon. Member for the University that our country has always an affection for the under dog. But the methods suggested must be practicable and to clothe the whole police force in Madras in khaddar is beyond all possibility." (Voices: Quite possible.)

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

- | | |
|-------------------------------------|---|
| 1. Mr. S. Venkiah. | 21. Mr. A. Parnurama Rao. |
| 2. " M. A. Manickavelu Nayakar. | 22. " C. Ramasomayajulu. |
| 3. Syed Ibrahim Sahib Bahadur. | 23. Basheer Ahmad Sayeed Sahib Bahadur. |
| 4. Mr. V. I. Muniswami Pillai. | 24. Mr. P. Bhaktavatsala Nayudu. |
| 5. " M. V. Gangadhara Siva. | 25. Sriman Biswanath Das Mahasayo. |
| 6. " N. Siva Raj. | 26. Mr. A. Kaleswara Rao. |
| 7. Swami A. S. Sahajanandam. | 27. " R. Srinivasa Ayyangar. |
| 8. Mr. V. Ramjee Rao. | 28. " K. Koti Reddi. |
| 9. " Sami Venkatachalam Chetti. | 29. " C. Venkatarangam Nayudu. |
| 10. " S. Satyamurti. | 30. Diwan Bahadur K. N. Arogyaswami |
| 11. " C. V. Venkataramana Ayyangar. | Mudaliyar. |
| 12. " P. Anjaneyalu. | 31. Raja of Ramnad. |
| 13. " J. A. Saldanha. | 32. Mr. R. Nagan Gowda. |
| 14. " O. S. Govindaraja Mudaliyar. | 33. " C. R. Parthasarathi Ayyangar. |
| 15. " G. Hariservuttama Rao. | 34. " T. C. Srinivasa Ayyangar. |
| 16. " Abdul Hamid Khan. | 35. The Zamindar of Gollapalli. |
| 17. " K. V. R. Swami. | 36. Mr. Chavadi K. Subrahmanya Pillai. |
| 18. " Muhammad Meera Ravuttar. | 37. " K. R. Venkatarama Ayyar. |
| 19. " D. Narayana Raju. | 38. " C. Gopala Menon. |
| 20. " K. R. Karant. | |

Noes.

- | | |
|--------------------------------------|---|
| 1. The hon. Sir Norman Macjoribanks. | 11. Mr. R. Foulkes. |
| 2. " Khan Bahadur Muhammad | 12. Abbas Ali Khan Bahadur. |
| Uman Sahib Bahadur. | 13. Subadar-Major S. A. Nanjappa Bahadur. |
| 3. " Mr. T. E. Moir. | 14. Rao Sahib L. C. Gururwami. |
| 4. " Mr. A. Y. G. Campbell. | 15. Mr. G. R. Premasaya. |
| 5. Rao Bahadur C. V. Ananthkrishna | 16. Rao Sahib B. Srinivasan. |
| Ayyar. | 17. Rajkumar S. N. Dorai Raja. |
| 6. Mr. H. A. Watson. | 18. Sir James Simpson. |
| 7. " G. T. Boag. | 19. Mr. Kenneth Kay. |
| 8. " A. McG. C. Tampoe. | 20. " W. O. Wright. |
| 9. " S. H. Slater. | 21. " C. R. T. Congreve. |
| 10. " C. B. Cotterell. | |

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Neutral.

- | | |
|---|---|
| 1. The hon. Mr. M. R. Seturatnam Ayyar. | 11. Rao Bahadur Sir A. P. Patro. |
| 2. " S. Muthiah Mudaliyar. | 12. Diwan Bahadur M. Krishnan Nayar. |
| 3. " Dr. P. Subbarayan. | 13. Mr. P. T. Rajan. |
| 4. Mr. A. B. Shetty. | 14. " T. K. Chidambaranatha Mudaliyar. |
| 5. " J. Bheemayya. | 15. Abdul Razaak Sahib Bahadur. |
| 6. " K. Krishnan. | 16. Khadir Mohidin Fabib Bahadur. |
| 7. " W. P. A. Soundarapandia Nadar. | 17. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 8. Syed Tajudin Sahib Bahadur. | 18. The Kumara Raja of Venkatagiri. |
| 9. Mr. S. Arpudawami Udayar. | 19. Mr. B. Ramachandra Reddi. |
| 10. Raja of Fanagal. | |

Ayes 38. Noes 21. Neutral 19.

The motion was carried. (The announcement was greeted with loud applause from the Congress benches.)

The demand minus Rs. 100 was then put to vote and carried and the grant was made.

* Mr. SAMI VENKATACHALAM CHETTI:—"I just want to make an appeal. The hon. Members belonging to the Muslim community very much desire that, as their festival comes off on Friday itself, that day should be a holiday for the Council. May I know if His Excellency the Governor will be pleased to extend the time of the budget discussion by a day more?"

* The hon. the PRESIDENT:—"The hon. the Leader of the House brought the fact to my notice earlier in the day. These are fixed days; I have no discretion in the matter and it is too late to approach His Excellency. So I have to ask the House to meet on Friday at 11 o'clock."

The Council then adjourned to meet again at 11 o'clock on Friday.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX.

[Vide answer to question No. 1783 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 21st March 1928, page 442 supra.]

Before the District Magistrate of South Kanara.

S. B. Bhide Petitioner.

Application under the Arms Act.

The petitioner abovenamed begs to state as follows:—

1. The petitioner is the son of Venkatesha Bhat Bhide, landholder and First-grade Pleader, residing at Pentlandpeta in Mangalore town.

2. That for some time past the petitioner has been the Receiver to the family estate of Maipadi Kovilagam in Kasaragod taluk. Recently he has also been appointed Receiver to the estate of one Damodara Tantri (deceased) of Panijal village. He is thus appointed Receiver by the Subordinate Judge of South Kanara in litigation pending.

21st March 1928]

3. That these two estates under his Receivership own properties in about 36 villages of Kasaragod taluk. Some of these are far in the interior of the district. For the purpose of making collection of rental he has to go from village to village from time to time with only an attendant with him. During these travels considerable amounts of money remain in his hands. Of late for various reasons the petitioner has realized that it is not altogether safe to be thus moving without adequately providing himself with a weapon to protect his person and property in case of emergency.

4. The petitioner is a Graduate in Law. He has also been recently elected a Municipal Councillor for the Kodiyalbil West Ward of the Mangalore Municipality. He is also a Member of the Board of Trustees appointed for the management of Shri Subrahmanya temple in which capacity also he has to go to Subrahmanya on several occasions in the year.

5. Besides owning a compound and house T.S. No. 636/53 of Ward IX in Mangalore town, the petitioner is a junior member of a joint family owning properties in Mundaje, Laila and Beltangady villages of Uppinangadi taluk. The petitioner's joint family also pays income-tax which is Rs. 158-8-0 for the current year.

The petitioner therefore prays that permission may be accorded to him to purchase a six-chambered revolver and necessary cartridges and that a licence may be issued to him to own and possess the same and go armed in the whole of the South Kanara district to protect himself and his property.

MANGALORE,
17th October 1927.

(Signed) Petitioner.

L. Dis. 8548-27.

E. M. GAWNE, Esq., I.C.S.,
District Magistrate of South Kanara.

Arms Act.—Form XVI licence for a revolver—Requested—
Orders passed.

Application dated 17th October 1927 of Mr. Shesha Bhat Bhide, B.A., B.L.,
Landholder and First-grade Pleader, Mangalore town.

Endorsement N. Dis. No. C. 389-M/27, dated 24th November 1927
of the Tahsildar Magistrate, Mangalore taluk.

The District Magistrate is not satisfied that a revolver is required for the applicant's protection. Licence applied for is, therefore, refused.

SOUTH KANARA DISTRICT MAGISTRATE'S
OFFICE, MANGALORE,
3rd December 1927.

X. COLACO,
for District Magistrate.

THE MADRAS LEGISLATIVE COUNCIL

Friday, the 23rd March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	Marudavanam Pillai, Mr. C.
Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Muniswami Nayudu, Rao Bahadur B.
Subbarayan, The hon. Dr. P.	Muniswami Pillai, Mr. V. I.
Muthiah Mudaliyar, The hon. Mr. S.	Muppil Nayar of Kavalappara, Mr.
Seturathnam Ayyar, The hon. Mr. M. R.	Muthuranga Mudaliyar, Mr. C. N.
Abbas Ali Khan Bahadur.	Nagan Gowda, Mr. R.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.	Nanjappa Bahadur, Subadar-Major S. A.
Abdul Wahab Sahib Bahadur, Munshi.	Narayana Raju, Mr. D.
Anantakrishna Ayyar, Rao Bahadur C. V.	Narayanan Chettiyar, Mr. A. I. Ar.
Anjaneyulu, Mr. P.	Narayanan Nambudripad, Rao Bahadur O. M.
Ari Gowder, Mr. H. B.	Obi Reddi, Mr. C.
Arogyaswami Mudaliyar, Diwan Bahadur E. N.	Parasurama Rao Pantulu, Mr. A.
Arpudaswami Udayar, Mr. S.	Patro, Kt., Rao Bahadur Sir A. P.
Basheer Ahmad Sayeed Sahib Bahadur.	Premayya, Mr. G. B.
Bhaktavatsala Nayudu, Mr. P.	Raja of Panagal, K.C.I.E.
Bheemayya, Mr. J.	Raja of Ramnad.
Biswanath Das Mahasayo, Sriman.	Ramasomayajulu, Mr. C.
Boag, C.I.E., I.C.S., Mr. G. T.	Ramjee Rao, Mr. V.
Chidambaranatha Mudaliyar, Mr. T. K.	Ramaswami Ayyar, Mr. U.
Congreve, Mr. O. B. T.	Ranganatha Mudaliyar, Mr. A.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Sahajanandam, Swami A. S.
Dorai Raja, Rajkumar, S. N.	Saldanha, Mr. J. A.
Evans, C.S.I., I.C.S., Mr. F. B.	Sami Venkatachalam Chetti, Mr.
Foulkes, Mr. B.	Satyamurti, Mr. S.
Gangadhara Siva, Mr. M. V.	Shetty, Mr. A. B.
Gnanavaram Pillai, Mr. P. J.	Simpson, Kt., Sir James.
Gopala Menon, Mr. C.	Siva Raj, Mr. N.
Govindaraja Mudaliyar, Mr. C. S.	Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.
Guruswami, Rao Sahib L. O.	Soundarapandia Nadar, Mr. W. P. A.
Harid Khan Sahib Bahadur, Abdul.	Srinivasa Ayyangar, Mr. R.
Harisarvottama Rao, Mr. G.	Srinivasa Ayyangar, Mr. T. C.
Kaleswara Rao, Mr. A.	Srinivasan, Rao Sahib R.
Karant, Mr. K. R.	Swami, Mr. K. V. R.
Kay, Mr. Kenneth.	Syed Ibrahim Sahib Bahadur, Nattam Dubash
Kesava Pillai, C.I.E., Diwan Bahadur P.	Kadir Sahib.
Krishnan, Mr. K.	Tampoe, I.C.S., Mr. A. McQ. C.
Krishnan Nayar, Diwan Bahadur M.	Tulasiram, Mr. L. K.
Loker, Mr. A. T.	Vanayudaiya Gounder, Mr. S. V.
Mallayya, Dr. B. S.	Venkatarangam Nayudu, Mr. C.
Manikavala Nayakar, Mr. M. A.	Venkiah, Mr. S.
	Watson, I.C.S., Mr. H. A.
	Wright, Mr. W. O.
	Zamindar of Gollapalli.
	Zamindar of Kallikota.
	Zamindar of Seithur.

I
QUESTIONS AND ANSWERS.

STARRED QUESTION

Education

Education of Muslim girls in Cuddapah.

* 1784 Q.—K. ABDUL HYE SAHIB Bahadur: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Muslim ladies of Cuddapah town have made several representations to Government regarding the inadequate arrangements for the education of the Muslim girls in the town of Cuddapah; and

(b) whether the ladies sent a memorial to the Director of Public Instruction praying for the opening of an up-to-date girls' school for Muhammadan girls, and if so, what action has been taken by Government?

A.—(a) Two memorials were received on the subject.

(b) Copies of the memorials addressed to Government were received by the Director of Public Instruction. The question of facilities for the education of Muslim girls in Cuddapah is under the consideration of the Director.

UNSTARRED QUESTIONS

Police

Sub-Inspectors of Police in South Kanara.

1785 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) the number of sub-inspectors of police in the district of South Kanara;

(b) the number out of these who are qualified for the post of Inspectors of Police;

(c) the qualifications necessary for the post of an Inspector;

(d) whether it is a fact that one Mr. Padmappa, Sub-Inspector (at Mangalore Town station), has been recently exempted from the qualifications for a Police Inspector;

(e) what are his qualifications for the post and what are the reasons for the exemption;

(f) why was such exemption granted when there were qualified men;

(g) has the District Superintendent of Police granted a certificate to the effect that there are no other qualified men in the district; and

(h) what steps do the Government propose to take to cancel the exemption and to see that injustice is not done to the large number of competent men in the district?

A.—(a) Twenty-nine is the sanctioned strength.

(b) & (c) Any Sub-Inspector who possesses the minimum educational qualification of a completed Secondary School-Leaving Certificate, or has been exempted by the proper authority, and whose work has been found to justify advancement, is eligible for promotion to Inspector.

[23rd March 1928]

23rd March 1928]

(d) Mr. R. Padmappa was exempted by Government from the provisions of Article I of the Public Service Notification.

(e) The exemption was granted as, in the opinion of the Inspector-General of Police, Mr. Padmappa was best fitted for promotion and was otherwise qualified for the post.

(f) The Inspector-General of Police reported that there was a great dearth of good Kanarese Sub-Inspectors fit for promotion to Inspector's rank.

(g) The Government have no information.

(h) The Government do not propose to cancel the order of exemption.

Alleged irregular conduct of Police in Kistna.

1786 Q.—Mr. J. A. SALDANHA: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received a representation from one A. Somayya about the alleged neglect of the police authorities to make enquiries on his petition into the alleged irregular conduct of the Deputy Superintendent of Police and other police officers in the Kistna district;

(b) whether the attention of the Government has been drawn to the strictures passed by the High Court in their judgment in the criminal appeals Nos. 593, etc., of 1927 (called the Guntur counterfeit case) on the same Deputy Superintendent of Police and other police officers; and

(c) what action has been taken against the police officers in question?

A.—(a) Yes.

(b) Yes.

(c) Charges were framed against the officers concerned and their explanations taken. These are under consideration.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

COMMUNICATION TO THE COUNCIL.

The Secretary laid on the table copies^a of G.O. No. 962, I. & M., dated 29th February 1928, reviewing the annual consolidated audit report on the accounts of local bodies for 1926-27.

III

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND XVI—PORTS AND PILOTAGE.

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move

'that a sum not exceeding Rs. 33 lakh be granted to the Government under Demand No. XVI—Ports and Pilotage.'"

* The hon. the PRESIDENT:—"The question is that Government be granted a sum not exceeding Rs. 33,000 under Demand XVI—Ports and Pilotage."

[28rd March 1928]

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I beg to oppose this motion altogether for this reason. As I pointed out more than once before, the Government have not brought on the budget the receipts and revenues of the various ports or the landing and shipping fees which are under the administration of the landing and shipping committees. These committees are not recognized by law or warranted by any enactment. As long as there is no statutory provision for bringing these revenues under some local body which is authorized by law, they ought to be brought on the budget estimates to be placed before the Council. What I urge is that this administration by these local bodies is one which is not at all provided by law and it is therefore unconstitutional and illegal. We have full authority to have control over these revenues and also their administration. We are aware that this administration is carried on by these bodies the members of which are nominated by Government. The administration of these committees is carried on arbitrarily. The will of the Port Officer or the Collector who is the ex-officio President of these committees is law and the other members who are nominated by Government are bound by the will of the Port Officer or Collector whose will is arbitrarily or despotically exercised; these nominated members have no freedom to act as they like or oppose any measure effectively. I therefore beg to contend that these receipts which come to about several lakhs from the various ports should be brought under the control of this House. I brought a cut motion under this grant. Where they have disappeared I do not know . . ."

* The hon. the PRESIDENT :—" Order, order. If the hon. Member had given notice of cut motions and if they did not appear in the list of motions already circulated, he ought to have brought it to my notice or to the notice of the Secretary, instead of complaining to the House now without giving me an opportunity of examining the question."

* Mr. J. A. SALDANHA :—" I came to know of it only to-day, Sir."

* The hon. the PRESIDENT :—" The papers were circulated to hon. Members long ago."

Mr. K. R. KARANT :—" I may submit, Sir, that Demand XVI has not been circulated."

* The hon. the PRESIDENT :—" If all the demands were sent and if the hon. Member did not find that demand he should have asked the Secretary to circulate it."

* Mr. J. A. SALDANHA :—" My own recollection is that I sent in cuts on this demand."

* The hon. the PRESIDENT :—" Order, order, this is not the time for the hon. Member to raise the question. He may proceed with the next."

* Mr. J. A. SALDANHA :—" I am entitled to oppose the motion for the reasons which I have given."

* The hon. the PRESIDENT :—" The hon. Member was called to order when he complained about the non-appearance of his motion in regard to this demand."

* Mr. J. A. SALDANHA :—" I think I am entitled to oppose this motion as a whole."

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* Mr. ABDUL HAMID KHAN :—" I oppose this grant for the reason that even though the attention of the Government has been brought more than once to this question, the Government persist in keeping out Indians who have been qualified to the higher services in this department. I don't know why Government continues to allow these services only for a particular community and that is the Anglo-Indian community even though there are in the Madras Province people who have been serving the department for a longer time and who have more experience and over whom the juniors have been put. Yet the Government have not taken any action in regard to this. I therefore oppose this grant, Sir."

* Mr. K. R. KARANT :—" I support the opposition of my hon. Friend, Mr. Saldanha, in regard to the constitutional point raised by him. This question was brought before the Government last year and so far as we are able to see there is no authority for the Government to omit altogether the income and expenditure of the various ports relating to the landing and shipping income. I think there is no statutory authority for the constitution of these committees; and even though there is such authority by which these committees are formed their income and expenditure should be shown in the budget. It is for the Government to explain why this has not been done."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, this is a demand for a grant for the office of the Agent for Government Consignments. I was given no notice that any objection would be raised to this grant. The landing and shipping fees to which reference has been made are excluded local funds and therefore under the ordinary rules they are not included in the budget of the provincial revenue and expenditure. The question of the amendment of the Act so as to give landing and shipping fees committees a greater statutory basis than they have at present is under the consideration of Government. As the staff to be provided under this grant is only the subordinate staff under the Agent for Government Consignments, I don't think it is relevant to criticise the Government regarding the community of Port officers."

* The hon. the PRESIDENT :—" I take that the House is ready for a vote. The question is that Government be granted a sum not exceeding Rs. 33,000 under Grant XVI—Ports and Pilotage."

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

DEMAND XVII—SCIENTIFIC DEPARTMENTS (OTHER THAN HYDRO-ELECTRIC SURVEYS).

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, on the recommendation of His Excellency the Governor I move

'that the Government be granted a sum not exceeding Rs. 56,000 under Demand XVII—Scientific Departments (other than Hydro-Electric Surveys).'"

* The hon. the PRESIDENT :—" The question is that Government be granted a sum not exceeding Rs. 53,000 under Demand XVII—Scientific Departments other than Hydro-Electric Surveys."

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* Mr. J. A. SALDANHA :—" Sir, I beg to move
'for the reduction of the allotment of Rs. 53,500 for provincial
museums by Rs. 100,' to press for improving the present museum
and develop the museum in every district so as to include
industrial and art exhibits.

" Sir, we may be proud of the Madras Museum and so far as the exhibits
under the heads of archaeology, technology, art potteries and many other things
of a more or less antiquarian character, the collection there is one which beats
all such collections so far as I know of any other museum in India, except
perhaps the Victoria Institute in Calcutta which I have not seen. Then, there
is besides the Victoria Technical Institute in Madras close to the museum.
The exhibits in it under a few heads for instance, wicker work, etc."

* The hon. the PRESIDENT :—" Does the Victoria Technical Institute
come under this grant ? "

* Mr. J. A. SALDANHA :—" It does not come. What I wish to say
is . . . "

* The hon. the PRESIDENT :—" I point out to the hon. Member to confine
his remarks to the museum and the proposed museums in the districts."

* Mr. J. A. SALDANHA :—" This museum contains hardly anything in
the direction of industries. I may be told that there is the Victoria
Technical Institute in which there are a number of industrial exhibits.
What I say is those exhibits are on a limited scale and they are more or less
what may be called art industries . . . "

* The hon. the PRESIDENT :—" I am afraid the hon. Member is persisting
in pursuing his thesis on the Victoria Technical Institute. I am sorry
I cannot allow the hon. Member to continue to give this House a description
of the Victoria Technical Institute."

* Mr. J. A. SALDANHA :—" Therefore, Sir, the museum in question or
any other contains hardly anything that would enlighten us on the
industrial development of our Presidency. For instance, I have enquired
and tried to find whether there are exhibits of khaddar. The other day
some members on the other side and Sir James Simpson were surprised to
find that all the fine clothing that was worn by Mr. Satyamurti was
khaddar.

" If these products of the highly developed industries in this province are
gathered and exhibited in this museum, surely Sir John Simon,—I mean
Sir James Simpson (laughter)—would not have been surprised. Sir, even
Sir John Simon would have done well to have gone there. He must have
visited this museum if he really wanted to know what the industrial
development of this province was, and he would evidently have found that
khaddar means something superior—not rags of an inferior character. Sir,
we have been complimented by Sir James Simpson the other day on the
fineness of khaddar, and . . . "

* The hon. the PRESIDENT :—" I am afraid the hon. Member is trying
to reply to a speech made by Sir James Simpson the other day. I do not
think the hon. Member will be in order in trying to reply to the speech made
on that day."

* Mr. J. A. SALDANHA :—" Well, Sir, I will come to the other item then.
(Laughter.) I won't take much time. To take one instance, Sir, of an

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industry in which myself and some other members are interested and one
of the important industries,—match industry. When there was a question
of a grant-in-aid to the match industry, some Members of the Industries
Board were not prepared to make this grant. But after some discussion on
that subject, at the meeting, I induced them to wait for an opportunity to
find out all the factories that were here. We asked for the information on
the subject and we could not get it off-hand. The question was whether
we could anywhere get information on this subject. We could not. Now
this museum should be so equipped that we can get the right information as
to the matches produced in this Presidency.

" Yesterday, Sir, I went there to ascertain whether, after my criticisms of
the present method of giving out information and showing exhibits of our
industries, there was anything of the sort in the Madras Museum. Nothing
of the sort could be found there. I think any person interested in the
development of the match industry is entitled to get in this museum,
the only museum in this Presidency, or any new one, the information
he wants through some exhibits of the matches made in this Presidency. So,
also with other industries. I think, therefore, that it is high time that, in
order to encourage giving publicity to, and serving as an incentive to, the
development of the industries, we should have an industrial museum and that
our museum should be developed to such an extent that it includes exhibits
of all the main industries, such as matches, tile manufactures and several
others, which are somewhat developed but yet are struggling for an exis-
tence. I may mention also here the paper industry. Can we at present get
an idea of the extent to which the paper industry is developed in this Presi-
deney."

Mr. C. GOPALA MENON :—" This, Sir, is only a speech on the industrial
development of the Presidency and has nothing to do with the work of the
museum."

* Mr. J. A. SALDANHA :—" I think we cannot get an idea of it, if my
hon. Friend were to want an idea of what sort of paper is manufactured in
this Presidency. Therefore, Sir, I want an industrial museum. It is strange
that my hon. Friend, Mr. Gopala Menon, should have put this question, he
being the representative of the industrial interests of this Presidency. That
he should question my right to speak on this subject is rather surprising.
My object, Sir, is to have an industrial museum in Madras. I am very much
astonished at this attitude of my friend. I am afraid he is going to cross
the floor from the new party (laughter). I could not be the member of
such a party at all (renewed laughter) as would be so oblivious to the inter-
ests of our Presidency and country. We must have an industrial museum.
What is the use of industrial museums in London and not in this city ? We
are spending lakhs of rupees in London on industrial museums, and on that
famous institute called, Imperial Institute in London, Indian money is spent
there, when we cannot get an idea of the products in this province and what
we can manufacture in this province. Sir, we are devoting much of our
time in this Council talking higher politics. We are spending much of our
time on so many other questions but on this matter, I am sorry, that we are
showing a lack of interest and an indifference which is criminal. It was
rather neglectful on the part of our Industrial Member in this Council not to
have raised this question he being a neighbour of the museum. Therefore,
Sir, I appeal to this House to bear this question in mind and make it a

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central point of our efforts to enlighten the public of the merits, defects and difficulties of our industries, as well as the improvements needed in our industries. We should have an industrial museum not only in this city but also in every important centre of this Presidency to give us and outsiders an idea of the industrial developments of each district. It should not be necessary that we should have to go to the city of Madras to find out how far the textile industry and other industries have progressed. For instance we have got a lot of industries in South Kanara. How can a gentleman going to South Kanara get some idea of the industries there without a museum? He need not go round if there is a museum there and then he comes to know of all that is produced in South Kanara at a glance. In England and in Europe this means of encouraging industries is resorted to to a large extent, in order to rouse the interest of the people and to show in what ways they should improve. That is one of the great objects of museums and that is why they have them in every great centre of Europe. So, Sir, I urge that this subject may be taken into consideration by the House. I urge that they should pay more attention to it, if they have not paid any attention to it at all so far, and provide us,—gradually, of course—with money for the purpose indicated by me."

* Mr. C. GOPALA MENON :—" Sir, I think, Mr. Saldanha misunderstood me when I brought to his notice that he was dilating upon the industrial development of this Presidency rather than speaking on the out motion which he has given notice of, viz., with regard to the development of the work which should be carried on in the Madras Museum. It was not at all my intention to decry the utility of having industrial exhibits shown in the Madras Museum. Mr. Saldanha said he went through the Museum yesterday. If he had only gone a little further and gone through the Victoria Technical Institute"

Mr. J. A. SALDANHA :—" I went there and I have a list with me."

* Mr. C. GOPALA MENON :—" If he had gone there, he would certainly have seen the Industrial and Arts Exhibits shown there in that magnificent building adjacent to the museum. I expected Mr. Saldanha, who is an enthusiast on the subject on which he is speaking, to show to the Government or bring to the notice of the Government the work and the direction in which the work in the museum should be enlarged. I do not see that the work of the museum has been greatly enlarged. If there is a great deal to be done, it will have to be done rather slowly and steadily. I know there is a great deal to be done, and probably the provision made in the budget is inadequate for the purpose. When Mr. Edgar Thurston was the Superintendent of the Madras Museum, he used to make periodical visits through the country to find out where articles could be bought and brought to the museum. I do not know whether that sort of work is still carried on. Unless such keen interest is taken by the officers of the museum, in touring for finding out rare articles for the museum—for the purpose for which I think a museum is intended—I do not think the utility of the museum could be brought to its perfection."

"It is understood that the present incumbent, the Superintendent of the Museum, is shortly to be translated into other sphere of work. If that is true, then I say the efficiency of the work will suffer, because an expert of

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that kind should always remain at the Museum to carry on the work, the qualification for which office should be of a very high order.

"With regard to the second part of the resolution, viz., starting district museums and including industrial and art exhibits in these museums, the hon. Mr. Saldanha did not say anything about it. It is a very good idea to have museums in each centre, but, if we consider the expenses, I do not know whether it would be possible to have an ideal museum started in every district. It is probably useful to have one museum attached or one museum started, say, one in the south, and one in the north or in the west of the Presidency. With regard to the art and industrial exhibits, the best way of educating the public is by having floating museums or periodical exhibitions. People who have gone through the Congress Exhibition at the Spur Tank last December would have been struck by the display of works of various kinds that were exhibited there. Work of that kind is now carried on in the Victoria Technical Institute and a great deal could be done by developing the work of the School of Arts as an adjunct to that institute. What we want is similar institutions to bring out to the notice of the public who are engaged in certain kinds of work the utility of these articles manufactured in various parts of the Presidency and not only of the Presidency but also other parts of India. I would, therefore, bring it to the notice of the Government if this motion is going to have any effect at all to induce the local bodies such as the municipalities and district boards to organize periodical exhibitions for the purpose of educating the masses of the country."

* Mr. K. V. R. SWAMI :—" With regard to the second part of the motion, Sir, my submission is that unfortunately the Government always thinks that everything is to be concentrated in this city and nothing should be spared for the mufassal. They seem to think that there are no museums there at all. They always provide moneys for this museum in Madras and spend half a lakh on it. Not even a pie is provided for the mufassal museums. Might I remind the hon. the Chief Minister of the old museum at Rajahmundry? This museum, Sir, was built in 1862 by the Government; it was shoved on the poor municipality. The municipality was managing it by spending more than Rs. 1,000 a year and when it was about to go into ruins, they presented an address to His Excellency Lord Willingdon, when he came there. This, His Excellency promised to consider sympathetically,—that is the stereotyped answer given always. Then as soon as His Excellency reached Madras, the whole thing was forgotten and when we approached for a grant, they said that the financial stringency would not allow of any such thing. The municipality spent more than Rs. 10,000 and got the same repaired."

"Now, Sir, year after year so much money is provided, nearly half a lakh for the museum at Madras, and nothing for the other museums. Even the duplicate exhibits are not given to the other museums, and when we approached the Superintendent, he said they could not be spared. The hon. the Chief Minister himself was at Rajahmundry, but I do not know if he still remembers it. The Government always think only of the museum in this city, and never of the mufassal museums. Therefore, my submission is that something should be provided for the mufassal museums also, and steps should be taken to establish a museum somewhere in the south. Gradually these museums should be developed. As my hon. friend Mr. Saldanha put it, the object of having these museums is not to exhibit toys there; but they

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are intended for the exhibition of provincial and local productions so that any stranger that goes to those places may know what things are actually manufactured there. So, a branch may be opened in the south and encouragement may be given to the other existing museums in the mufassal. Steps should be taken to develop the idea of having district museums on a small scale, though not on a large scale, just like the City museum."

* Mr. A. KALESWARA RAO :—"Sir, with regard to the second portion of the resolution, I also endorse the views of my hon. Friend Mr. Swami. There is a museum at Bezvada constructed in honour of Queen Victoria's Jubilee, and it is used only for the presentation of addresses to His Excellency whenever he comes there or for some official meetings or dinner parties or for the controversial meetings of the District Board where dead-locks are created, and some such purposes. Except for those purposes, the museum is out of use altogether. It was run well at one time and there was a small industrial school there, and locally made articles of fine art and other archaeological things like Lord Budha's picture that were found in the vicinity of Bezvada among the Buddhist ruins were all exhibited. That locality is a nice one and the building is fresh; but nothing is done to make it an useful institution. I submit, Sir, that it may be taken up by the Government as a centre for industrial and agricultural exhibition. The agricultural and industrial products of the district may be constantly kept there and thus a stimulus may be given to the development of agriculture and industries in the district. Some other products obtained from this Presidency may also be exhibited there. No doubt some progress has been made in various kinds of industry in the district here and there; but, for want of sufficient encouragement, those industries are dying out. Particularly, of late, there has been much progress made in the way of producing fine khaddar in that district. If such things are kept there, I am sure the public will be benefited by their exhibition, and the industry will be encouraged. I therefore submit that this question of encouraging museums wherever they already exist and establishing museums—in some important centres to begin with—in the various districts of the Presidency should be taken up by the Government in right earnest, and I have therefore great pleasure in supporting this motion."

* Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, Sir, I wish that the hon. the Minister for Development had intervened in this debate; for, I think, thereby he would have avoided a good deal of the discussion that has taken place on this question. The matter, Sir, that has been discussed now would, to some extent, fall under 'Industries' proper. My hon. Friend over there wanted an industrial museum, but what my hon. Friend Mr. Kaleswara Rao suggested amounted to the same thing, viz., the establishment of an emporium. . . ."

* The hon. the PRESIDENT :—"He wanted a museum of district boards."

* Mr. A. RANGANATHA MUDALIYAR :—"It may be another kind of museum, Sir, that may come later on."

Mr. G. HARISAVOTTAMA RAO :—"It is there already, Sir."

* Mr. A. RANGANATHA MUDALIYAR :—"But at present we are confining ourselves to the establishment of museums where various kinds of articles that are manufactured in the province may be collected and exhibited for the

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benefit of the people. Such a scheme, Sir, is under the consideration of my hon. Friend the Minister for Development."

* Mr. S. SATYAMURTI :—"How do you know?"

* Mr. A. RANGANATHA MUDALIYAR :—"The papers are there, and I take it they are under consideration now."

* Mr. S. SATYAMURTI :—"Even then, how do you know?"

* Mr. A. RANGANATHA MUDALIYAR :—"Well, Sir, since it is not contradicted, I take it that is the case. I think, Sir, instead of trying to establish a museum in each district centre—which would be a proposition beyond possibility just now—I would very much suggest that we concentrate our attention on, say, the headquarters of the province and there collect all articles which are being manufactured in the various parts of this province. For that purpose, the Government can very well utilize the special officer now engaged in carrying on a survey of the cottage industries in the several districts; and if his services are utilized, it will be very easy for them to collect objects for the museum as the survey proceeds, and if those objects are collected and kept in one place with a sheet attached to each of them describing where it is available, at what price it can be had, and giving other details, I think, Sir, the object which my hon. Friends have in view will be amply fulfilled."

* Mr. L. K. TULASIRAM :—"This question, Mr. President, relates to the concentration of a museum at the metropolis. So far as my knowledge goes, there was a proposal to convert the Tirumal Naick's Palace at Madura into a big provincial museum for the southern districts. I know Diwan Bahadur Raghunatha Rao and several members who were appointed at that time to go into this question—I refer to the year 1895 or 1896—actually went there and wanted to convert the Tirumal Naick's Palace into a provincial museum for the whole of South India. Sir, the object of this provincial museum is to collect the rare industrial exhibits and art exhibits of South India, so that it may stimulate the trade and foreign commercial relations may be established. As a matter of fact, the wood-carvings of Madura are having a very great demand in South America and in Brazil. The silk-worm insects, the curios and other things for which Madura is noted have very often been highly appreciated during the Delhi Art Exhibition. It was Sir James Watt who came to Madura and made a very large collection of the rare artistic indigenous exhibits which are produced by the artisans of Madura. Even now, Sir, in decorating the Imperial City of Delhi, His Excellency the Viceroy marked the Madura and Trichinopoly districts as the two centres where a collection of kin-kops, silks and Madapalam and the old art tapestry for which South India is remarkable could be collected. Sir, when I heard Mr. Ranganatha Mudaliyar suggesting the establishment of a good museum, I thought that fifteen months had been wasted by him. Now, Sir, he comes and suggests that the present Minister for Development should bestir himself and do something. Sir, I pity only this gentleman. No doubt, Sir. . . ."

* Mr. A. RANGANATHA MUDALIYAR :—"Both of us!"

* Mr. L. K. TULASIRAM :—"All right, I pity both of you. They have not both of them moved their little finger to do anything in this matter. At the time of the March meeting—which I call the Ides of March—we are

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all here like so many specimens for exhibition in museums. Yet, nothing has been really done. Sir, Rs. 53,000 would not suffice to purchase 53,000 exhibits. What is this Rs. 53,000 for; not only for 'provincial' museums but also for hydro-electric surveys!

* The hon. the PRESIDENT:—"This is for Scientific departments other than Hydro-electric surveys."

* Mr. L. K. TULASIRAM:—"I am sorry I did not notice the words there. Rupees 53,000 would not go a long way. We are spending lots of money on purposes which do not go to develop the nation-building industries. Really, Sir, if the Government are in earnest, something should be done, some beginning should be made, a provincial museum should be immediately started at Madura for which already there have been proposals for the last 27 or 30 years. I simply say all this to show that as one interested in the development of arts in the Presidency, I join my Friends who spoke on this motion, and I believe this House will carry this out."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I did not know with what intention my hon. Friend from South Kanara gave notice of this out. But as he proceeded with his arguments, I found that he was more interested in the Victoria Technical Institute, and his out motion has more reference to the exhibits in the Victoria Technical Institute than to the museum, which is under the Education department. The museum is really intended for the exhibition of old coins and archaeological and ethnological exhibits and not industrial exhibits. That, as my hon. Friend, the ex-Minister for Development, has pointed out, is more a point for the department of Industries than for the department of Education."

* Mr. K. V. R. SWAMI:—"They should be excluded from museums."

* The hon. Dr. P. SUBBARAYAN:—"I did not say so. Probably the hon. Member did not follow me. What I said was that the Madras Museum is confined to historical and ethnological exhibits. If my hon. Friend from Rajahmundry had taken the trouble to go and see the museum, he would have found of what great value the Madras Museum is to students of history and ethnology in this province. My hon. Friend, Mr. Swami, referred to museum in Rajahmundry. I am very sorry that I had not the time to pay a visit to the museum, but, as Mr. Gopala Menon rightly pointed out, these museums at district headquarters are objects with which the local bodies are concerned. If the local bodies really take an abiding interest in the development of museums, I am sure the Government also will come in to help them to make these museums useful to the citizens who visit them. But instead of taking the initiative themselves—which ought to be the case, as Mr. Gopala Menon rightly pointed out—they are always trying to attack the Government on the question of the museum at Madras."

"Mr. Kaleswara Rao referred, Sir, to the museum building in Bezvada. That I had the pleasure of visiting in the company of Mr. Kaleswara Rao himself, and I was pleased to find that they had some exhibits there which are really worth seeing, especially the archaeological things they had dug out in the vicinity of Bezvada. But about the controversial politics of the district board, I do not think it is right or proper to discuss on this out motion; because I do not think they have anything to do with this out, except perhaps, as my hon. Friend Mr. Hamid Khan observed, that they

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might be good exhibits in a museum. Anyhow, as I said, the question of museums in district headquarters is one for the local bodies concerned; and if local bodies really take the initiative and work up museums, I am sure my hon. Friend the Finance Member will have no objection to give them adequate grants, to see that these museums become useful. But, as my hon. Friend the ex-Minister observed, the question of having industrial exhibits in museums was considered by him, and I do not know at what stage the file is in regard to this matter. I know, however, that we did think of having industrial exhibits, especially in relation to the enquiry that is now being made with regard to the development of cottage industries in this Province."

* The RAJA OF RAMNAD:—"May I ask the hon. the Minister, Sir, through you, whether it is only a pious wish that local bodies should undertake the formation of these museums in district headquarters, or whether, under the existing Act, such a thing could be done?"

* The hon. Dr. P. SUBBARAYAN:—"I am afraid, Sir, the hon. Member has not been listening to what I said. What I said was that the initiative ought to come from the local bodies concerned."

* The RAJA OF RAMNAD:—"If it is not permissible under the present Act for the local bodies to embark upon such schemes, may I know how the initiative can come from them?"

* The hon. the PRESIDENT:—"Order, order. I cannot allow questions being put and answered at this stage."

"The question is to reduce the allotment of Rs. 53,000 for 'Provincial museums' by Rs. 100."

The motion was put to the House and lost.

* The hon. the PRESIDENT:—"I shall now put the demand to the House."

"The question is that Government be granted a sum not exceeding Rs. 56,000 for 'Scientific Departments (other than Hydro-Electric surveys).'"

The question was put and carried and the grant made.

DEMAND XVIII—EDUCATION (RESERVED).

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—11-46
"Mr. President, Sir, on the recommendation of His Excellency the Governor a.m. I beg to move

'that Government be granted a sum not exceeding 7.66 lakhs of rupees under Education (Reserved)'. "

The hon. the PRESIDENT:—"The question is Government be granted a sum not exceeding 7.66 lakhs of rupees under 'Education—Reserved—European.'"

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

DEMAND XIX—EDUCATION (TRANSFERRED).

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move

'that Government be granted a sum not exceeding 181.74 lakhs of rupees under Education (Transferred)'. "

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* The hon. the PRESIDENT :—" I wish to know whether the House want this motion to be guillotined at 5 o'clock to-day or do they want the discussion on the motion to be carried over to Monday next."

The House signified its intention to have the motion guillotined at 5 o'clock itself.

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I rise to move

'that the allotment of Rs. 1,79,24,600 for Education—Transferred be reduced by Rs. 100.'

"This is to record the disapproval of the educational policy of the Government. I am aware, Sir, that this is a subject about which a great deal of advertisement is continually going on. The first great achievement to which Government will point out as embodied permanently in the administration report of the Government is the increased facilities that the Government has created in the country for education. They tell us that the total number of institutions and the total number of scholars attending these institutions have increased by 6 per cent and 7.7 per cent over last year's figures. Again, if you take the quinquennial report, you will find that they try to make out that between 1921 and to-day there has been very material advance in the increased expenditure on education by half a crore. No doubt after the department was transferred there has been a scramble for money on the part of Ministers to justify their existence whether they are able to carry out anything effectively or not. To this scramble the Reserved half has concurred, without detriment to their own interests, a somewhat advantageous position. But I am sorry to note that all that glitters is not gold.

"Sir, this expansion took place under a report got ready by the then Special Officer who was deputed to do this work by my hon. Friend the Finance Member. The Government declared that all unprovided areas will be provided with education, and a survey was made. What was the result of the survey? Grants were made and a large number of schools were intended to be started. And one of the experiments in the direction of starting primary schools was the experiment of single teacher-managed schools. These single teacher-managed schools are now thoroughly condemned by two authorities. One is Mr. Grieve, Acting Director of Public Instruction who says that the time has come to reconsider the situation. The Special Officer who was appointed to investigate into the condition of elementary education in this Presidency—Mr. Statham—has definitely called into question the whole primary education policy. He considers the provision that has been made as very inadequate. According to him there are still 43.60 lakhs of children unprovided for. Even the enhanced expansion is not adequate and there is the testimony of officials in support of this; that very little headway has been made.

"With regard to the removal of illiteracy Mr. Statham has gone further and summed up the whole question. He considers that in respect of the new Act practically no headway is being made against illiteracy. There is some more gold still. 'There has been large increase in the public expenditure, in the number of elementary schools and in the number of pupils who have attended schools for some portion of the elementary course, but there has been no appreciative increase in the number of pupils who attend for

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sufficiently long periods to become permanently literate.' Then there is the scathing criticism of the whole policy. 'Sixty lakhs of rupees are being spent ineffectively each year' upon these inefficient institutions. Mr. Statham has taken account of schools particularly in four districts and he comes to the conclusion that in the four districts out of 5,436 elementary schools established there are 2,745 single teacher-managed schools. That is more than 50 per cent. That is to say, the so-called expansion of elementary education is inefficient to that extent. That is the result of the investigations that have been carried on by no less an authority than the Special Officer appointed for this purpose.

"Now, Sir, there is the other charge made about this educational policy. The whole system is improperly staffed. That is the charge that the Special Officer makes. At page 20 of the report he says that 'the village school-master should ordinarily be not only a villager himself but also a villager specially trained to adapt his instruction to rural conditions. If the teaching of agriculture through education requires a trained teacher so also the teaching of education through agriculture requires a trained teacher. Now it can be proved that expansion by improperly staffed schools are equally wasteful and ineffective.' With regard to 'training' Government may contend that they are day in and day out expanding training facilities. But pray, what is the teacher that is turned out by these training schools. Though Mr. Statham lays emphasis upon training he does not lay emphasis upon the effectiveness of the present training. He lays emphasis, if at all, on the fact that training should be improved if the trained teacher should be of any use. He accepts that trained teachers should have a knowledge of science. If you look at the quinquennial report you will find that it makes mention of compulsory subjects alone being taught. The general scientific subjects are not taught in the schools, much less is there any attention paid to physical training and spiritual instruction. That is the report of the Government. How are these trained men fit to do their work when the training of these men is nothing but unsatisfactory. The trained teacher that is appointed by the local boards is nothing but a misnomer. I have visited a large number of local board schools, examined the classes and found that the ordinary trained teacher, a man who has undergone training in the training schools, has absolutely no knowledge of the subjects that he teaches. The quinquennial report as well as Mr. Statham's report make it an essential condition of all primary education that there should be a rural bias. What is the rural bias that these teachers have except the rural bias of joining this party or that party, and except the rural bias that has been imparted by British administration of justice, that is, of creating litigation. He knows very little of rural tradition. He knows little of local geography, local ballads, local literature and less of the needs of the locality. That is the kind of teacher that is now employed. Fancy a school master who is unable to teach even the rudiments of arithmetic, the very place value of numerals. Yet he is there as a trained teacher. The system stands condemned in more ways than one and therefore the improperly staffed schools are no credit to Government. The mere number of students, scholars, teachers and schools is no index of the efficiency of the policy of the Government with regard to education.

"There is another complaint regarding our elementary educational system. There is a multiplicity of educational agencies and institutions, none.

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The quinquennial report shows that the Police department, Jail department, the Fisheries department, the Registrar of Panchayats, the Salt department, the Forest department and the Labour Commissioner have all something to do with education. In a village you find separate schools for Hindu boys, Hindu girls, Muhammadan boys, Muhammadan girls and Adi-Dravidas or Adi-Andhras. Unfortunately the Adi-Andhras have not demanded separate schools for their girls. If that also is taken into consideration, there will be six schools in the village. Of course the answer to this criticism would be that in the social circumstances around us we could not do better. But better provision could be made to minimise these things, for instance, Mr. Statham, who pays great regard to the unfortunate sentiment that has crept into this country of separate education for boys and girls, says that in the lowest standards from standard I to standard III there can be common education and that it would be the ideal arrangement to employ women to teach these boys and girls. It is not against the traditions of this country at all to have such common education. As a young boy I was reading in a school where there were a number of girls also reading with me; I do not believe that either those girls have grown up to be worse women or we have grown up to be worse men than the boys and girls educated in separate schools. So many sectional schools are really the cause of inefficiency. The depressed classes are huddled to the bosom of the Government in a very paternal way, and we are told that so many schools are opened for them, so many scholars are reading there and so on. But in fact the ignorant progenies of the depressed classes are left in charge of more ignorant men and that is the education that these depressed classes receive. This is not the way of elevating the depressed classes giving them ineffective education and putting the students in charge of instructors who are to be instructed themselves in the A, B, C of the three R's. The best way of giving them education is to establish boarding homes and hostels for them. Of late in Nandyal two boarding homes have been established for the Adi-Andhras and Government might well copy that example on a large scale and I have no doubt that that is the only way in which they can get real and beneficial education instead of ineffective nominal education that fire them up for nothing except begging and that does not help them to take to the ordinary walks of life to which they have been accustomed. They do not get beyond the alphabets and yet they would feel it beneath their dignity to attend to the ordinary walks of life their class is used to. What is really necessary for the amelioration of the depressed classes is not a number of schools scattered all over the country under inefficient management and staffed by inefficient teachers but good boarding houses. I challenge those who talk of their education to give me an example of a boy that will be equal to the boys in the taluk board boarding schools of Nandyal. They are excellent boys. I have examined them and found that they are equal to the brightest boys in the brightest school. Therefore it is really parsimony to be wasting the money upon the education of the kind that has been condemned by experts already instead of expanding facilities in a better direction.

"Then, Sir, the hon. the Minister for Education when he began his career was against 'brick and mortar' sort of education. He was then feeling in national terms and thinking that brick and mortar was not education. I am sorry he has slipped away from that ideal to the extent to which

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I can judge him. There is provision made this year for a crore of rupees for buildings. Already 41 per cent of the schools are housed in their own buildings. But why should one crore be spent further, I do not know. School life must be simplified. Whether the school is for a village having a population of 300 or 500, to say that there should be a building of the type design is an absurdity. It will not hold water from the educational point of view. The whole thing is to be simplified.

"Coming to the finances of elementary education, it is true that half a crore of rupees has been gained during the past five or six years by the department. But what is the plight of the poor taluk board presidents or taluk board teachers? What is the way in which the Government are doling out money to them? There is a great deal of trouble in giving the money in instalments, not in advance. I must leave this matter for the experts to deal with, and I am sure the experts will deal with it. The boards should be put in such a position as to enable them to pay their teachers regularly every month and adjust their expenditure every month. No out and dried system of dividing the grant into twelve instalments and doling them out to the boards instalment after instalment will do. That is parsimony. The teachers ought not to be made to wait for four, five or six months to receive their pay from local boards.

"I forgot to mention the Elementary Education Bill. It is still in the stage of a Bill and I do not want to criticize it on this occasion at this stage. I think the hon. Minister for Education has made no provision in it to carry out any other recommendations of the special officer except the recommendation to hand back the whole of elementary education to the Education Department. It is a calumny to say that the local boards are unable to manage their educational policy. Sometimes there may be difficulties; but if the local bodies are allowed some freedom and if the Department of Education does not disturb them, then the local bodies would be the best agencies. You will have a system of education which fits the localities. Even to-day, the most nationally minded presidents, be they of the Congress party, or the Justice party or any other party, it is they that are running the schools in a passable manner, because they are able to manage somehow and get better teachers and better business done, in spite of the fact that the ordinary trained teacher is no better than an untrained ignorant man.

"In regard to secondary education, a committee was appointed in 1925 to make recommendations and their recommendations are still before the Government; I do not know how long they will take to consider them. With the one criticism that there has been an inordinate delay which amounts to an abrogation of the powers of the Government, I feel I should leave secondary education to itself for the present.

"Let us take university education. The Andhra University was recently started. It has been made to appear that we the Andhras, clannish people that we are supposed to be, are fighting among ourselves for the location of the headquarters and therefore there is some delay in starting the works. But I must protest against any insinuation of the kind. In all countries where an important endeavour is being started in a particular place, there are bound to be competing claims. Beyond that, I do not suppose we are much worse than any other people on the face of the earth. The hon.

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Minister has no right to take refuge under this cover. The Andhra University asked for funds for its extension schemes and for its publication department and the Government gave a reply in the negative. In the first instance the reply was that the university should find the money from its own funds. But the university was not quiet; it kicked up and said, 'No, no, the Andhra University does not stand on the same footing as others; it has been started as a new venture under new auspices and for a better purpose and therefore it is the duty of the Government to give us all the help.' Then the great interpreter, the hon. the Education Minister has now become, said, 'No, no, under the provisions of the Act, you cannot carry on this work with our money.' Then the Syndicate of the University rebelled—I am using that term in a mild sense—and said, 'No, the Act does not preclude your helping us; it gives you the power to give us money, because it makes provision for mass education and cultivation of culture, and under that head we ask you money.' Then they were told to mind their business and come up in 1930. They said, '1930 is far off; let us have it now.' Till now they have not had it. I do not know who would be the Minister in 1930. Of course Dr. Subbarayan feels safe and thinks he is very secure. But I am certain that the security is not so strong as he always thinks it is, because of the help of his hon. Colleagues, the bureaucrats on the Treasury Bench. The Andhras are the worst sufferers in the matter of university education. I do not want to say much more on the subject, except to point out that the Andhras have a right to expect immediate attention from the Government. They have been denied special facilities though they have special aptitudes, tradition and culture. They do contribute very largely to the revenues of this Presidency and if on mere comparative grounds they are not allowed special facilities to develop, it will be one of the worst pieces of disservice that can be done to the Andhra portion of this Presidency.

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"As the last point I would direct the attention of this House to what is known as the Board of Examiners and the Commissioner for Examinations. I wonder what the duties of that Commissioner of Examinations are. He is supposed to be carrying on examinations for the Government and his examinations cost us a little money. He has got a Secretary; he has got a number of clerks. His business appears to my mind to be very small indeed. There have been complaints about this Board, the Examiners and about the Assistant Examiners whom the Board employs. The members of the Board have no definite qualifications. On the floor of this House it was ascertained that the members of the Board need have no qualifications. Asked to give the names of the Chief Examiners and Assistant Examiners the hon. the Education Minister was not prepared to disclose the names. I do not know whether there can be any other inference than that these persons possess no qualifications to be there. If, under the eye of the hon. the Education Minister, all these things are going on, I do not know how he can expect us to approve of his policy. To my mind, it looks as if the hon. the Minister has not bestowed five hours' serious attention to the subject of 'Education.' He has not seriously considered what the situation created in the Presidency is. He has not seriously considered the question and laid out a policy for himself. He has been running in the current which was set for him by Mr. Moir a number of years ago as a special officer and that current has been condemned. That he should pursue a condemned current without looking into the matter shows that he is engaged very materially otherwise in keeping his position."

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* Mr. A. KALESWARA RAO :—"Mr. President, Sir, in dealing with the policy of the Government in education I wish to say that the hon. the Chief Minister has been in charge of the Department of Education for more than one year but has not paid any serious attention either to the policy or the principles or the details of education but has been going on somehow or other. When this nation-building Department of Education was transferred to the Ministers it was expected that the Ministers, who are always to be elected representatives of the people and who are supposed to keep in view more prominently the interests of the nation than their own interests, would use the Department of Education in their hands for these ten years till the next instalment of constitutional reforms is given as a means of building up a great nation and as a means of laying foundations of Swaraj in this country. It is on education, on the purpose and policy of education that nations are built. Every nation, every civilized nation, is pursuing education with a purpose. In France, Sir, in elementary education the history of their country is taught and its past glories. Pride is created in the minds of students in the past of their own country. A little science is taught in order to free them from superstition. Their own language is taught and love of motherland is particularly cultivated. Since the days of the great battle of Sedan in which the French were defeated by the Germans as a result of which they had to lose two provinces Alsace and Lorraine and had to conclude the most humiliating treaty every child in France has been taught to be ready for a great struggle, to regain those provinces and to make France a great nation in the comity of nations. Even in Germany education is used for the purpose of developing, improving the culture of Germany and for making it the best and the most important nation in the world.

"What is the principle underlying the policy of our Government? It is simply to manufacture quill-drivers, servants or dependents of Government that education has been imparted for so many years. As early as 1880 education was made free and compulsory for the whole nation in England; every other country is following suit and illiteracy is being removed, whereas in India illiteracy is at its worst and even after the Ministers have taken charge of this subject they have done nothing in this direction; they have not taken care to see that illiteracy is removed in this country. Of course it may be said that they are helpless; it is why we are saying that the Reforms are defective and unsatisfactory. We have Ministers in a helpless condition, helpless in the hands of the hon. the Finance Member who is all in all under the diabolic form of Government. With regard at least to the policy of education have they chalked out any plans or purposes for which education must be used? They can introduce patriotism into the schools and make the children love their country and the communal differences could have been made to be forgotten by the children of the country. They must some day rise above communalism. Touchability of Panchama could be taught; children could be taught that Brahman and Panchama are equal. So many other things can be taught in order to make them feel that this land is theirs and all the people of this country are the children of the motherland and that there must be equality and brotherhood among them. When a question was put in this Council to the hon. Minister whether patriotism is taught, he asked what was meant by patriotism. What a change, from the Congress Secretaryship! After he has become a Minister he has forgotten what is meant by patriotism. Nothing is done

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to teach general religion or morality. Physical culture is altogether neglected by the students. So, our education is void of either physical culture or any idea of God or country or social solidarity or equality or of brotherhood. There is no place for Indian History in the secondary education except fragments being taught here and there as an optional subject. When the question of Hindi came up and a demand was made to teach a common language to the children in this province the previous hon. Minister tabooed it and threatened some municipalities that their schools would not be recognized at all if instruction in Hindi was persisted in. He thought that Hindi was untouchable in this country of India and that it should have no common language except the foreign language of English. There has been some improvement under the present Minister and he has stated that Hindi might be taken as an optional subject in secondary education. But students would not read Hindi as an optional subject because they would have to give up Telugu or Tamil or their mother tongue. Therefore it has been absolutely of no use. What we want is that India, this land of ours, which contains so many provinces speaking different languages should have a common language and that of an indigenous character like Hindi. Elementary knowledge of Hindi must be not only encouraged but also made compulsory for all children in our educational institutions. When we want that all the subjects except English should be taught in the vernaculars up to the School Final standard, except mere promises nothing has seriously been done or attempted to be done. We in the Andhra districts want that all the subjects except English should be taught through the medium of Telugu and the people in the Tamil districts want that they should be taught through the medium of their vernacular. It is only then that vernaculars would receive an impetus, would receive a respectable place and the students will feel proud that they know something of their own vernaculars. Vernaculars would improve very much by having very many books in all technical subjects. That matter also has been neglected. Either in elementary or secondary course nothing has been done by way of introducing vocational education. The old system is going in. Nobody cares how money is spent. There are some ordinarily trained teachers; there are separate schools for Adi-Andhra boys and girls, and separate schools for Muhammadans. Only a few more rupees are being spent now. The purpose of education ought to be to turn out patriotic, good and self-relying citizens by means of this great system of education. No thought seems to have been bestowed either by the hon. Minister or his Secretary or the Director of Public Instruction who is always a European, who cares very little for this country and who is autocratic against whom the hon. Education Minister is helpless.

"Nothing is taught by way of agricultural education or in the shape of cottage industries which are far more important to the poor people than merely the three R's, and going to the Fourth or Fifth Form, then to F.A., and B.A., and becoming lawyers. Literary education is absolutely of no use whatever to the poor people. They really want bread. When bread is asked, stone is given. They would really be very glad if some industrial education is taught to the depressed classes and to the ordinary masses. A few may have the chance of becoming High Court Judges, Ministers and Executive Council Members. That is a different matter. Ordinary people would only want bread. They want some industrial or technical or vocational education along with a little bit of ordinary primary education.

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"Nothing has been done in this direction. On the other hand, attempts are being made to provincialize elementary education. Instead of giving more powers to local bodies in the matter of prescribing text-books, giving more local option, etc., instead of that, Government are attempting to give away the complete control of their schools to the educational officers who are not responsible to the people. That is how the District Educational Councils that consisted of the representatives of local bodies are attempted to be abolished altogether and the powers which these Councils were exercising are attempted to be placed in the hands of District Educational Officers, or some committees with the Collectors and some nominated members in them are attempted to be formed. Why should the Collector be in the Educational Council? I wish to draw the attention of the hon. Minister to this fact. The Collector is a member of the Reserved Department, whereas Education is supposed to be part of Swaraj given to the people and is under the control of the Minister who is supposed to be the leader of the elected members of the Council. Why should the Collector, who is a representative of the foreign bureaucracy, be brought in? Is he supposed to be an expert in education? Or is he there to exert undue influence on the villagefolk and introduce the politics of the British Government? Or is he there to prevent the representatives of the taluk boards and the district boards from carrying on their object of nationalizing or liberalizing education? Sir, the presence of the Collectors ought to have been dispensed with long ago. Sir, even the new Act is investing the Collectors with all these powers.

"Sir, I shall refer only to one fact more and shall close, that is, the glaring instances of the persecution of students that are going on in the Government Colleges. Sir, we know of students being persecuted in the days of the non-co-operation movement for wearing Gandhi caps. Several students of the Vizagapatam Medical College were in those days dismissed for wearing these caps. Now we have the instances of students of the Government Presidency College, the most civilized college under the most civilized Minister, being fined heavily, or threatened to be dismissed for absenting themselves on the day of the hartal. In this country, my Friend, the Chief Minister who has been a student in foreign countries, who has been in England where students take part in politics and where they have got plenty of freedom, seems to believe that a subject nation has no politics and that students of this unfortunate country should learn only loyalty but not patriotism. Sir, there is the case of Mr. Dawood Ali Mirza who is being persecuted because he is supposed to have offered help, on the hartal day, to Sjt. Satyamurti, an hon. Member of this House, to enable him to escape from the hands of the rowdies. I hope, Sir, the Chief Minister would open his eyes to these cases and do something for his own good name; if he does not do so, he will be responsible to the country and let him note that the day of his reckoning will soon come. With these few words, Sir, I support the motion."

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, hon. Members who have spoken before me have traversed the whole ground of education."

* The hon. the PRESIDENT :—"The motion under discussion is the educational policy of the Government."

Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I would like to make a few criticisms of the educational policy of the Government. As regards

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facilities for education, there is no gainsaying the fact that there has been an increase in educational facilities in the very large number of school-going population. New schools have sprung up and are springing up. I think, Sir, we ought to congratulate ourselves upon it.

"But, Sir, there is a good deal of waste. There are hundreds and thousands of juveniles who are giving the best part of their lives to education but fail to pass through the public examination; there are hundreds and thousands who after passing these public examinations join the University, but are unable to take the degree and are afterwards unable to secure employment. Sir, this question of avoiding waste, waste of man-power, has been engaging the attention of the Government and of the Members of this hon. Council. I remember well the time referred to by my hon. Friend, Mr. Harisarvottama Rao, when a committee was constituted as a result of a resolution brought forward by Mr. Ramalingam Chettiyar and carried by this House for the complete overhauling or reorganization of secondary education in this Presidency. The chief object of the members of that committee was to make secondary education a complete unit by itself and also an important stage in preparing juveniles for life—providing them with an adequate and complete equipment for life—so that at the completion of secondary education our young men should be fit straightway to enter life. Several years have passed, and although their report was ready two or three years ago, I find that the Education department are still considering and have not yet come to any satisfactory decision with regard to that very important point.

"As regards elementary education, I have to offer this criticism. It seems to me that Government has been really shirking responsibility of making elementary education the first and most important charge on the revenues of the province. Government do not like to incur odium by levying a tax for the expansion of elementary education. Therefore they seem to take shelter behind the local bodies. The local bodies are expected to raise money for education and place it at the disposal of a committee. Sir, several local bodies have raised education taxes, but many more have not done so. Sir, the Government do not boldly go forward, do not set about raising taxes and apportioning the revenues to the various committees, be they statutory or be they committees of local bodies.

"Sir, the educational council was given a bad name just behind its back because it did not really fulfil the purpose for which it was instituted. I think that there would have been initiative if these councils had had the power of raising taxes. If Government had placed a large amount at the disposal of these educational councils, they would have done all that planning and preparation of schemes required of them, opened schools at their own initiative and would have distributed the grants with impartiality and justice. Now these educational councils are proposed to be abolished and they are to be replaced by school committees. But these committees will not raise taxes but funds will be placed at their disposal. Sir, the difference between these committees and the old educational councils is very slight. It is the substitution of Tweedledee for Tweedledom. Sir, the local bodies are given a large share in the expansion of elementary education. Once they have the necessary enthusiasm, they will take the initiative. They must feel that the responsibility is theirs for expanding elementary education; otherwise they will not raise taxes. Sir, these local bodies, if they are to achieve their object, should be allowed to have control over education, without Government intervention.

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Now, in consequence of the report of Mr. Statham, there is a tendency even to have recourse to this retrograde step, namely, that Government should step in. Under cover of co-operation, Government officers will have the right of approving or recognizing schools or controlling the pay, transfer, etc., of teachers and so on. Sir, I think Government will do well to face the whole question of secondary and elementary education and instead of controlling or having power over the local bodies under the plea of co-operation they had better make elementary education the first charge on provincial revenues.

"Secondly, Sir, some of my friends, especially Mr. Kaleswara Rao, said that education must be related to life, that it must take into account the sentiments of the nation. Sir, I have always contended for full freedom being given to the headmasters or managers of elementary schools with regard to the choice and preparation of school courses, programmes, and the determination of holidays and several other details in which it is not necessary for me to enter. If there is one thing which is most important, it is that of making education come under a general control for efficiency and not a more matter of restrictions and rules. Education, if it is to be really attractive and useful, must be related to life. Sir, there are pupils who are accustomed to certain vocations or trades or are in need of a certain feature of education related to life, such as weaving, ploughing and several other industries which are popular amongst them. And in reality, if this education is to be related to life, I think there ought to be co-operation not only between the Education department and the managers of elementary schools or their managers, but co-operation between a number of departments such as the Agricultural department, the Industries department, the Co-operative department the Revenue department and also the Fisheries department, because there are elementary schools in which there are a number of these fisherfolk. These various departments must co-operate if the education that is imparted is education that is really wanted and for which there is a real demand, education which will fit children of the villagers for life, which will fit them for the discharge of their duties as citizens of the country, in fact for taking an intelligent interest in all the important questions concerning their country which come up for discussion in the village political arena or outside it. Sir, therefore, education should be made really related to life and Government should place funds at the disposal of the local bodies which are charged with the distribution of such funds for expanding elementary education. When this is assured, the question of efficiency and the question of expansion will naturally solve themselves.

"Speaking of efficiency, a suggestion was made for training schools for teachers. I know that private bodies were willing to open training schools for boys and girls, and if Government had placed funds at their disposal, had sanctioned adequate grants, this defect would have been partially removed. By this time both in the Tamil country and the Telugu country a large number of training schools would have come into existence. Sir, I now come to single-teacher schools. These would have been a success if the old class of Tamil pandits or teachers were still in existence. Sir, I can find nothing more efficient than the old race of pandits, the old class of village teachers, under the village schoolmaster, who know the requirements of these pupils; the latter had an excellent grounding in the poetry of the country, the ethics, the language of the province, the history and geography of the district, in works of authors and sages who had flourished in the neighbourhood. Teachers of that kind knew the vernacular literature thoroughly well

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and were capable of rousing up enthusiasm for the vernacular works of poets, or writers who were great classics and also these whom that locality held in great respect.

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"Under such teachers pupils will certainly imbibe a love of national inheritance, a feeling of patriotism for all the great things done by their ancestors. As regards aided schools I may be permitted to say that their condition is certainly not very satisfactory. With the power given to the committee, the local board committee which has the right of opening schools and distributing grants, there is a tendency if sufficient checks are not instituted, for the gradual elimination of these institutions. A body charged with the responsibility of expanding elementary education should not be allowed to enter into competition with other agencies for the spread of education. There should be some check. Unless some salutary check is provided these aided schools may in the long run suffer. One word more, Sir, with regard to university education. My hon. friend, Mr. Hari-sarvottama Rao, spoke of very many serious drawbacks with regard to the Andhra University Act. I have always felt that there was something wrong somewhere with regard to the Andhra University Act. I remember hearing you, Sir, as Leader of the Opposition, clinch the whole issue by the statement that the arrangement made by the Andhra University Act reminded you of the arrangements made by a person who placed the temple in one locality, placed the idol in a second locality and the worshippers in a third locality. I do not think a university can spring up on these lines. In the case of the Andhra University my friend Mr. Kesava Pillai is so very eager to find the Andhra University College develop at Anantapur and my other hon. Members are eager to see some other colleges develop into university colleges. If the object of the Andhra University Act was for taking the existing institutions and developing them as nuclei of the Andhra University by this time, the Government Colleges at Anantapur and Rajahmundry would have risen to the position of being developed as universities of a unitary type. As it is, even the nature and character of the universities to be started there have not yet been made clear in spite of discussions in this Council. Unless a stage of finality is reached and the nature of the university is clearly understood we cannot know where we are and how are we to develop that university even though the Act should be there? Until that stage is reached I do not think that there is any use in blaming Act or the Minister for not having done much."

* Mr. A. B. SHETTY:—"Mr. President, Sir, the report on Public Instruction shows that there has been in recent years a rapid expansion of secondary and collegiate education on the literary side and it goes on to point out how further expansion along the present lines will be undesirable. The proportion of secondary school pupils to the total population in Madras is rapidly reaching a figure approximating to what it is in England but the openings for these boys are much more limited here than in England. We are producing an excessive number of graduates with a purely literary course, nearly two thousand in number every year. The report says that middle-class unemployment has become a serious problem and the continued over-production of one type of academically qualified students may become a positive danger to society. I am afraid this over-production of youths with high arts qualifications has already become a positive danger to society."

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Mr. Statham has pointed out how the number of high school pupils who proceed to a university education is infinitely smaller in Europe than the corresponding number in South India. In England they are said to have 18 different types of universities whereas here all our pupils go through one uniform type of university education. University education, I think, Sir, should be as it is in England a luxury. Only people with high intelligence and people who are wealthy should go for higher education in arts, literature or pure science. For the average boy, the boy who has no aptitude for letters, the education that is required is practical education. For boys who, though poor, have a genuine taste and talent for literature, mathematics, science or history it is no doubt desirable that all facilities should be given to go up the educational ladder. But for the mentally unqualified boy or the boy who wants to go out into the world and earn a living it is a mistake to allow him to undergo the labour and expense of university education. What such a boy requires is practical training and it is to meet the need of this class of boys that we must have, as in every town in England they are said to have, a technical college or school. There is a blind rush for university education in this country, because a university degree is the passport for entering Government service. It has been suggested that competitive examinations for all grades of Government service would to some extent put a stop to this excessive banking for university education. It would give a different outlook to higher education. Many people have suggested the necessity of restricting higher education in our country by making it more difficult and expensive. The standard of university education must be raised. For poor and promising students we may institute a general system of scholarship so that they might go up the educational ladder as I said. What is needed at the present moment is not merely a restriction of university education but also a remodelling of it. The Committee on Unemployment has recommended the readjustment of our educational programme so that education might become practical and more suited to the needs of the country. How long do Government propose to keep this question under consideration? No doubt education for its own sake is the principle for which university education stands and it ought not to be purely utilitarian. There are people who would deprecate the idea that university education should be directed for the purpose of helping students to earn a living. But the growing menace of unemployment requires that our universities should be remodelled so as to equip our young men for earning their living in a variety of employments. A university should produce not only scholars and great public servants but also great captains of industry, men who can develop and utilize the vast material resources of the country. It must for this purpose provide scientific and technical training on specialized lines. I am glad to note that the Andhra University has for its objective the establishment of technological institutions but how far it has been able to realize this in practice I do not know. Whether its new ideals will remain mere paper possibilities or will become practical achievements is a matter that remains to be seen.

"The reorganization of secondary education, as was remarked by some of the hon. Members, is said to be under the consideration of the Government. Government have been continually considering this matter for the last five or six years but they have not come out with any proposals nor taken any definite action in the matter. It is true that secondary schools are meant primarily to give general education and that general education is necessary

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as a basis for any specialisation. A sound general education is useful as a ground work for any career. But without detriment to the general liberal character of secondary education it should be possible to give a vocational bias to the curriculum in the secondary schools. Some have suggested that there should be bifurcation of studies in the secondary schools so that instead of every student looking to university education as at present, some might change from a pure literary education to some form of vocational education and then go to some vocational, industrial or technical school for further study.

"This suggestion is worth consideration. It may no doubt be said that the provision of technical and vocational education would be useless and wasteful so long as there are not sufficient openings for the products of such education. The trade and industry of our country must be developed in order that technically trained men might find employment. The question of unemployment, industrial development and the readjustment of the educational programme must be considered from a common standpoint. It is high time for the Government to pay their immediate and most serious attention to the problem of unemployment and education."

* The hon. the PRESIDENT:—"Being Friday we close now at 1 o'clock and re-assemble at 3 p.m."

After Lunch (3 p.m.)

MR. ABDUL HAMID KHAN:—"Mr. President, Sir, much has been said to show the unsatisfactory nature of the educational policy of the Government of Madras. I do not think I need take up much of the time of the House in dealing with the general policy of that department. I shall content myself with just referring to certain details which affect the Muslim education in the province, so that the attention of the Government may be drawn to them. With regard to the Mappilla education, Sir, nothing has been done which could really be regarded as satisfactory. It is not enough to have a special assistant to the Educational Officer in Malabar in order to advance the educational condition of the Mappilla community in Malabar. The Mappillas number about two-thirds of the Muslim population in the province and it is they who are very backward so far as education is concerned. If it is the desire of the Minister to see that sufficient encouragement is given to the advancement of the Mappilla community, I would suggest that it is necessary to appoint a first class Muslim educational officer solely for the purpose of finding out the ways and means by which Mappilla education could be advanced. Coming from Malabar to Madras, I can give an instance to show how very poor encouragement is given to Muslim education. Take the case of the Muhammadan College. There are two things with regard to it. Firstly, I should remind the hon. the Minister for Education of his speech in connexion with the same college last year, at the budget time, when in reply to a question from me whether the Government intended to open English classes when opening History classes, he said they would open English classes along with the History classes. But as events proved, the English classes were not opened, but only the History classes were opened, with the result that the Muslim students who have to attend the History classes in the Muhammadan College have to go to the English classes in the Presidency College. One can imagine the amount of

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inconvenience these poor students are put to. I do not know if the Government intend to pursue this policy further, or whether at least in the year to come they will see that the English classes are also opened in the Muhammadan College.

"Sir, I believe it is some years now that the Government has been thinking of extending the building of the Muhammadan College. The present building is not sufficient even for the high school, and the Government have thought fit to have a college also in the same building, with most inadequate accommodation. The students are put to a great deal of inconvenience. I may suggest, in this connexion, the Government may take up the old Australian Horse Bazaar. It is a very commodious place and they can locate the Muhammadan College there. It will not be far away from the locality from which the college-going students come, and besides it is a good place away from the bustle of the city.

"With regard to the inconveniences and the hardships that the Muslim students undergo in the Engineering College, and the Medical College, it was only last year that it was possible for the Principal of the Engineering College to allow the Muslim students of that college to have separate mess for themselves. I believe the present Principal does not approve of that idea and it is feared that if the number of Muslim students decrease to any extent, he might put a stop to the system of separate mess. If that is done the Muslims will be put to a great deal of trouble. Even as regards admission to the Engineering College, there is a good deal of difficulty. It is well known that Mussalmans have not till very recently been taking to Medicine and Engineering, and their number in the Engineering department is very limited—it is one or two out of 200. When such is the case, I think it ought to be the policy of the Government to give all the encouragement that they can to the Muslim community and see that they are attracted to this department in large numbers. To achieve this object, I think it will be advisable to have a Muslim member appointed on the committee which admits students to the Engineering College. Unless this is done, even the few Muhammadans who apply for admission to that college will be handicapped.

"With regard to the salaries of the secondary teachers, I must say that nothing has been done in this direction, even though we have made repeated requests to Government to see that the lot of the poor secondary teachers is improved. Although compared with their compeers in other departments they are worse off, the Government have not done anything to improve their lot. They have to stop with Rs. 60 beyond which they cannot go even if they put in 25 or 30 years service. I do think that it is high time that steps are taken immediately to see that their scale of salary is increased.

"So far as female education is concerned, no doubt the Muslim community have made some progress but that certainly is not enough. The Government should give the necessary impetus for the advance of Muslim female education. I met the Deputy Directress of Schools the other day and had a talk with her and suggested how she might put up proposals for the purpose of opening another high school for Muslim girls. As a matter of fact, there is only one school for Muslim girls in the whole city. It is not enough, as girls from North Madras find it difficult to go to this Hobart's School in Royapetta. Therefore it is necessary that a high school should immediately be opened in North Madras for the convenience of Muslims residing in

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Georgetown and that part of Madras. Unless this is done I do not think Government will be in any way encouraging female education amongst Muslims.

"Sir, it is well known that according to the Education Act we have compulsion introduced in elementary schools, and the local board which introduces compulsion in any place has to make provision for religious instruction. I am afraid the local bodies do not attach importance to this aspect of the matter. I can cite one instance of a municipality in Dindigul. That municipality, by a majority of vote, refused to introduce religious instruction in their schools. I do not know if the matter has been brought to the notice of the Education Minister and what he has done with regard to it. Further the local bodies are not very particular about the requirements of the Mussalmans. Their attention ought to be drawn to the fact that when they open schools they ought to see that sufficient provision is made for Muslim children.

"With regard to the Hobart's School, Sir, unless we have a superintendent who knows the language in which the students in that school are taught, it will not make much headway in the matter of education. Therefore I suggest that both the superintendent and the headmistress should be only those who know Hindustani. It is not possible to secure the services of a non-Muslim who will know Hindustani, unless she comes from Northern India.

8-15 1.m. "I believe, Sir, if the Education department makes an effort, it will be able to secure the services of even Muslims who have not only been graduated in this country, but also undergone training in teaching in foreign countries such as England.

"With regard to the question of elementary education generally, I believe, sufficient has been said in regard to its unsatisfactory nature both with regard to the quality of the teaching as well as to the kind of teacher that is employed in these schools. The training that the teacher receives in the training schools is not sufficient to give satisfactory education to the little children. I believe, Sir, unless we employ highly educated persons and pay them sufficiently we will not be laying the good foundation with regard to the education of little children. Our attention should be devoted first to this most important item in the education of our children. We neglect the education of little children whereas we spend lakhs and lakhs of money over the education of boys in the college departments. On the other hand, I believe, and it is my conviction that we should devote our attention more to the foundation that should be laid in the schools rather than devote very much attention and spend such a lot of money in the higher secondary and collegiate departments. With regard to the fundamental question of the usefulness of the education that is imparted in our country sufficient has been said. If the Government and its policy are for the material advancement of our country, the type of education that is imparted in our country, and particularly in our Presidency, should be quite different from what it is to-day. It is not enough to produce graduates who when they go out of their colleges cannot think of anything but joining the Law College and even after finishing their law course they are not able to earn a satisfactory living and we know the acuteness of unemployment problem in our country. Therefore

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if the educational policy of the Government of this Presidency should be for the material advancement of our people, it should devote its attention immediately to the industrial and vocational education. It is not enough for the Minister to say that he is not able to impress upon the Finance Member to see that sufficient money is allotted for education. If he is sincere and if he is earnest he should fight with the Finance Member and if he finds that it is not possible to bring round the Finance Member in achieving his object, I think he will show the hollowness of diarchy if that Minister resigns the very next moment. Sir, that is the policy of the Education department that is obtained in our province. If it is intended that we should advance our countrymen materially the Education department which is a transferred department should be devoted to the agricultural and industrial education of our people."

* Mr. M. V. GANGADHARA SIVA :—"Mr. President, Sir, it will be a good thing for the poorer classes of the country especially the depressed classes if vocational schools are opened in every centre instead of starting universities and colleges. There are already a very great number of graduates and double graduates who are loitering for appointments and jobs and as such there is no scope for secondary school-leaving certificate candidates and other classes for appointments. There are many lawyers and vakils who cannot accept vakalats for 6 annas or 8 annas which may decrease their position, whereas a common average medical man, or a technically qualified man can accept a job or work for 6 annas or 8 annas. I do not wish to degrade the position of lawyers and vakils but actually speak from the mentality of the people and the present state of the country. If vocational schools are started, I am sure, every depressed class member and the other poorer classes will have a chance of earning their livelihood by learning some handicraft and this will solve the problem of unemployment, and this will certainly relieve the difficulties of depressed classes and poor people at large. I may inform the House that every lady in China and Japan is able to live an independent life on account of her learning handicraft which safeguards her self-respect and chastity and if this sort of vocational training is given to our Indian women also I am sure every woman in India will be able to earn her daily bread independently safeguarding her self-respect and chastity instead of going astray, losing her chastity, and begging, and loitering in the streets, as we see this every day. I would therefore request the Government, I would even go to the length of suggesting and requesting the Government, to close the Law College for some time (hear, hear, your Siva Raj will then go), and provide the overcrowded lawyers to get a decent average income and to utilize the money that is intended for the Law College for opening vocational training schools in every centre and thus save the depressed class members and the poorer people from their present state."

* Sriman BISWANATH DAS Mahasaya :—"Mr. President, Sir, we are now in the eighth year of our existence under the Government of India Act, section 81-A, which lays down that at a certain period a commission to be appointed which among other things will look into the educational advancement of the country. The question now under review is the educational policy of the Government and it will be the purpose of mine to represent to the House how Government have failed in the course of these eight years to evolve a policy to carry on efficiently the primary education on which solely and wholly depends the well-being of this country and specially of this

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province. In the first place, the Ministry for Education has failed to evolve a policy whether the elementary education is to be financed out of the provincial revenues or from the local revenues. This question engaged the attention of the Government as early as 1918-19 and a committee was appointed popularly known as the Habibullah Committee—I think it is the Financial Relations Committee that dealt with this question. I think, Sir, but I am not sure, you were a member of that committee if I remember aright. That committee made definite recommendations on this question and it regarded that elementary education should be met out of local finance supplemented from the provincial revenues and it also made a very important recommendation which has a great bearing on the financial aspect of this question. It recommended that one-eighth of the excise revenue be given to the local bodies to meet their growing needs. The local bodies in their conferences year after year decided that instead of the one-eighth share of the abkari revenue, the same share of the land revenue be given to these local bodies to meet these important national needs. Well, Sir, local bodies are after all the agents of the Local Government to carry out its policy of elementary education. It is therefore necessary that at this stage at least they should fix once for all whether this elementary education, which is to cater to the needs of the 42 million people of this province, is to be met out of the provincial revenues or by the local revenues.

“Having stated so much about the financial policy to meet the needs of elementary education, I wish to say how the Provincial Government within the last eight years have not done its part, which it ought to have done, to meet the needs of the elementary education. In 1921-22, i.e., the very year in which the Ministers took charge of this department and practically carried out the policy of the Executive Government, they budgeted for a sum of Rs. 1,58,00,000 and what do you find in the accounts of 1926-27 a sum of Rs. 1,98,00,000 has been spent; that is after six years of their existence the Ministry was able to find only about 38 lakhs of rupees more to finance this all-important item of its activity. This shows that the Ministry has failed to carry out its duty which it owes to the country.

“Then, Sir, I come to the percentage of literacy which is also very meagre when compared with the entire population as also the school-going population in this province. That is, in the year 1921 when the Ministers took charge of this department, the total number of scholars receiving instruction in relation to the total population was 4.5 per cent—I speak from the report of the Director of Public Instruction published in 1923—and to-day the total percentage of scholars receiving instruction in the public institutions is 6 per cent in proportion to the total population. After an existence of seven years the Ministry has been able only to provide education for 1½ per cent more than what it was in 1922. I must also mention in this connexion that the local finance has something to do with this increase of 1½ per cent because under the Local Boards Act as also under the Elementary Education Act, the local bodies have got power to levy rates which are known as local cesses and to my knowledge all the local bodies in the province have levied these rates and besides these cesses they have supplemented elementary educational finance in their local areas out of their general resources.

3-30 p.m. “It is therefore hardly fair, Sir, to these local bodies and to the rate-payers to say that the Provincial Government take credit even for this 1½ per cent. This is, after all, all that the Ministry has been able to do within

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quite a long period of seven years of its existence. This being the case, I am sorry that more attention has been paid to university education than to the primary education of the people of this country.

“Then, Sir, having stated so much about elementary education, I come to the industrial and agricultural education to be taught in these primary schools. Government, that is the Ministry, expressed a desire that it would take all the necessary action to give technical and industrial instruction in these elementary schools and reference was made to the local bodies to see how far it was possible to supplement these instructions in those schools. All the local bodies to my knowledge have replied. As the president of taluk board in 1923-24 I remember to have replied to this communication to the Local Government and I am sorry, Sir, that to this day no solution has been made.

“Then, Sir, my friends on this and other sides of this House have referred to the soulless education that is being imparted in these elementary schools and Government promised that attempts would be made to instruct these children in moral and spiritual lessons in these elementary schools. Elementary educational councils were moved on this question and I am very sorry to state that nothing has been done to this day. So, looked at from any point of view, the policy of the Government in carrying out the very essential need of the province, namely, elementary education on which depends solely and wholly the progress of the people in the mufassal, has been a failure and failure is writ large on the educational policy of the Government. That is the only expression that can be used as a result of the activities of the Government.

“Then, Sir, the complaint has been that the process of decentralization has not been applied so far as secondary education is concerned. Sir A. P. Patro, when he was the Minister for Education, started a system of secondary education boards, with a promise that very soon a Bill would follow giving the secondary education boards legislative sanction. But three years have elapsed and nothing has yet been done. Though these nominated secondary education boards have been in existence nothing has been known of their work and we are now anxious to know as to the working and the usefulness of these bodies and why no action has been taken in this direction to put these boards on a legislative basis.

“Then, Sir, I come to the higher education, that is the university education. I am very sorry that Government has been encouraging communal feelings in this matter. I know of the existence of a college for Muslims in this city. To my knowledge very few students are reading in that college. I have nothing to say against the development of Muslim culture and Government aid to the development of the Arabic and Persian culture. Our Muhammadan friends have as much right as any of us to demand from the Government that necessary funds be allotted for the development of these cultures. We are there with them but I for myself would raise a voice of protest if a special college is established for Muhammadans like the one we have in Madras with very few students and with practically the same syllabus as we have got in the first-grade colleges elsewhere. A lot of money is being spent on staff. I therefore appeal to the Government that this be not encouraged and the money spent on the Muhammadan institution

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be utilized in developing and aiding Arabic and Persian culture—a course of action which, I am sure, will be commended by the Muslim public and also by the Hindu public. With these words, Sir, I heartily support the motion before the Council.”

* Mr. V. I. MUNISWAMI PILLAI:—“Mr. President, Sir, being a member of the depressed classes and having acquired a certain amount of knowledge in the working of the educational institutions in the rural parts, I cannot cast an adverse criticism on the present policy of the Government as far as the educational system is concerned. But there are difficulties which need examination and correction. Sir, speaking on the universal suffrage question the other day, I said that universal education must precede universal suffrage. Now, let us examine how far the present educational system affords facilities for universal suffrage. Taking first the primary education and the several bodies constituted in the Presidency, that is the local educational councils, I do not think that proper representations have been made in these bodies, for in many cases I find people who are said to represent them do not safeguard the interests of the depressed classes. Sir, it is only those who wear the shoe know where the shoe pinches. Unless Government makes it a point that only depressed class members are to be returned to these institutions, on behalf of depressed classes I do not think that the interests of the depressed classes will be safeguarded. According to the census report of 1921, I find that the literates among the depressed classes form only $4\frac{1}{2}$ per cent among the male population and not even 1 per cent of females among the depressed classes.

“Coming to the training of teachers, Sir, there exists a lot of difficulty for the depressed class members to get trained. In some of the districts there are not institutions affording facilities for training classes and consequently they have to go from one district to another. But the stipend offered by the Government is not enough to meet their demands and so there is a very low percentage of trained teachers among the depressed classes.

“Sir, the time has come when I think the Educational department must consider the question of appointing several supervisors taking a few districts as a unit, so that they may know exactly what are the difficulties that stare in the face of the depressed classes getting educated. Unless this is done, I think from the present staff who are expected to give a general idea as far as educational matters are concerned will not be enough to meet the demand.

“Another great factor which I would like to bring before the Government is that Government doles out large amounts of subsidies or grants to the various local bodies for primary education. Sir, these boards do not take the necessary interest and precaution whether the depressed classes are given due share in getting their children educated. I know many villages where there are schools maintained by the district boards and taluk boards which do not admit members of the depressed classes. When questioned, the teachers offer explanations but they are not at all justifiable. I think, Sir, that the time has come for the Government to have proper agencies to check such a state of affairs.

“Now, passing on to the secondary and university education, Sir, due to the economic depression among the community there are not many students coming into the higher classes. Even though they come, there are the school fees, the value of the books and so many other things beyond their

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living means. As a matter of grace, of course, I know the educational authorities offer some fee concessions to these students. The rules of the Educational department do not allow students getting free education in the secondary institutions and in institutions for higher education. I would request that rules must be framed to exempt the really deserving and poor students from paying any fees in the High School and University classes. Another factor is that the scholarships offered are so very inadequate that the distribution of all scholarships may be left in the hands of the Labour Commissioner with an advisory committee to advise him so that the deserving candidates may be given the scholarships.

“Sir, coming to the female education, I think that great efforts must be made by the Educational department to open schools wherever we can find more than 20 or 30 girls of the depressed classes, because, as I have already stated on the floor of this House, the female education is at a very low percentage. On the other day, in this Council, we adopted a resolution to admit all poor girls free of all school fees. But I find that no provision has been made in this Budget. I am sure the hon. the Education Minister will bring forward a supplementary demand at least to afford facilities for the poor girls so that they may not be taxed by the school teachers.

“Sir, it is after all education that has allowed me and other representatives of the depressed classes to come to this Council and put forward the p.m. several grievances and difficulties that stand in the way of our progress. If you want to remove the fungus that eats away the roots of our national progress, I think education must be broadcasted for it is the lever of education that could remove ignorance, and I request the Government to give as much facilities as possible to the depressed classes for educating themselves. Another important factor, Sir, which I should like to place before the House is that there is a great cry for residential high schools for us. To tell you one instance, the Nandanar school which was started some years ago has proved a success, and now it has become a higher elementary school, and I hope Government will not stand in the way of affording special facilities in the shape of building grants and boarding grants, and see that this institution is made a residential high school.”

* Mr. K. R. KARANT:—“Mr. President, Sir, I shall try to offer a few humble suggestions as to how elementary education in this province can be improved and shall not take the time of this House in tackling larger matters like secondary or collegiate education. I find, Sir, from the budget of 1919-20 that only Rs. 22 lakhs were spent on primary education out of a total grant of Rs. 128 lakhs; on the other hand, we find in the budget under discussion out of a total of about Rs. 243 lakhs under Education, Rs. 133 lakhs have been ear-marked for primary education. Roughly, Sir, it comes to one-sixth in the year 1920, but this year it comes to more than 50 per cent. It is now my purpose to show how this amount of Rs. 133 lakhs for primary education should be spent to the best advantage. I will not take the time of the House by finding fault with what has been done in the past, but will confine myself to this one point. It is my humble conviction, Sir, that if elementary education should spread and spread as largely as possible and that I think it is the object of every Ministry, there is no use in entrusting it to local bodies, whatever hon. Members might say. I say that, Sir, with some experience in the matter. I have been myself a municipal councillor for nearly 24 years and I have taken a fairly active

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interest in its work. I shall cite only one or two instances. We are spending more than Rs. 30,000 for education in our Municipal Council. There were two Muhammadan schools—and by the way this will be of some interest to Muslim members of this House—which till recently were conducted as Muslim schools. When I went and inspected one school, for the whole of the past one year I found there were only about four pupils and two teachers, and in the other school there were three teachers and about 15 pupils. This had gone on for nearly two years without anybody noticing it. Then I made a proposal that there was no use having two Muhammadan schools and spending more than Rs. 100 a month on each of them. Consequently, one of the schools was at my instance changed into a general school for all boys. This was about six months ago. The other school however was retained as a Muslim school. As soon as my proposal was given effect to, there was a hue and cry raised by my Mussalman brethren. They said 'There were two schools solely intended for us, but there would be only one school now; we want both the schools for ourselves.' That is what they said, but yet I persisted, and the result is that within six months' time, in the school which was made a general school there are now 100 boys in all the classes, and we have also given them a third teacher. In the other school, which still continues to be a Muslim school, there are now four teachers and nearly 100 boys. I therefore request my Mussalman friends not to go by class interests and say 'No, no we cannot be satisfied until we have so many Muslim schools', but to see that real education is imparted in them. I have given only one instance which shows that in almost all the local bodies—I think I am fairly correct in saying that—most of the councillors and most of the members of the local bodies have neither the time nor the inclination to go and see the schools and find out whether the large amounts that are being spent on them are really well spent.

"Secondly, Sir, I know that during the times of elections—I will not accuse this party or that party, because in our district there are not many parties—most of these teachers are made to work for the elections of the presidents of the local bodies. The result is this: If the teacher happens to be an active canvasser at election time, he can keep absent for any number of days and yet mark attendance all the same in the school. I do not know whether this is an out-of-the-way remark, because I find some hon. Members on this side dissenting from that view; but I think, Sir, it is fairly correct. In one instance, an Educational Officer told me that he visited a school and found the teacher having his legs on the table and having a smoke. He reported this matter to the president of the taluk board, but yet nothing was done. Then he told me 'What is the use of the educational inspectors going and inspecting these schools, as long as the authorities of the local bodies are not going to take any notice of these things'. In this particular instance, Sir, the teacher in question was a good canvasser at the election time, and it so happened that due to his exertions, the president of the taluk board got his seat. Therefore, I say that this is not the way in which elementary education can advance very much, and at any rate I myself personally have not much belief in it.

"Another point is that we find in most of the local bodies and taluk boards, the teachers are not paid their salaries properly. I know this is the case in one of the boards in my district. One teacher came to me and said 'for the last three months I have not had my salary.' I do not know

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exactly where the fault lies; but as long as the salaries are not paid to the teachers properly, even for two or three months, it is useless for the Government to give large amounts to the local bodies and at the same time say that elementary education is fast spreading. It is therefore my humble conviction, Sir, that there is no use, if really the Government want that elementary education should spread and spread most efficiently in our province, entrusting any longer this elementary education to the local bodies as now existing. My humble view is that in the elementary education councils also there is a system of diarchy because the elementary education councils are chiefly occupied with apportioning grants, and there is not very much real work for them; on the other hand, the local and private bodies are actually conducting the schools. It is my humble submission that the whole elementary education in a district should be taken away from the local bodies and that there must be a district educational council or board—whatever you may call it—which should be entrusted with elementary education and secondary education in the district. But, so far as elementary schools are concerned, a small body working at the headquarters of a district may not be able to deal with all the elementary schools in the district and so in their case I would suggest that the district should be split up into a number of panchayat areas—and not into taluk boards as is now the case—under the Village Panchayat Act of 1920 and the panchayats should be made to take over the elementary schools. The controlling authority may however be the education council. So far as the constitution of this council is concerned, my humble submission is that the teachers of the secondary schools in the district and in the colleges should be asked to come in by election for a certain number of seats, another portion of this body may be thrown open for people to come in by ordinary election or filled up by the panchayats as electors, and thirdly, there may be a few ex officio members like the Inspector of Schools, etc. . . ."

Diwan Bahadur P. KESAVA PILLAI:—"May I rise to a point of order, Sir?"

* The hon. the PRESIDENT:—"What is the point of order?"

Diwan Bahadur P. KESAVA PILLAI:—"Is the speech relevant to the budget, Sir? It is all about the constitution of a board."

* The hon. the PRESIDENT:—"I understand the Government have published a draft Elementary Education Bill with certain provisions. The hon. Members of this House will be at liberty to criticise the principles involved in that Bill; but, at the same time, I may point out that they will have a more dignified opportunity to accept those principles or to reject them when the Government come up to this House with that Bill. In the meantime, they may not be well advised in utilizing the time of the House now until that Bill becomes the adopted policy of the Government."

* Mr. K. R. KARANT:—"My humble submission to you on that point, Sir, is . . ."

* The hon. the PRESIDENT:—"I said that you were at perfect liberty to do that; but my advice is that you will have a more dignified opportunity to refer to it."

* Mr. K. R. KARANT:—"What I started with was that the large amount of Rs. 133 lakhs is not properly spent, and I wanted to say something as to how best it should be spent in the coming year. I think that is a relevant

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matter, Sir, and I do not know whether I should really wait till the Bill comes before this House.

"Then, Sir, as regards finance, I do not think there will be much difficulty in allotting funds for this body, thereby promoting the cause of education. I have not very much more to add."

* Diwan Bahadur P. KESAVA PILLAI:—"Mr. President, Sir, I have only a few remarks to offer. May I be permitted to express very great disappointment, in the first instance, at the fact that although the provincial contributions that were being given to the Government of India year after year were remitted to this Government for their own use, and although the people expected that more money would be given to the Transferred departments to be spent on education, sanitation, etc., not much money is being given to the Transferred departments. I understand, Sir—perhaps I am mistaken—that a major portion of this huge amount which was remitted by the Government of India is more or less absorbed in other departments, and not much of it is given to the Transferred departments. Now, Sir, that the hon. the Chief Minister is secure in his seat, I hope he will fight for a larger share of it. (A voice: Never.) He will, because he is so strong and is pertinacious, and I hope he will get a bigger slice out of the contributions remitted by the Government of India for being spent on the spread of elementary education in the country. Especially for the masses, education means so much good sanitation, so much power to resist the various kinds of oppressions that now prevail among us and so many other good things for the country. When the contributions were being regularly paid to the Government of India, we hoped for a better state of things after the contributions stopped; but we now find that the other departments are absorbing a greater portion of the money. We expect the Ministry will try to get a good portion out of the remitted provincial impost.

"I do not want to enter into the controversial subject of the local bodies not being quite competent to take care of elementary education in the villages; but, as regards what Mr. Muniawami Pillai said regarding the scholarships to be given to the depressed class students, I would urge upon the Government to relax the age-limit prescribed for the depressed class students. They now say that a depressed class student can get a free scholarship provided he is within 16 years. As a matter of fact, poor people, when they go in for education, do not go in for it at a very early age, and especially in the case of the depressed classes, they are more aged than the other boys when they go to the school. To fix an age-limit for them certainly works a hardship.

"One other thing I would urge on the hon. the Minister, and it is this: There is a certain policy of the Government by which they want to have middle schools in places where they can get a large number of boys. Especially in the backward Coded districts middle schools are generally started in nooks and corners where there is no light of education at all. In certain places we have not got a sufficient number of pupils to satisfy the Education department, but there are boys—nearly 100 and more—craving for secondary education. When the people are anxious to get IV Form opened in those schools, the Government say to the district boards 'You shall not'. As a matter of fact, there were two schools in which the people wanted to have the IV Form opened, so that their young children might

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not be sent long distances to get secondary education beyond the III Form, even promising to finance the experiment for three years and see if it would succeed. But the Government peremptorily ordered to close them.

"The people appealed to the district board which in its turn appealed to the Government to try the experiment and after a good deal of prayer and persuasion and cajoling the Chief Minister was pleased on the recommendation of Mr. Grieve to allow one school to continue its IV Form for this year and they are praying for an extension for the next year. Now memorials and resolutions from the people of two localities, Kalyandrug and Dharmavaram, are received and the Government are hesitating. Our district is a poor district and there are not schools in places which are about 50 and 60 miles distant from Anantapur. I would appeal to the hon. Chief Minister in the light of these conditions to grant the request. We are thankful to this Minister and his predecessors for opening two high schools. I submit the policy of the Government should be to encourage and not to discourage when the people are eager to have IV Forms to the middle schools. I would appeal to the Chief Minister. . ."

Mr. S. SATYAMURTI:—"Is the hon. Member in order when he turns his back to the House?" (Laughter.)

* The hon. the PRESIDENT:—"So long as he addresses the Chair he is in order." (Laughter.)

* Diwan Bahadur P. KESAVA PILLAI:—"It is because the hon. Member has taken his seat there that he does not hear me properly. This is a modest request on behalf of the people and it is the duty of the Government to encourage the opening of IV Forms wherever necessary. We should be more thankful to the Directors, Mr. Littlehales and Mr. Grieve than the Ministers, because the latter act only when the former recommend. But I must admit that it was only after the appointment of Ministers was made an impetus was given to elementary and secondary education in our district. Well, let us get as much as possible from the Ministers. Now that the perpetual fear of losing his seat has disappeared, let me now appeal to the Chief Minister (laughter)—now that he has secured his position and is safe may I now appeal to him to satisfy the demands of the public in this Presidency."

Mr. D. NARAYANA RAJU:—"Mr. President, in this connexion I wish to draw the attention of the Government to the unsatisfactory state of things in respect of text-books. I have in view particularly the text-books prescribed for elementary and secondary schools. This problem of text-books has got two aspects to be considered. One is its literary and the other is its business side. On the business side the persons affected by pursuing wrong methods are the authors, the printers, the publishers and the book-sellers. The authors to have their books approved by the Text-Books Committee have to dance attendance and curry the favour of the Text-Books Committee. When once the text-books are approved they have to secure the favours of the Inspector of Schools and the Headmasters. For all these things these authors have to adopt ways which self-respecting persons would hesitate to adopt.

"Now with regard to the printers the books printed in some presses have got a preferential treatment at the hands of the Text-Books Committee and the Inspectors. Some presses which are not in the good graces of the Government are tabooed. The books printed in those presses have no

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chance at all of being prescribed as text-books. I know of cases where proprietors of presses by ways which will not bear scrutiny get into the favour of the Government.

“With regard to publishers, books published in companies like Longmans, Green & Co., and Macmillan & Co. are readily taken as text-books. Books published in other presses have not such good chances irrespective of their merits. That is why books in vernaculars have got to be published by English companies. In some places school-masters act as publishers, book-sellers and get commission. Headmasters enter into contract with book-sellers and to keep the trade of the book-sellers they change the text-books year by year. Now these evils have—no one can dispute it—got a demoralizing effect on all those concerned in the sale; and they work hardship on the parents of the pupils concerned. The parents of these pupils have to spend large sums of money year after year to buy these books. When we remember the number of schools that make use of these text-books we will have an idea of the cost to which the public is put in this connexion. In 1927 the number of schools in the recognized primary schools is twenty lakhs. If we put the price of the text-books used by each pupil at the moderate figure of one rupee, twenty lakhs have to be spent every year. When these primary schools increase which they are bound to do when compulsory elementary education is introduced by local bodies then the cost of text-books is bound to rise in the near future. Therefore it is necessary that a method be found by which books can be had at a cheap price. This evil is not without remedy if the Government are so inclined. I would suggest a simple remedy. They may prescribe books which have no copyrights reserved by the publishers or the authors. There are a lot of books both in the vernacular and in the English languages that have not copyrights reserved. They are very cheap because all presses print them. And hence there will not be all the evils which attend on these monopolist text-books. But one important objection that may be taken is that this system discourages authors and text-book writers. I submit that this difficulty comes only with regard to books on technical subjects. As regards literature, there are any amount of books. There are general classics which are available on the market at low prices.

“With regard to the literary side of the text-books prescribed, the present books are not suited to the political future of the country. Anything related to the patriotic feelings or to the love of the country has to be eschewed. The tendency on the part of the Government to proscribe such books is very harmful to the political future of the country. When people come to take their rights of self government, which they are bound to do sooner or later, they should be in a position to exercise their civic rights. Again, the text books that are prescribed at present have no bearing on the environment or on the past traditions of the people concerned. The contents of these books are out of touch with the traditions of the people to which these pupils belong. These scholars that receive their education are aliens in their household and they are neither useful to their parents nor to their country. Unless these text-books have got some connexion with the traditions of the people and to the literature that is loved by the people of the locality the sort of instruction given to the scholars at present would not be of any good to the people at large. Therefore I appeal to the Chief Minister to give his best consideration to this problem of text-books.”

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ஸ்வாமி A. S. சகஜானந்தம் :— “தற்போது ஜனப்பிரதிநிதிகளும் அரசாங்கமும் எங்களிடம் மிகவும் அனுதாபத்துடன் இருக்கிறார்கள். தலைவர்களும் எங்களுக்குப் படிப்பு அவசியமென்று சொல்லுகிறார்கள். மாகாண ஆட்சி விஷயமாக இந்தப் பேரவையில் விவாதம் நிகழ்ந்த போது, வரவு செலவு அங்கத்தினர் தாழ்ந்த வகுப்பினர் விஷயமாக ஐம்பது லட்சம் கேட்டாலும் கொடுக்கத் தயாராக விருப்பதாகத் தெரிவித்தார். இதனால் எங்களுக்கு இப்போது தான் நல்ல காலம் பிறந்திருக்கிறதென்று சந்தோஷமடைகிறேன். இந்த சமயத்தில் எங்கள் கல்விமுறையைப்பற்றி சிலவற்றையே சுண்டு குறிக்கிறேன். இவற்றை அரசாங்கம் குறைவாக நடத்துமென்றும் நம்புகிறேன். எங்கள் வகுப்பில் ஆயிரத்தில் ஒருவர் எழுதப்படிக்கத் தெரிந்தவர்களாயிருந்தாலுமிருக்கலாம். ஆனால், ஜில்லாவிற்கொருவர் ஸ்கூல் பைனல் படித்தவரில்லை. இம்மாகாண முழுவதும் உள்ள எங்கள் வகுப்பாரில் ஒருவரையாவது பி. ஏ. வரைக்கும் அரசாங்கத்தார் படிக்கவைக்கவில்லை யென்று நிச்சயமாகச் சொல்லுவேன். இம்மாகாண முழுமையும் எங்களுக்காக ஒரு ஹைஸ்கூல்கூட ஏற்படவில்லை. ஜில்லாவிற்கொரு ஹைஸ்கூல் எவ்வென்றி பாடசாலைகூட ஏற்படுத்தவில்லை. சாதாரண கீழ்தர மூலாதாரப் படிப்பும் சரியாகக் கொடுக்கப்படவில்லை. தற்போது நடைபெற்றுவரும் மூலாதாரக் கல்வியால் யாதொரு பயனும் ஏற்படாது. எழுதப் படிக்கத் தெரிந்துகொள்ளலாமே யொழிய அதனால் பிழைப்பிற்கு வழியில்லை. உயர்தரப் படிப்பின்மையால் குமாஸ்தாக்கள் முதலிய எழுத்துவேலைக்குப் போகமுடியாது. கைத்தொழில் கற்பிப்பாமை யால் தொழில் முறையுத் தெரிந்துகொள்ள முடியாமல் வருந்தவேண்டியதாயிருக்கிறது. ஆகவே, தற்போதுள்ள மூலாதாரப் படிப்பால் யாது பயன்? ஒவ்வொரு பாடசாலையிலும் கைத்தொழில் கற்பிக்கவேண்டும். இந்தியாவில் எங்கள் வகுப்பார் இரண்டு வகை கைத்தொழில்கள் செய்வார்கள். ஒன்று விவசாயம், மற்றொன்று தரி நெசவு, இவ்விரு தொழில்களும் மற்றத் தொழில்களும் பாடசாலைகளில் அவசிய பாடமாக வைக்கவேண்டும். விவசாயம் கற்பிக்க ஒவ்வொரு பாடசாலைக்கும் நன்செய் புன்செய் உள்பட இரண்டு ஏக்கர் நிலமும், ஒரு ஏர் மாடும், கிணலும், தொழில் பரின்ற உபாத்தியாயமும், கொடுக்கவேண்டுமென முன் கவுன்ஸிலில் யானொரு தீர்மானம் கொண்டுவந்தேன். அப்பொழுது வரவு செலவு மெம்பர் பணமில்லை யென்றார். அவரே தற்போது ஐம்பது லட்சம் கொடுப்பதாகத் தெரிவித்திருப்பதால் இது விஷயமாக உடனே கனம் லேபர் கம்மிஷனர் சிரத்தை யெடுத்துக்கொள்ளவேண்டும். கட்டாயக் கல்வியை உடனே அமுலுக்குக் கொண்டுவரவேண்டும். எங்கள் வகுப்பினர் மிகவும் ஏழைகளாதலால் பகலில் ஒரு வேளைக் கூழையாவது உணவாகக் கொடுக்கவேண்டும். அதற்கு அதிக பணச்செலவிராது. பிள்ளை ஒன்றுக்கு அரை அணு அல்லது நான்கு காசுகளாகலாம். இது விஷயத்தில் அரசாங்கம் அதிக சிரத்தை யெடுத்துக்கொள்ளவேண்டும். சென்ற வருஷம் இது விஷயமாக கல்வி இலாகா மந்திரியவர்களைக் கேட்டதற்கு சில இடங்களில் செய்வதாகச் சொல்லியிருந்தார். ஆனால் அனுபவத்தில் நடைபெறக்கூடாது. குழந்தைகளுக்கு இனமாகக் கல்வி கற்பித்து வருவதோடு புத்தகங்கள், சிலேட் முதலானவைகள் இலவசமாகவே கொடுத்து வருகிற

4-15 p.m.

[Swami A. S. Sahajanandam] [23rd March 1928]

மேன். எந்தப் பிள்ளைக்கேனும் புத்தகம் வாங்கிக்கொடுக்கும்படிச் சொன்னால் உடனே பெற்றவர்கள் பிள்ளைகளை நிறுத்திவிடுவார்கள். இது என்னுடைய பாடசாலைகளினாலுண்டான அனுபவம்.

“இலவச உதவிகள் அவசியம்.—ஆதலால் இலவசமாகவே புத்தகம், சிலேட் முதலானவைகள் கொடுக்கவேண்டும். கிராமங்கள்தோறும் மேற்கூறிய முறைப்படி கல்வியைப் பரப்புவதற்கு முடியாவிட்டாலும் தனிப்பட்ட நபர்கள் வைத்து நடத்தும் பாடசாலைகளுக்கு கிராண்டு அதிகமாகக் கொடுக்கவேண்டும். சாதாரணமாக ஒருவன் உபாத்தியாயராவதற்கு எளிமெண்டரி போதனா முறைகலாசாலையில் பயிலும்போது அவனுக்கு சுமார் பத்து ரூபாய்கள் அரசாங்கத்தார் உபகாரச் சம்பளம் கொடுக்கிறார்கள். ஆனால் அவனே உபாத்தியாயராக வந்தால் மாதம் நாலு ரூபாய்களுக்கு மேல் ஆறு ரூபாய்களுக்கு அதிகப்படாமல் கொடுத்து வருகிறார்கள். எங்கள் பிள்ளைகளுக்கு சம்பளம் கேட்டால் பெற்றவர்கள் பிள்ளைகளை பாடசாலைக்கு அனுப்பமாட்டார்கள். ஆறு ரூபாய்களைக் கொண்டு உபாத்தியாயர் எப்படி காலந்தள்ளுவது? மாணவனுக்குமே போது பத்து ரூபாய்கள் கொடுக்கும் அரசாங்கம் ஆசிரியன் ஆனபோது ஆறு ரூபாய்கள் கொடுப்பதானால் இதற்கு ஆச்சரியப்படவேண்டாமா? எப்படி கல்வி விருத்தியடையும்? உபாத்தியாயர்கள் சம்பளம் போதாமையால் ஜீவனத்திற்கு வெளி வேலைகள் செய்துகொண்டிருந்து பரிக்ஷாக்காரி வரும் சமயம் பாடசாலைகளைத் திறக்கிறார்கள். இந்த நிலைமையில் இருந்தால் எப்படி கல்வி பரவும்? இதற்குக் காரணம் அரசாங்கத்தின் சிக்கனமல்லவா? உடனே தனிப்பட்ட நபர்கள் பாடசாலைகளுக்கு அதிக கிராண்டு கொடுக்கவேண்டும். ஸ்காலர்ஷிப் அதிகமாக கொடுக்கவேண்டும். மருவிப்பட்டணத்தில் உள்ள ஸ்காலர்ஷிப் மாணவர்களில் இண்டர்மீடியேட் படிப்பவர்களுக்கு கல்வி இலாகா டைரெக்டர் ஸ்காலர்ஷிப் கொடுக்க மறுத்து விட்டார். லேபர் கம்மிஷனரும் சட்டநிலை யென்கிறார். இந்த நிலைமையில் அரசாங்கத்தார் எங்கள் உயர்தரக் கல்வியில் எவ்வளவு சிரத்தைகொண்டிருக்கிறார்களென்பது புலப்படவில்லையா?

“ஒவ்வொரு தாலுகாவிலும் ரெசிடென்ஷியல் ஸ்கூல் (குருகுலம்) அமைந்த உயர்கலாசாலைகள் அமைக்கவேண்டும். அதற்கு அரசாங்கத்தார் பணமில்லையென்று சொல்லி விடுவார்கள். ஜில்லாவிற்கொரு உயர்தர கலாசாலை கல்லூரியாக ஏற்படுத்தாவிட்டாலும் தமிழ் நாட்டில் ஒன்றும் ஆந்திர நாட்டில் ஒன்றுமாக குருகுல உயர்தரக் கலாசாலையை அரசாங்கத்தார் உடனே அமைக்கவேண்டும். ஆகவே இலவச ஆரம்ப கலாசாலைகள் கிராமமெங்கும் ஏற்படுத்தவேண்டும். இடைவேளையில் உணவளித்தல்வேண்டும். புத்தகம், சிலேட்டுகள் இலவசமாகக் கொடுக்கவேண்டும். தனிப்பட்டவர்கள் பாடசாலைகளுக்கு அதிக கிராண்டுகள் கொடுக்கவேண்டும். உயர்தர கலாசாலைகள் ஏற்படுத்தவேண்டும். கலாசாலை மாணவர்களுக்கு ஸ்காலர்ஷிப்புகள் கொடுக்கவேண்டும். இலவச உணவு விடுதிக் கேற்படுத்தவேண்டும். பரிக்ஷாக்காரிகளும் தாழ்ந்த வகுப்பாரிடம் அனுதாபமுடையவர்களாயிருத்தல்வேண்டும். அதிகாரிகள் ஊரார்வார்த்தைகளைக் கேட்டுக்கொண்டு பாடசாலைகளை எடுத்து வருகிறார்கள். இது விஷயத்தில் கல்வி இலாகா மந்திரியவர்கள் சிரத்தை யெடுத்துக் கொள்ளவேண்டுகிறேன்.”

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* The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I am glad that there has been an opportunity to discuss the whole scheme of education from primary to university to-day. Considering that we have debated this question for a whole day, I am sorry that no constructive remarks have been given, except for a few, the exception being Mr. Karant who began to give some constructive suggestions with regard to elementary education but was asked by you to reserve such remarks for the introduction of the Elementary Education Bill. Mr. Harisarvottama Rao made some proposals which deserve consideration; but most of it he took from the report on Elementary Education made by the Special Officer who was appointed after I took charge of the office. Though Mr. Harisarvottama Rao is not a lawyer, he adopted the trick of the lawyer and flung back the proposals made by the Special Officer who was appointed for this purpose.

“The hon. Member, Mr. Harisarvottama Rao, quoted in extenso passages both from the quinquennial report and the report on elementary education by Mr. Statham. They correspond with each other because both these reports were produced by the same officer. As pointed out by him, no doubt the single teacher school has not in any way advanced elementary education in the matter of making illiteracy less than it was before the Reforms. As my hon. Friend, Sir A. P. Patro, has explained, the one thing he had in mind when he was in charge was to spread education as rapidly as possible and for that reason he started a number of schools. If he had to do that with the amount of money at his disposal he had to rapidly advance the number of schools. But the object he had in mind was to have schools in every village with a population of 500 or more. With this year we would be having schools in all villages with a population of 500 and more. The next thing is consolidation. I quite admit, as Mr. Statham has pointed out, that single teacher schools do not advance the cause of education. If you have a school with a single teacher and there are 70 boys, naturally he will not be able to pay the attention that is necessary. Taking a single district, Chittoor, there are more than half the number of schools with a strength of 60 to 70 but having only one teacher. The next step is to try and have at least two or three teachers. Money has been provided in this year's budget so that some schools are going to get two teachers and others three. The consolidation which Mr. Harisarvottama Rao talked about has begun.

“He also talked about the schools under the various departments. That again has been pointed out by the Special Officer, but Mr. Harisarvottama Rao adopted it as his own for purposes of his criticism. I quite agree that it is rather difficult, especially when you want to introduce a system of compulsion for the whole province, that the schools should be under the various authorities. I have been trying for the past one year to see whether my hon. Colleague, the then Minister for Fisheries, and the hon. Home Member in charge of Labour schools would not hand over these schools to be managed by the Education department. That question has been made to lie over for some time. It is absolutely necessary that these elementary schools should be run by one single department.

“The next point of criticism which Mr. Harisarvottama Rao made was the question of the number of schools for various communities. He himself partly answered that question and he said, that situated as we are in this country with different kinds of religion, etc., it is impossible to take away the schools. Here again Mr. Karant gave a constructive proposal and

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referred to what the municipal council of his place is doing. That shows that it would be very much better if the schools are consolidated into one single school. Then there will be saving of money as well as appointment of an efficient staff. But in the case of Mussalmans, I must say I sympathise with their claim in the sense that their religious instruction has to be in Arabic and there should be different schools of their own. In the case of other communities I hope it will be possible to have schools wherein all classes should be admitted including the children of the depressed classes.

“Mr. Harisarvottama Rao again talked of the improper staffing of the schools. I have said more than once that it is necessary to have a trained teacher in the elementary school, because the teaching given there is so important and the pupils should retain the instruction they receive there and it is therefore necessary that there should be trained teachers. But the advancement having been so rapid, it has not been possible to find trained teachers for all the schools. We are trying our level best and to a certain extent we have succeeded. He talked of education in Nandyal taluk board school. I have not heard of it before; I hope to see for myself what is being done at Nandyal which may be useful for being introduced into other schools.

“Another complaint made by Mr. Harisarvottama Rao and it was repeated by Mr. Kesava Pillai also, was that the funds at our disposal are not sufficient. But if I quote the figures that would be rather amazing. In 1920-21 the year before the Reforms, the education budget was Rs. 127.31 lakhs, and to-day the budget stands at 229.04 lakhs. And this education budget is second only to the revenue budget. The revenue budget is so large not because revenue is concerned but because the General District Administration also is concerned.

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“In that sense I do contend that there has been money allotted for education as rapidly as could be done and as Mr. Karant pointed out more than Rs. 133 lakhs of this sum is being spent on elementary education. So I do not think that the complaint that has been made that the Government have neglected elementary education will stand any examination.

“I will take next the question of secondary education. I admit that the report of the Committee on Secondary Education has been, like Charles' head cropping up every time. But unfortunately there was not only one committee. There was Sir Venkataratnam's Committee which report was again scrutinized by another Committee. Then there was a report on the Survey of Secondary Education by Mr. Statham and all these three reports have been conjoined together and are being considered. I hope that something will be done to put up proposals on these three reports.

“Now take the question of university education. Here again there has been rapid advance in the matter of sums that have been utilized. In the year 1920-21, the year before the Reforms, the sum that was spent on university education was 16.47 lakhs of rupees and to-day we have allotted as much as Rs. 27.52 lakhs. I often hear complaints that we are rapidly advancing university education. My hon. Friends, especially Members of the depressed classes, are never tired of reiterating that we are spending far too much money on higher education. My answer to that will be that unless we have a

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sufficient number of highly educated men the question of elementary education will never be really solved because unless you have teachers who are highly educated and who are able to impart knowledge in the proper sense of the term it will not be possible to advance elementary education as rapidly as we must. That is the only justification for spending money on university education. There are some elementary schools where there are graduate teachers. If hon. Members go round and find out they will know that it is a fact. I know of five or six schools.

“To take the question of Andhra University I know it has led to a great deal of dissatisfaction especially among the Members who come from the Andhra Desa. I may say that in the matter of the College at Rajahmundry as I explained to the Select Committee itself during the meetings of the Andhra University Committee we are quite willing to come forward with that scheme which would have cost us something like Rs. 11 lakhs if only the Committee had settled that Rajahmundry should be the headquarters of the University. But what happened? By a small majority that Committee decided to have Anantapur as headquarters. Even in the matter of Anantapur I told the Committee at that time that the people of the Ceded districts should not be frightened away by having Rajahmundry as the headquarters the Ceded districts would be neglected. I told them that the Government would develop the College at Anantapur to a first-class College so that in the end if the Ceded districts people felt that their interests would not be safeguarded by the Andhra University having its headquarters at Rajahmundry, they would have a university of their own. The Bezawada people and the Rajahmundry people vying with one another voted for Anantapur being the headquarters of the university. . . .”

Mr. G. HARISARVOTTAMA RAO :—“May the hon. Minister canvass for votes for Rajahmundry?”

* The hon. the PRESIDENT :—“Certainly.”

* The hon. Dr. P. SUBBARAYAN :—“I am sorry that hon. Members should have thought that I am canvassing for Rajahmundry. I am here speaking really as one interested in the advancement of the Andhra University. I shall put forward what I think will be to the advantage to the Andhra country if the scheme that I am adumbrating is adopted. . . .”

Diwan Bahadur P. KESAVA PILLAI :—“Is the hon. Member speaking as an individual or as a Minister?”

* The hon. Dr. P. SUBBARAYAN :—“I think my hon. Friend, Mr. Kesava Pillai, has been long enough in this House to know that if a Member of the Government speaks on the floor of this House he speaks as a Member of the Government and not as a private individual. As I said, that is the reason why it has not been possible to decide whether the Rajahmundry College should be built on Sappers Hill or on the Jail site. If of course the Council adopts the view of the Select Committee that Anantapur should be the headquarters of the Andhra University, the Rajahmundry College will be built on the Jail site. Then there would not be the same scope for development at Rajahmundry as it would be if Rajahmundry were to become the headquarters. Then the Government would have to think of the university which would have its headquarters at Anantapur.

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"Another very important suggestion was made by my hon. Friend, Mr. Narayana Raju. Here I may frankly admit that I have been examining the question. I agree with most of the things he said. I do not know Telugu. I do know Tamil well and the last six months I have been spending reading some of the text-books that have been set for Tamil and I think my hon. Friend is quite right when he says that the question of publishers seems to play a greater part before the Text-book Committee than the question whether the text-book is proper to be read by pupils concerned. As a matter of fact I have brought this matter to the notice of the Director and what is more I have quoted chapter and verse from the Tamil books I have read and have been pointing out grammatical mistakes that occur in those text-books which are being taught to our little boys at school as literature. I am trying to see whether the Text-book Committee could not be taught its sense. I quite agree with Mr. Narayana Raju that it will be better if selection can be made from the classics, because then we will know where we stand. We know for instance that in Tamil there are great works which would be instructive to any pupils in schools. One of the things I have brought to the notice of the Text-book Committee is that they should as far as possible prescribe classical text-books. But I may say that there is one difficulty in this matter. I am sure hon. Members opposite will admit that it is necessary for pupils in schools to know also the colloquial language and that if we confine ourselves to the old text-books it will not be possible for them to understand the spoken language as it exists to-day. That is the reason why we have got to encourage also text-books written this day and it is this which is being taken into consideration. I hope next year at least there will be some improvement in the text-books that are being prescribed by the Text-book Committee even though they may take modern text-books they will take care to see that they come up to the standard they ought to. I am glad Mr. Narayana Raju laid special emphasis on this point.

"My hon. Friend, Mr. Shetty, dealt with the question of unemployment. That of course is a question that is being considered on the report of the Unemployment Committee. I admit that one of the things that should be done as he mentioned is that higher education should be made more costly than it is to-day. But if it is done hon. Members opposite will be the first persons to come round and say 'you are making higher education costly'. But if higher education goes on at the rate it is going, they themselves turn round and say that the unemployment problem exists. But may I point out that the question of unemployment will be more easily solved if our graduates take to other walks than that of Government employment? (Voices:—What walks?) Commercial life, Banking, etc. (Mr. S. Satyamurti:—Dehra Dun.) I hope when the time comes Mr. Satyamurti would think of sending his boy to Dehra Dun.

"To take the special questions that Mr. Hamid Khan raised I do not agree with my hon. Friend, Mr. Biswanath Das, when he says that for a few pupils we ought not to have a Muhammadan College. The Government Muhammadan College has now been made a permanent institution because I think the best way we can get our Mussalman friends to agree with us would be when they feel that we are taking care of their interests. If they think that it is necessary for them to have a separate College I think it is but right that we ought to accede to that request of theirs. I am sorry that it has not been possible to open English classes during the last year. But we are

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eventually going to open both Philosophy and English classes in the Government Muhammadan College and for that purpose we are going to send three young Muslims to England in order that they may be in a position to come back and take these subjects in the Government Muhammadan College, so that Muhammadans can receive instructions from their own men.

"He also mentioned that persons who know Urdu language should be in charge of the Hobart Training School. But as I said in answer to a resolution proposed by my hon. Friend, Mr. Abdul Hye, there are no Muslim graduates in this province. If persons with qualifications are forthcoming from other provinces the Government will seriously consider whether they could not be appointed to be in charge of the Government Hobart School.

"Mr. Biswanath Das mentioned that the Financial Relations Committee recommended that one-eighth of the excise revenue should be given over to the local bodies concerned for the purpose of advancing elementary education. I was rather amazed at that remark of my hon. Friend because I thought that my hon. Friend is a staunch supporter of prohibition and if this is going to be done I do not know how he is going to get his ultimate object of prohibition because then there will be some local bodies who would want prohibition and others who would not . . ."

Sriman BISWANATH DAS Mahasayo:—"On a matter of personal explanation, Sir."

* The hon. the PRESIDENT:—"The hon. Member will kindly resume his seat."

* The hon. Dr. P. SUBBARAYAN:—"My hon. Friend, the Member for the University, is getting tired with what I have been saying. As I said, hon. Members have surveyed such a vast subject. . ."

* The hon. the PRESIDENT:—"It is the duty of the hon. Minister to keep the House in good humour."

* The hon. Dr. P. SUBBARAYAN:—"That is what I am doing; the hon. Member for the University alone seems to be tired. I end with what I began. The question of elementary education is really most important and as I have pointed out more than Rs. 133 lakhs are being spent to-day. It may be that the way in which that sum is being spent is not getting us the maximum amount of benefit. But that is what we must attempt. I hope it will be possible to get this sum spent in such a way that we may be able to dispel the ghost of illiteracy soon from this province."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, my hon. Friend, the Minister for Education, began with elementary education and ended with elementary education. In the middle, we had a survey of secondary and university education. He referred to my hon. Friend, Mr. Biswanath Das. May I suggest to him very respectfully that we may refer to one another not by name but by the constituency we represent? The hon. Minister ridiculed the hon. Member from Ganjam by saying that he wants prohibition but at the same time he wants that one-eighth of the excise revenue should be given to education. It seems to me that my hon. Friend may think twice before he makes remarks which can be repudiated in less than half a minute. He knows as well as anybody else that we want prohibition. But we also want that in the meantime till prohibition comes, some of the excise revenue may

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be used in order to educate the people so that when prohibition comes it may become an accomplished fact with the willing consent of the people themselves.

4-45 P.M. "So far as elementary education is concerned my hon. Friend was very pleased with the progress so far achieved and with the fact that we are spending nearly twice what we were spending in the pre-Reform days. I do not grudge him such small satisfaction as he may derive from it, but I do suggest to him to consider whether the field of education yet to be covered is not so vast that almost any conscientious Minister must feel staggered at the prospect. Mr. President, Sir, I have nothing to do with the Simon Commission; but my friend is very much concerned with them. Now, one of the terms of reference for that Commission, under the Government of India Act, is the progress of education in India. What is the achievement of my hon. Friend in the matter of the progress of education which he is going to place before the Commission? Sir, I shall not be so uncharitable as to suggest that he wants to minimise the value or the extent of his own work. But I do suggest to him that unless he takes up a big programme of rapid and at the same time efficient expansion of elementary education, this country will never have Swaraj, broad-based on the willing consent of and for the lasting benefit of the people of India. Mr. President, next and next only to Swaraj, education of the people of the country is the most important and difficult problem before us. But, Sir, has he ever considered that adult education must be taken up earnestly on a large scale before we can tackle the problem of the colossal ignorance of our people? At the rate at which our elementary education is progressing to-day, it will take another fifty years or even more before our people get anything like universal elementary education. Unless there are agencies at work to promote adult education, we shall never solve the problem of mass education satisfactorily. I am afraid the hon. the Education Minister has never applied his mind to the problem of adult education, for example, sometimes by the liberal use of lectures, moving trains and cinemas. The use of such means for the purpose of instructing people is resorted to in other countries like Canada and Australia to such great advantage. But, of course, they have the advantage of having self-government with Ministers responsible to them. Then, Sir, has he ever looked at the quality of the elementary education given to our people? I am glad my hon. Friend found time to read some Tamil text-books prescribed for the elementary schools. Sir, in my school days many years ago, we used to read அருஞ்செய் விரும்பு, ஆறுவது சென்ம், சுவது விலக்கேல், etc., things which remain with us all through life; which govern our moral conduct and remain a source of spiritual inspiration. But to-day, we have in the text-books கண்ணில்லாதவன் குருடன், காலில்லாதவன் செவிடன், காலில்லாதவன் தொண்டி. That is the kind of intellectual stuff on which our young hopefuls are being fed. (Laughter.) That, Sir, is because Messrs. Macmillan & Co. and Messrs. Longmans, Green & Co. have got powerful agents going about in motor-cars—I do not suggest to the Minister—visiting the powers that be, visiting all those with whom patronage lies. Not only that. We have these text-books changed year after year and the poor harassed parent has got to buy new books almost every year. Sir, in my days, the books that I purchased were useful to my brother and they were also useful to another brother. But nowadays it is all topsy-turvy and every year new books are being prescribed. You must have again note-books

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galore. Slates and slate pencils are out of date. You must have innumerable note-books on which little children are made to write and these note-books have become a weariness to the flesh of the children and to the poor purse of the parents.

"Then, Sir, was any national orientation or instruction given in elementary schools so as to make school-life here a preparation for the life after? I do not think my hon. Friend will say—as his predecessor has once done—that he cannot understand national education. I am sure he understands what I mean by it. The school must be a microcosm to the macrocosm of national life outside the school itself. It can be done and it ought to be done. To-day we are spending too much money on inspection and too little on real education. I would like my hon. Friend to see whether he cannot spare more money for the rapid expansion of real education. We cannot rest satisfied with the progress we have made; we must go forward. While on this, may I say one word? My hon. Friend asked for constructive suggestions. May I make one? In the Madras Corporation we are working the Corporation Compulsory Education Act. The question of compensation to teacher-managers comes up almost at every meeting. The teacher-managers are a real bug-bear to most of us. They also came to my hon. Friend, I am told. Sir, there is an anomaly in the wording of this Act. I can understand free education; I can understand compulsory education; but I cannot understand why parents who can afford to pay fees for their children should be compulsorily prevented from paying fees. In Madras, Sir, under the Compulsory Education Act, if my hon. Friend's son is sent to the Corporation school, he shall not pay fees. If he pays anything to the school-master, it will be illegal gratification. That seems to me to be an absurd provision in law. In Madras, there are many parents who can afford to pay fees for the education of their children. Why not therefore make education free only in the case of people getting less than Rs. 50 a month, so that the benefit of free education might be extended only to those who deserve that education by their poverty?

"Then, Sir, I am told that local bodies wanted one-eighth of the Land Revenue instead of the Excise Revenue to be utilized for elementary education; but Government did nothing. Sir, I fear I will be treading on delicate ground if I talk of District Educational Councils. I am one of those who are against these *ad hoc* bodies being created. The control ought to be placed in a single unified body. Now it seems to me therefore that the hon. Minister can do nothing better than take up this problem of elementary education including adult education and giving as much time and money to it so that sooner or later when he vacates office—as vacate he must one day—he may have the satisfaction of having done something to promote the quantity and quality of elementary education in our province on which alone true national life can be built in this part of the country as in any other part of the world.

"As regards secondary education, Sir, my hon. Friend has said that the report is there. But, Sir, my difficulty is this. Secondary education will lead to no result until the medium of instruction is the language of the pupils and of the teachers. It seems to me, Mr. President, to be unnecessary to prove that proposition in any country except in our so-called civilized country. Is there a single country in the world except India where boys and girls are taught in their schools and colleges in a language which is

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foreign both to the teacher and the taught? The teachers talk in most cases incorrect English; the students learn incorrect English. Both have forgotten the correct use of their mother-tongue. They can use neither English nor their mother-tongue, nor can they speak in either with fluency. It seems to me, Mr. President, the time has come when the Government must take courage in both hands and, if they claim to be Indian, if they claim to be responsible, they must make the mother-tongue the medium of instruction and examinations in all schools, making the study of English or French or any other modern language an optional subject. That can be done and ought to be done. If it is not done, we shall have only those specimens whom we see here and elsewhere who can neither speak in the official language of this country nor in their mother-tongue.

"Then Sir, my hon. Friend dealt with the problem of unemployment somewhat facetiously. I am pained to see it. I do not know if he realizes that to-day in Madras there are graduates, honours-men, men who have taken degrees in arts and law, willing to sell themselves for Rs. 30 and Rs. 25, a salary which no decent chauffeur or cook would care to look at? These are matters which must be looked into. Government appointed an unemployment committee and that committee suggested that the problem will be solved by people taking to other avocations. My hon. Friend repeats that statement. Where are the other avocations?"

Mr. ABAS ALI KHAN:—"Crying, Simon go back."

Mr. S. SATYAMURTI:—"Sir, my hon. Friend must not be a buffoon all the time. There must be some limit even to his buffoonery. In Ramnad he can prosecute criminals and try to make himself cheap. I do suggest Mr. President, when we are discussing serious problems my hon. Friend must not forget himself and make cheap jibes. Sir, all people cannot become Public Prosecutors of Ramnad district and be rewarded for their loyalty and extra loyalty. No, Sir, it is far too serious a matter to be trifled with, and I will not be trifled with by any Member, not even by the Public Prosecutor of Ramnad. Joking apart, I do suggest, Mr. President, Government will have to solve this problem in all earnestness. Sir, the problem of poverty in this country is so vast, that when a rich Muhammadan distributes alms, people in hundreds and thousands crush one another and a number of them perish. Yet, my hon. Friend, a Mussalman, jokes and talks of 'Simon, go back'. Yes, Sir, Simon must go back and Abbas Ali's must go too. Till then this problem will not be solved.

"I want to say one thing more on the question of University Education. I would suggest to my friend the Chief Minister that the only way to promote real university development is not to go on multiplying universities in the belief that somehow the State will get unlimited resources. The Andhra University is an accomplished fact. I have no doubt, Sir, that when the Andhra University is worked with proper resources, it will be an example to the other universities of India. So far as the Tamil University is concerned, I will suggest to my hon. Friend to think not once but many times before creating fresh affiliating universities. We have no room for any more affiliating universities in Madras. If, for example, at Chidambaram, owing to the munificence of that distinguished member of the Nattukottai community, Sir Annamalai Chettiyar, we are able to get some lakhs from him, I shall certainly vote for a residential university,

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which may become the Oxford or Cambridge of India. But let us not have an affiliating Tamil University. Being here as the representative of the Madras University myself, I must also complain that we have not got as much grants as we would like to have. They have given us some grants, but they ought to give more. Otherwise my constituency will blame me and tell me: 'the Andhra University are asking for more money; why don't you ask?' Even in the matter of university development we must see that as much money as is necessary is spent. I entirely agree with my hon. Friend that we cannot solve the problem of elementary education without first getting the right type of University education.

"I will only close, Mr. President, by saying that the problem of education is large enough. I do suggest to my hon. Friend to tackle it most earnestly. There is an element of unreality in this debate. My hon. Friend knows it; he knows that this motion will not be pressed to a division and if it is pressed he will win. That is why he has answered us in the usual general budget discussion fashion point by point; he will do this, he will do that. In spite of that I appeal to him, because I know he loves education, to do something even over the head of the Director of Public Instruction—not only to bring matters to his notice, for I can also bring matters to his notice—to sit on him and get these things done. With these few words, I appeal to my hon. Friend to pay his earnest attention to these points."

The motion was put to the House and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

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| 1. Mr. Sami Venkatachalam Chetti. | 13. Mr. K. R. Karant. |
| 2. " S. Satyamurti. | 14. " O. Obi Reddi. |
| 3. " P. Anjaneyulu. | 15. " A. Parasurama Rao. |
| 4. " J. A. Saldanha. | 16. " C. Ramasamayajulu. |
| 5. " C. S. Govindaraja Mudaliyar. | 17. Basheer Ahmad Sayeed Sahib Bahadur. |
| 6. " G. Hariaravottama Rao. | 18. Mr. P. Bhaktavatsala Nayudu. |
| 7. " C. N. Muthuranga Mudaliyar. | 19. Sriman Biswanath Das Mahasayo. |
| 8. Abdul Hamid Khan Sahib Bahadur. | 20. Mr. A. Kaleswara Rao. |
| 9. Mr. K. V. R. Swami. | 21. " R. Srinivasa Ayyangar. |
| 10. Muhammad Meera Ravuttar Bahadur. | 22. " L. K. Tulasiram. |
| 11. Mr. D. Narayana Raju. | 23. " C. Venkatarangam Nayudu. |
| 12. Dr. B. S. Mallaya. | |

Noes.

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|---|---|
| 1. The hon. Sir Norman Macjoribanks. | 22. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 23. Mr. K. Krishnan. |
| 3. " Mr. T. E. Moir. | 24. " N. Siva Raj. |
| 4. " M. B. Seturatnam Ayyar. | 25. " M. V. Gangadhara Siva. |
| 5. " S. Muthiah Mudaliyar. | 26. Rao Sahib L. C. Guruswami. |
| 6. " Dr. P. Subbarayan. | 27. Mr. V. I. Muniswami Pillai. |
| 7. Rao Bahadur C. V. Ananthakrishna Ayyar. | 28. " W. P. A. Soundarapandia Nadar. |
| 8. Mr. H. A. Watson. | 29. " S. V. Vanavudaya Goundar. |
| 9. " G. T. Boag. | 30. " S. Venkayya. |
| 10. " A. MoG. C. Tampoe. | 31. " M. A. Manikkavelu Nayakar. |
| 11. " S. H. Slater. | 32. " O. R. T. Congreve. |
| 12. " C. B. Cotterell. | 33. Rajkumar S. N. Dorai Raja. |
| 13. " P. J. Gnanavaram Pillai. | 34. Mr. S. Arupudaswami Udayar. |
| 14. " R. Foulkes. | 35. The Zamindar of Kallikota. |
| 15. Abdul Wahab Sahib Bahadur. | 36. Swami A. S. SahaJanandam. |
| 16. Abbas Ali Khan Bahadur. | 37. Rao Sahib R. Srinivasan. |
| 17. Sayeed Ibrahim Sahib Bahadur. | 38. Mr. V. Ramjee Rao. |
| 18. Mr. H. B. Ari Gowder. | 39. The Raja of Panagal. |
| 19. " A. B. Shetty. | 40. Rao Bahadur Sir A. P. Patro. |
| 20. " J. Bheemayya. | 41. Diwan Bahadur M. Krishnan Nayar. |
| 21. " Muppil Nayar of Kavalappara. | 42. Abdul Razaack Sahib Bahadur. |

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Neutral.

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| 1. Diwan Bahadur P. Kesava Pillai. | 5. The Zamindar of Seithur. |
| 2. " R. N. Arogyaswami | 6. Mr. T. C. Srinivasa Ayyangar. |
| Mudaliyar. | 7. The Zamindar of Gollapalli. |
| 3. The Raja of Ramnad. | 8. Mr. T. K. Chidambaranatha Mudaliyar. |
| 4. Mr. R. Nagan Gowda. | |

Ayes 23. Noes 42. Neutral 8.

The motion was lost.

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

* The hon. the PRESIDENT :—" I have to inform the House that His Excellency the Governor has fixed the 28th also for further demands and any other official business in addition to the 29th March 1928 which has already been allotted by His Excellency for further demands only.

" The Council will now adjourn and re-assemble on Monday at 11 a.m. "

R. V. KRISHNA-AYYAR,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 26th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, M.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	Mallayya, Dr. B. S.
Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	Manikkavelu Nayakar, Mr. M. A.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.B.E., I.C.S., The hon. Mr. A. Y. G.	Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Subbarayan, The hon. Dr. P.	Muniswami Pillai, Mr. V. I.
Muthiah Mudaliyar, The hon. Mr. S.	Muppil Nayar of Kavalappara, Mr. Nagan Gowda, Mr. R.
Seturathnam Ayyar, The hon. Mr. M. R.	Nanjappa Bahadur, Subadar-Major S. A.
Abbas Ali Khan Bahadur.	Narayanan Chettiyar, Mr. A. I. Ar.
Abdul Rasack Sahib Bahadur, Khan Bahadur S. K.	Narayanan Nambudripad, Rao Bahadur O. M.
Afinarayana Chettiyar, Mr. T.	Narayanaswami Pillai, Mr. T. M.
Anantakrishna Ayyar, Rao Bahadur C. V.	Obi Reddi, Mr. C.
Anjaneyulu, Mr. P.	Petro, Es., Rao Bahadur Sir A. P.
Aji Gowder, Mr. H. B.	Premayya, Mr. G. R.
Arogyaswami -Mudaliyar, Diwan Bahadur H. N.	Raja of Panagal, M.C.I.E.
Arpudaswami Udayer, Mr. S.	Raja of Ramnad.
Rasheer Ahmad Sayeed Sahib Bahadur.	Rameshchandra Reddi, Mr. B.
Bhaktavatsalu Nayudu, Mr. P.	Ramasomayajulu, Mr. C.
Bheemayya, Mr. J.	Ramjee Rao, Mr. V.
Boag, C.I.E., I.C.S., Mr. G. T.	Ranganatha Mudaliyar, Mr. A.
Chidambaranatha Mudaliyar, Mr. T. K.	Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Congreve, Mr. C. R. T.	Sabajanandam, Swami A. H.
Cotterell, C.I.E., I.C.S., Mr. O. B.	Saldanha, Mr. J. A.
Elilappa Chettiyar, Rao Bahadur S.	Sami Venkatachalam Chetti, Mr. Sarabha Reddi, Mr. K.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Satyamurti, Mr. S.
Evans, C.S.I., I.C.S., Mr. F. B.	Shetty, Mr. A. B.
Foulkes, Mr. B.	Simpson, Es., Sir James.
Gangadhara Siva, Mr. M. V.	Sitarama Reddi, Rao Bahadur K.
Gnanavaram Pillai, Mr. P. J.	Siva Raj, Mr. N.
Gopala Menon, Mr. C.	Slater, C.I.E., I.C.S., Mr. S. H.
Govindaraja Mudaliyar, Mr. C. S.	Sundarapandia Nadar, Mr. W. P. A.
Guruswami, Rao Sahib L. C.	Srinivasa Ayyangar, Mr. R.
Hamid Khan Sahib Bahadur, Abdul.	Srinivasan, Rao Sahib R.
Harisarvottama Rao, Mr. G.	Swami, Mr. K. V. R.
John, Mr. V. Ch.	Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.
Kaleswara Rao, Mr. A.	Tajudin Sahib Bahadur, Syed.
Karant, Mr. K. B.	Tampoe, I.C.S., Mr. A. McG. O.
Kay, Mr. Kenneth.	Tulasiram, Mr. L. K.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Venkataramana Ayyangar, Mr. C. V.
Koti Reddi, Mr. K.	Venkataramam Nayudu, Mr. C.
Krishnan, Mr. K.	Venkiah, Mr. S.
Krishnan Nayar, Diwan Bahadur M.	Watson, I.C.S., Mr. H. A.
Kumara Raja of Venkatagiri.	Wright, Mr. W. O.
Luker, Mr. A. T.	Zamindar of Gollapalli.
Mahmud Shammud Sahib Bahadur,	Zamindar of Kallikota.
	Zamindar of Seithur.

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I
QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Local Boards

Cyclone grants to the Nellore District Board.

* 1787 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the estimates for cyclone grants to Nellore District Board and the concerned taluk boards were received by the Government with the recommendations of the Collector;

(b) whether orders have been passed by the Government on the matter; if so, when; and

(c) if not, why not; and at what stage the matter is at present?

A.—(a) The District Board's first application for grants towards the repair to certain works, the estimates for which were then ready, was received with the Collector's recommendation in January 1928 and a consolidated list of other repair works in the jurisdiction of all the local boards concerned in the district was received in February 1928.

(b) & (c) Grants towards the repair of certain works under the Nellore District Board were sanctioned in February 1928. The question of providing funds for a grant towards the cost of the other works is being considered in connexion with the Civil Budget Estimate for 1928-29.

In the meantime the local boards concerned have been asked to take steps to carry out as much of the repair work as they can, meeting the expenditure from their funds.

Public Health

Aid from the Rockefeller Institute from 1920-21.

* 1788 Q.—SYED TAJUDIN SAHIB Bahadur: Will the hon. the Minister for Public Health and Exoise be pleased—

(a) to lay on the table a statement of monetary contributions and other technical assistance received by this Government from the Rockefeller Institute from 1920-21 till 1927-28; and

(b) to state—

(i) why the free honorary services of Dr. Kendrick of America under Hookworm campaign have been dispensed with by Government now; and

(ii) what steps are being taken by the hon. the Minister to address the Rockefeller Institute for enhancing their contributions and scope of humanitarian public health development work in this presidency and for securing their free co-operation in our anti-malarial and cholera operations also?

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A.—(i) The International Health Board of the Rockefeller Foundation has been co-operating with this Government during the past six years in carrying out an investigation into the prevalence of Hookworm in this Presidency, and into the methods by which it can most successfully be controlled. Dr. Kendrick, an officer deputed by the Board, has been in charge of the work and his pay has been met entirely by the Board. An intensive educational campaign has also been carried on from 1923-24, the cost of which has been shared equally by the Government and the Board. The amounts contributed by the Board towards the cost of this campaign are shown below:—

	RS.
1925-26	6,542
1926-27	4,455
1927-28	9,000 (Revised estimate)

(Separate figures prior to 1925-26 are not available.)

(ii) (a) The policy of the Rockefeller Foundation is to assist in financing projects of this kind, only in order to demonstrate their feasibility and to prove the desirability of the local Governments concerned undertaking the work for the benefit of the people. Once this has been done, the Foundation withdraw their assistance in the expectation that the Local Government will continue the work on the lines suggested. Dr. Heiser, Associate Director of the International Health division of the Rockefeller Foundation, visited Madras in December 1927, and he then pointed out that the policy of the Foundation had been fulfilled in this Presidency, and that the time had arrived for the Foundation to withdraw their representative, Dr. Kendrick, and for the Madras Government to carry on the work as part of the ordinary Public Health administration of the Presidency. The Madras Government agreed with reluctance to the withdrawal from 1st February 1928 of Dr. Kendrick by the Rockefeller Foundation.

(b) No steps have been taken by the Government to secure the co-operation of the Rockefeller Foundation in connexion with Anti-Malarial or Cholera operations.

Fire accident in the Madras Medical College.

* 1788-A Q.—Dr. B. S. MALLAYYA: With reference to question No. 967 answered on the 31st October 1927 regarding the fire accident in the Madras Medical College, will the hon. the Minister for Public Health be pleased to state whether the Government have received the information and if so, what it is?

A.—The information required is laid on the table.*

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The RAJA OF RAMNAD :—"Sir, I do not know what the suggestion in clause (f) is. Unfortunately, the questioner is not here, and so I am not able to ask him. However, since the hon. the Minister has answered the question, apparently he must have understood this in some light. I wish to know how the hon. Minister has understood that part of the question?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Probably the idea of the hon. Member for Madras, Dr. Mallayya, in putting the question is whether officers of the College work on holidays also and whether the gentleman in charge of the College was there on holidays also. The answer is, 'No'."

The RAJA OF RAMNAD :—"The question is whether any officer stays there for more than six hours a day during working days. I understand that the answer in reference to that is that nobody stays there for more than six hours a day?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The answer is that nobody stays for more than six hours a day. The working hours are only four or five hours and they do not stay beyond the working hours"

II

MOTIONS ON THE BUDGET FOR 1928-29.

DEMAND XX—MEDICAL

The hon. Mr. S. MUTHIAH MUDALIYAR :—"On the recommendation of His Excellency the Governor I move

'that Government be granted a sum not exceeding 77.07 lakhs under Demand XX—Medical.'"

* Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, I beg to move

'that the allotment of Rs. 6,05,400 for medical establishments be reduced by Rs. 100.'

"The object of this motion is to draw the attention of the Government to the inconvenience caused to the general public by the frequent transfers of the medical officers in the district headquarters and also in the taluk centres. One has simply to go through the weekly issue of the *Fort St. George Gazette* to satisfy himself about the transfer of a large number of medical officers every week. The number of such officers transferred is appallingly large. Coming to South Arcot, within the last two years, we have had as many as five District Medical and Sanitary Officers, and it is hardly fair to these officers that they should be kicked about like footballs; and if the general health of the public is the object of the Government, they should address themselves to this question and minimise as much as possible the number of transfers, and keep the officers at one place for at least a year, if not more. Now that the hon. the new Minister is in charge of the portfolio, I hope he will bear this in mind and see that this system of making frequent transfers is put an end to."

* Mr. C. RAMASOMAYAJULU :—"Sir, I support the motion. I shall bring to the notice of this House one instance. In spite of repeated requests of the people, in spite of resolutions passed by the municipal council of the place, the Government have chosen to transfer a particular gentleman from our place, although that gentleman has not been there very long—he was there for less

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[Mr. C. Ramasomayajulu]

than two years. The Government did not pay any heed to the request of the people or the municipal body. Another gentleman came to that place and by the time he made himself popular, he was shifted to some other place. So much so, this frequent transfer of officers is creating so much confusion and inconvenience to the patient public and the hospital resorting public that they find themselves at bay.

"This is with reference to the place to which I belong. May I take this opportunity to bring to the notice of the House the surprise with which the public received the transfer of Colonel Rai because perhaps his presence here was expected to be political inconvenience for interested people? It was generally expected that a certain gentleman was going on leave and that Colonel Rai would take his place. At such a psychological moment that Colonel Rai should be transferred seems to indicate to the public that there is something behind all this—not merely departmental necessity—which the Government are expected to give information to the public about. These frequent transfers of officers ought to be objected to and the Government would do well to take the people into confidence. But they treat the wishes of the people very lightly and they go on transferring officers in their own way. I do not know on what basis these transfers are made. This is a very important matter in which the people would like Government to pay heed to their wishes."

* The RAJA OF RAMNAD :—"I regret, Sir, I must oppose the motion not that I want to strengthen the hands of the Minister with any argument, but from my own experience, I have found that it is a very difficult matter, to avoid these transfers. While one place clamours for the retention of one officer, there is another place which clamours for the transfer of the officer there. How is it possible to reconcile the agitation in various places without frequent transfers of the officers. Further, these officers have got to qualify themselves in some special work. I understand they have to undergo some training in jail medical work. In that case, they have to be sent out to qualify themselves in that work, then there is the agency service. Therefore periodically they are transferred, out of certain necessities. So, I find from my own experience that transfer is more or less inevitable. But what I would urge on the Government is to ask the Surgeon-General to give due consideration to the representations—not mahazars, because they are easily manufactured and can be got both in favour of and against any particular individual—of authorities like the District Board President, the Municipal Chairman, or the Collector of the district. When they make recommendations, the Surgeon-General should give due consideration to them. Apart from this, I do not think it is possible to make a rule that transfers ought not to be frequent or should not take place at all. Therefore, I am obliged to oppose this motion."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Mr. President, I have been carefully listening to the speeches of the previous speakers. I may assure them that the Government are not anxious to transfer the officers unnecessarily from one place to another—firstly on the ground of economy—and unless there is necessity for it, hon. Members may rest assured that such transfers will not be made unnecessarily. But there are circumstances under which these transfers are inevitable. Suppose an officer in charge of a place takes leave or returns from leave or goes on promotion; in such cases, transfer is inevitable. Supposing an officer wishes to study a particular subject, he has to be transferred from one place to another place where there are facilities for

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studying the subject. I can assure the hon. Members that no transfers will be made unless Government and the Surgeon-General feel that there is absolute necessity.

"As regards the suggestion of the hon. Member for Cocanada that political considerations do weigh with the Government as regards the transfer of officers, the least I can do is to repudiate it on behalf of the Government. I am afraid the hon. Member has done a great deal of injustice to the gentleman himself, Colonel Rai, in suggesting that he was transferred on political considerations. Is it not suggesting that that gentleman has taken part in political agitation? It is suggesting to the Government that the gentleman took part in politics. I wish to assure the hon. Member that the transfer is not made on political considerations (Mr. Harisarvottama Rao: Racial consideration); but on the best information available to Government they thought it necessary, and I repudiate the suggestion that there were any political considerations behind the transfer. I may assure the hon. Member that in the departments under my charge there will be no transfer on any political consideration whatever."

* Mr. K. V. R. SWAMI:—"Sir, the hon. the Minister in the last portion of the speech that he just now made asserted that it was not on political considerations that the transfer was made, but he was not pleased to say on what other considerations the gentleman was transferred. A distinct mention was made by my hon. Friend, Mr. Ramasomayajulu, that the transfer was due to political considerations, not that Colonel Rai was taking any part in politics but that Government expected that Colonel Rai would deal with the students more strictly, because on a particular day when hartal was observed in the city the students of that school stayed away. But Colonel Rai thought that the students should be treated as students in the ordinary way and not on any political considerations, and so he did not take any steps. That was the ground for his transfer and no other ground. If there were any ordinary grounds for his transfer the hon. the Minister ought to have stated them. Two days after the hon. Minister stepped into his office the transfer was made on purely political considerations, and now he asserts in this House that it was not so; and he gives an undertaking that it will not be so in future so long as he remains in office."

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"That, I submit, is not correct at all. Otherwise, when the examination of the students was coming up very soon and when everybody was satisfied with the treatment which Colonel Rai had been giving and his special interest in the studies of the students, why should he be transferred all on a sudden? What other considerations can there be for his transfer? Of course, it is true that the hon. Minister is in the know of things. The hon. Minister ought to have stated the considerations on which Colonel Rai was transferred, to disabuse the minds of the people and to show that there was no other ground. With these words, I support the motion."

* Mr. J. A. SALDANHA:—"Mr. President, Sir, I for one should also protest against this particular transfer, not on account of political considerations, but on principles of economy. I know the case of Major Barucha in my own place. After a good deal of experience when he was proving useful on various matters, especially municipal questions, and when we wanted his assistance in framing our financial budget with due consideration to the public health of our town, he was transferred to the great prejudice of public interests. Our

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wonder is why his transfer which was contemplated long ago was not carried out until my hon. Friend Mr. Arogyaswami Mudaliyar was relieved of his charge. I don't know whether it happened during the time of the present Minister but I am told it was only after a few days of Mr. Arogyaswami Mudaliyar's relinquishing his charge, that he was transferred or ordered to be transferred. I vehemently protest against such transfers on grounds which are not at all justified in public interests."

Mr. R. SRINIVASA AYYANGAR:—"I withdraw the motion, Sir."

The motion was by leave withdrawn.

* Mr. A. B. SHETTY:—"I rise to move

'that the allotment of Rs. 6,05,400 for medical establishments be reduced by Rs. 100' to discuss the question of debarring medical officers from private practice.

"I believe, Sir, that no other officers in Government service are allowed the privilege of private practice except the medical officers. This privilege has evidently been given to medical officers on the ground that none of the available facilities for medical relief should be denied to the people. But in practice, this privilege has led to various abuses. The medical officer who is allowed this privilege is naturally more interested in private practice than in his legitimate duties in the hospital. Sometimes his assistant officers, whether assistant surgeons or sub-assistant surgeons, canvass and get patients for him and naturally they get into the good books of the boss, and become his favourites. He becomes to their virtues very kind and to their faults more than a little blind so that the work in the hospital suffers and there is indiscipline also. More than that, people who go and see the medical officer privately and agree to pay him something are often given preference in admission to hospitals. The hospitals, I believe, are more intended for the benefit of the poor people who cannot afford to get the doctor to their houses and it is those people that suffer on account of this privilege given to medical men. Further, the private patients admitted to the hospital are attended to with better care, so that the hospital sometimes becomes a sort of nursing home for these private patients who pay the medical officer. This is not all. I am told that instances are not wanting of medical officers who run their own nursing homes, dispensaries and even chemists' shops, though they may not do it in their own names. It may be said on the other side that abuses of this sort are to a certain extent unavoidable and so long as we have not got a sufficient number of independent medical practitioners to meet the needs of the people, we must allow this privilege to the medical officers in Government service. It is said that in this Presidency including the Madras city we have only 2,500 doctors, whereas, comparing our country with western countries, we must have at least 24,000 medical men. The Government cannot surely afford to employ 24,000 doctors. In western countries we are told that medical relief is almost entirely in the hands of independent medical practitioners and the State maintains hospitals only for the use of the Army, Navy and the Police and for infectious diseases. How can we expect the number of independent medical practitioners here to increase to the proportion we want? What sort of encouragement is given to them? They don't like to settle down in villages because the income they hope to get

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there is very little and so they are crowding in the towns. And here in the towns they cannot stand competition, unfair and unequal as it is, with medical officers in Government service. Medical officers in Government service have very many facilities open to them. They use the drugs and appliances of the hospitals, they can get blood and sputum examined in the hospitals and they can get vaccines prepared. Instances are not wanting in which medical officers in charge of district hospitals, when they get a private patient for whom they require vaccine, get the vaccine prepared and send it in the name of some hospital patient without having to pay anything for it. Not only that, private patients consult medical officers during office hours in the hospital, they are treated there and even operated and the money paid to the doctor goes to his own pockets and not to the Government treasury. The result is that independent medical practitioners find it difficult to face this unfair competition and private practice is almost monopolised by medical officers in Government service. I find Major Kureishi, I.M.S., in his inaugural address to the South Indian Medical Association in June 1925 making this statement: He said, that the medical profession in Madras had been reduced to the status of a low-class shopping, and that the practitioner was indistinguishable from the chemist or compounder and that a medical man who merged his advice and prescription into a bottle at so much per ounce was not worthy of being a medical man. He said he did not see more than one or two people in London who had descended to this low position of a doctor-chemist. It is no wonder we find that people do not choose to be independent medical practitioners because they have not got the same privileges as men employed under Government. The number of students going to the medical schools has decreased from 1,386 in 1922-23 to 958 in 1926-27 and I understand the Surgeon-General has been asked to examine the question whether the retention of all the medical schools is necessary. I do not know to what conclusion he has come to. But this thing works in a vicious circle; on the one hand they say that medical men in the service of Government must be allowed private practice so long as we don't have a sufficient number of independent medical practitioners to whom people could go; on the other hand the number of independent medical practitioners will not increase unless they get sufficient encouragement. So then it becomes difficult to get out of this vicious circle. The Government are aware of the conference of independent medical practitioners held in Madras in December last and of the resolutions passed there. In reply to an interpellation of mine asking whether the Government would consider these resolutions, the hon. the Minister in charge stated that if I drew his attention to any particular resolutions, the Government would consider the matter. May I draw his attention, Sir, to three of the resolutions passed at this conference; viz., resolution Nos. 2, 3 and 4? The first asks that more appointments as honorary physicians and surgeons should be made in all State and local board hospitals. As I said already, the hospitals in western countries are all in the hands of independent medical practitioners. The Government here can very well employ independent medical practitioners as honorary assistant officers in Presidency and District hospitals, and after they get sufficient training and experience for a number of years, appoint them as the chief honorary officers and thus gradually displace paid men. Now, half or even more of the medical budget is swallowed up in the pay of the establishment. If this arrangement is made, it will be a great saving to Government and the money that is thus released can be utilised for purposes of promoting public health.

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"Another resolution says that independent medical practitioners should be appointed in all schools and colleges to teach hygiene and physiology which must be made compulsory and that they must be put in charge of medical inspection. This is a matter which I have urged before this House. If we want medical inspection of our schools to be thorough and efficient, we must employ independent medical practitioners for this work on the staff of the schools. The third resolution asks that medical officers holding pensionable appointments, being full-time men, must be debarred from private practice. The Government say that this cannot be done since there are not sufficient number of independent medical practitioners to attend to the needs of the people. May I draw the attention of the hon. the Minister to a paper read a short time ago by Lieut.-Col. Bradfield to the South Indian branch of the British Medical Association wherein he says 'that the last 20 years' overproduction of L.M.P.'s has resulted in a general overcrowding in towns. There are to-day 629 doctors practising in Madras town or roughly one doctor for every 840 people, a higher proportion than in the British Isles where there is one doctor for every 920 people. Other towns Vizagapatam 68, Tanjore 43, also show large numbers of doctors and these figures take no account of the many practitioners of other systems of medicine.' May I, therefore, suggest, that in the Madras City and some of the larger towns in the mufassal where there are enough number of private practitioners, the Government should put a stop to medical officers having private practice except for consultation and note the results? Specialists whose services are necessary to the people need not be restricted in this way. I hope the hon. Minister will not fail to give his earnest consideration to this question in the best interests of the medical profession."

* MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I am in a position to endorse all that has been said by Mr. Shetty from my own personal experience. Sir, is it not absurd to allow whole-time Government officers to do private work? Then, why not also allow school-masters, engineers, judicial officers, etc., to do private work and take money as these doctors do? Why this anomaly, I cannot understand. If it was considered necessary at a time when there was a scarcity of medical practitioners, I do not think there is any such necessity at all now, to allow this sort of anomaly to continue."

"Another irregularity which I want to point out is that of allowing the medical officers to charge any amount they like for giving certificates. When there is any riot or assault and wounds or any such thing, people have to go to the medical men for certificates before they file a complaint; and the highest bidder gets the certificate, as both parties approach the medical men. This is indeed putting a premium on dishonesty. I hope this sort of encouragement to dishonesty will not be any longer tolerated. I think the best way of remedying this evil is to fix the maximum fee for these certificates. That is the only way to put an end to these things."

* Mr. J. A. SALDANHA:—"Sir, I beg to intervene in this matter with some misgiving as to the advisability of this motion. In our own experience, we have had very complicated complaints in which we have had to call a District Medical Officer, because there are no other superior doctors to treat such cases. There occur also surgical cases in which we have to get able surgeons and at times it happens that there are not always able surgeons among private practitioners and we have to go to Government medical officers."

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In such an emergency a Government medical officer cannot refuse to give aid. It is a question of life and death, which does not occur in the case of other professions such as engineering and teaching. I do not think that Mr. Schamnad found cases in the engineering or teaching professions where there was such an urgency to get professional aid, such as is indispensable in medical cases, where we cannot but avail ourselves of the services of the Government medical officers."

Mr. A. B. SHETTY :—"Go to the hospital."

* Mr. J. A. SALDANHA :—"If I were to go to the hospital, there is this difficulty: a rule is made that medical dispensaries are only for poor patients."

MAHMUD SCHAMNAD SAHIB Bahadur :—"No, no."

* Mr. J. A. SALDANHA :—"In the Mangalore Government Hospital till recently there was hardly any provision for paying patients. If a patient is rich enough to send for the doctor to his house, can the latter refuse to respond to the call? The present District Medical Officer by husbanding the resources has been able to provide accommodation for a few paying patients, and even then the accommodation is very small. On the other hand, there is a hospital called Fr. Mullers' Medical Institution with ample room for male in-patients, rich and poor. But there is hardly enough room for the treatment of complicated cases of midwifery and other serious women's cases. Until the new Women's Hospital is completed, (it is just now in the stage of foundations), we will not have much accommodation or provision for the treatment of cases of midwifery. Can we not then get the Government medical officers to our houses and can they refuse to come in the absence of more capable medical assistance? These are the difficulties which it would be necessary to provide for. In all these cases the test is the availability of sufficient medical aid, whether we can rely on private practitioners alone and not call in the aid of the Government medical officers. I therefore have some misgiving about the motion before the House."

* The RAJA OF RAMNAD :—"Sir, it will be a great calamity if this resolution is accepted and given effect to. I am not considering the question of the benefits that go to the medical officers and not to the private practitioners. There are ever so many patients in Madras and outside Madras, who come here in large numbers to undergo treatment from experts. I cannot for a moment imagine how any one can tolerate such a state of things as when doctors of such eminence like Dr. Guruswami, Col. Bradfield or Col. Malcomson are rendered unavailable to patients. But there is also one other aspect, that is about the private medical practitioners. We have not heard much of them even in Madras. There are a few able people, of course, like Dr. S. Rangachariar or Dr. Mallayya; but even they have been in Government service. Their number is very small and we cannot, when we get to know the real state of affairs, afford to deprive the public of the services of such eminent and distinguished doctors as I mentioned just now."

"Further, Sir, if these distinguished men in the service are debarred from private practice, the result would be that the few able people now in the mufassal will all rush to Madras and settle down to practise in Madras and you will be depriving the mufassal of the advantage of having them there. There is also this possibility. In the mufassal I know there are people who require the services of the Government medical officers. I am not concerned

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so much with the remuneration that is paid to them. By all means if it is found that they charge high fees, let a restriction be placed on them. That will be a move in the right direction. But to go and deprive them once for all of private practice will result in doing a thing which will make the whole of the Presidency suffer. By doing this, my hon. Friend from South Kanara will be doing a disservice to the people of the whole Presidency, in spite of trying to benefit private practitioners by this indirect method."

* Mr. V. I. MUNISWAMI PILLAI :—"Mr. President, Sir, if this motion were to be accepted by this House and the Government medical officers were to be debarred from doing private work, I am afraid the general public who require expert advice would not get it. But at the same time, I must admit that there is a certain amount of evil in allowing medical officers to do private work. Sir, I know one instance where a junior medical officer had to undertake private practice and use the operation table and other necessities from a hospital and he never reported the matter to the senior officer. Later on, anonymous letters went in to the senior officer, who investigated into the matter and found that the junior medical officer had such private practice and accordingly he was brought to book. In that case, a depressed class member, who happened to be a peon in that hospital, had to bring home the truth to the senior medical officer, and consequently what happened was that the poor peon was de-promoted and sent away from the hospital. So, what I would request of the Government is that strict rules must be made as regards the medical officers undertaking private practice, and to see that on no account they use the materials from the hospital. The Government must also see that proper fees are fixed and that these medical officers are not allowed to overcharge the poor people."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Mr. President, Sir, the hon. the Raja of Ramnad, Mr. Saldanha and Mr. Muniswami Pillai have really answered the debate raised by the mover of the resolution. One thing which induces the Government not to adopt the resolution *in toto* is that in many places there are not a sufficient number of qualified people to attend to the necessities of the population in those places. My hon. Friend said that in the Tanjore district there are 43 medical practitioners. The population of the district is about 2,000,000 and there is one practitioner now for a population of 50,000. Does my friend think this is adequate—one man for every 50,000 people? I may, with some amount of certainty, say that in the whole of this province private medical aid is not adequate to the demand and so long as this inadequacy continues, it is necessary that the medical needs of the people are attended to by the medical practitioners in Government service. I am afraid Government will not be willing to put any restriction on the private practice of these Government medical officers."

"One other thing from the standpoint of the medical practitioners in Government service may also be stated, and it is this: These gentlemen were entertained in service on the distinct understanding or the implied understanding that they would be allowed to have private practice, and their remuneration was fixed on that basis. If now they are told that they cannot have private practice, we will have to revise the pay of these officers, and what extra expenditure will be involved, hon. Members of this House will have to consider seriously. I think the cost may come to roughly Rs. 20 lakhs or Rs. 30 lakhs, I am not sure of that. There is also another thing,

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Sir, which I would like to say. That is, whatever may be the case in European and other western countries, in India most of the eminent men in the medical profession have taken to Government service. (Dr. B. S. Mallayya : 'Question.') Whether there will be a day when they will prefer private practice to Government service, that is quite a different matter. But at present—I do not mean any disrespect to the private practitioners—most of them are in Government service, and I don't think it is proper that we should deprive the population of this province of the best aid that they get from these practitioners who are in Government service, and I hope it is a thing which hon. Members of this House will not countenance.

"The hon. Member from South Kanara said that this places a handicap on private practitioners. True, gentlemen who are employed in hospitals have more facilities than the private practitioners have; but I do think that hospitals are maintained for the benefit of the people, and I do not see any reason why a patient who wishes himself to be treated should not get his treatment from a physician in a hospital provided by the Government. I do admit this is to a certain extent a handicap to private practitioners; but viewing the question from a general standpoint, from the point of view of the people for whose benefit these hospitals are intended, why not the people have the use of these materials and the surgical appliances that are available for them in these hospitals? (A voice: 'They cannot be taken.') The rules do provide for these instruments being taken by medical practitioners in Government service for the treatment of private patients, provided they are not taken during office hours, but are taken out of office hours. I think it is a very salutary rule, and if the medical practitioners in the whole of the province are adequately equipped with the latest instruments, then I think it will not be absolutely necessary to take these things from the various hospitals.

"There is of course a good deal to be said in favour of the motion of my hon. Friend; but the only question is whether we should take that step at the present stage. To a certain extent, the Government have already adopted that principle. For instance, in the Medical College, persons who are employed for teaching pupils there are debarred from having private practice. (Dr. B. S. Mallayya: 'Since when?') I am stating what is happening now, and it is immaterial to know 'since when' because when one good thing is done, I do not think it is necessary to know 'since when' it is done. As regards the senior officers in the Medical department, probably it will be better if in some cases they are confined to consultation by medical practitioners. Perhaps that is a direction in which Government will have to take some steps and place restrictions on medical officers. This is the general attitude of the Government at present, and if instances are brought forward where medical practitioners in Government service abuse their position as Government servants to the prejudice of the general public for whose benefit they are intended, then the matter will be considered by the Government. With these observations which show to what extent the Government are prepared to go, I would very much like my hon. Friend not to press the motion."

* Diwan Bahadur P. KESAVA PILLAI:—"Sir, the hon. the Minister has not answered the question whether in case these Government medical officers are to be allowed private practice, their fees ought not to be regulated. Once the fees were regulated in the case of the Sub-Assistant Surgeon, the Assistant

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Surgeon and the District Surgeon; but now they are all demanding as much fees as they like. Some are kind and sympathetic, but many are very hard-hearted and they demand heavy fees for treating patients in their houses. In most of the mufassal towns, we have no qualified private medical officers except the one or two employed in the local dispensary or hospital. Therefore, the people have to resort to the help of these medical officers in delivery and other serious cases, and these officers have the choice to fix their fees at as high rates as they please and the people are obliged to pay them. Since they are all Government servants, I think Government may very well make rules for the regulation of their fees for daily attendance, for treatment and simple and serious operations. I hope the hon. the Minister will consider that aspect of the question. I agree with my hon. Friend that in most of the mufassal towns we have good hospitals wherefrom medical officers in charge have to and can take all the materials required for private treatment, especially in surgical operations. I request the Government to consider the point about the fees they can claim, and re-issue the old orders."

* Dr. B. S. MALLAYYA:—"Sir, I have been very carefully listening to the speech of the hon. the Minister for Public Health, and he graphically described the existing conditions in his department by one apt phrase 'Medical practitioners in Government service'. Sir, that exactly describes the true conditions existing now. In olden days these officers were given very low salaries. A Lieutenant started with Rs. 350 or Rs. 400 and the Lieutenant-Colonel retired at Rs. 1,000. He had ample facilities for private practice, and therefore his pay was very low. Now what is the starting pay and what is the retiring pay of these officers? In those days there were not sufficient private practitioners available for the use of the public. To-day, Sir, we have got any amount of them and more. In olden days we had a noble band of medical officers, Mait and Brown, Browning and Giffard. They were all men who were out to maintain the noble traditions of the profession, particularly Col. Giffard. Sir, they have always been looking down on every one of the officers who utilized the hospital as his own nursing home. That great man laid down a dictum that every patient who came inside the hospital gate should be treated in the same manner. There should be absolutely no difference between the prince and the peasant. He treated all with the same kindness, diligence and skill; whether the patient was a rich man or an inmate of the Friend-in-Need Society, he made absolutely no distinction. The same diet, the same cloth, the same medicine and the same care were given to all alike.

"But, Sir, what is the state of affairs to-day? A pernicious system known as the chit system has crept into the hospital nowadays. A well-to-do or middle class patient wants to command convenience and wants to be given better treatment than the other inmates of the hospital and he consults the medical officers. I do not want to reveal the whole thing to the Members of this House, but he gets a chit and the patient with that chit gets reserved accommodation and preferential treatment in the hospital. He has special consideration and even the ward-boy has some special consideration for him. No medicine is prescribed to that patient without the knowledge of the medical officer from whom he has secured a chit. Every treatment, even giving a sleeping dose, has to be done with the consent of the medical officer who is in charge of the patient. Sir, last year, about the 23rd of November or so, a poor coolie of the Adi-Dravida caste—I want my friends there to listen to

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me carefully—had a fall of about 25 feet from a pandal near the Mint Street. He was brought to the General Hospital. The medical officer on duty at once attends on him, paints some tincture iodine on the external wound and the man is sent home, because there is no vacant bed in the hospital to accommodate him. The man is taken home and collapses, and when he is in a serious condition he is again taken to the Royapuram Hospital where he dies. The post-mortem examination is held and it is discovered that four or five ribs on the right side and a few bones of his skull are broken. And there is no bed available in the General Hospital for this poor coolie because he has no chit! Another patient—he was referred to in this House once before—was a Law College student who was suffering from acute dysentery. He came in a collapsing condition to the General Hospital and could not be admitted because there was no bed available. He was then taken to the other hospital, but before he arrived there he died. Sir, there is another case of a Muhammadan syce who was admitted in the General Hospital. He was given a sleeping dose to make him sleep and it was not known to anybody there, and neither the officer there who was dispensing the medicine nor anybody knew anything about it; but the man is no more. I ask you, Sir, if this patient had been on the chit system, whether that medicine would have been administered to him without the medical officer consenting to it. It was made possible only because the man was not on the chit system. There was a medical officer on the spot”

* The hon. the PRESIDENT :—“ The last case the hon. Member referred to is under trial, I think, in the criminal court. Am I correct ? ”

* Dr. B. S. MALLAYYA :—“ I do not want to go into the merits of the case, Sir, but I wanted to mention the circumstances under which the accident became possible. I am not going to refer to it. I bow to your ruling, Sir.

“ Now I go on to the next case. In the Maternity Hospital, on the 13th December this occurred. A woman with a contracted pelvis was operated on twice before in that hospital. She goes there for the third time on the 13th December on a Sunday morning. She goes there at 8-30 a.m. with labour pains. A chit is sent across to the Superintendent of the hospital who was in his quarters to come over and attend to the case. He sends back that chit saying that he is busy and directs a third officer in the hospital to attend to her. The news is telephoned to him that this officer is not in the hospital and he phones back saying that a man may be sent to his house to bring him for attendance on the poor woman. The officer turns up and the woman is operated on at 12-30 p.m. and she dies. She was not on the chit system. If she was, the Superintendent would have come himself and operated on her. Her people even to-day are crying that the Superintendent was busy, busy with private practice, on a Sunday morning. He was in his quarters; but the Assistant Superintendent, one of the most sympathetic and best men we have now in service and who is trying to maintain the glorious traditions of that hospital from the days of Col. Giffard—he was away in Calcutta—I mean Dr. Lakshmanaswami Mudaliyar was not there. The woman was operated by a third officer and she died. What is the use of having a Superintendent with such a high salary, provided with quarters in the hospital itself and who is expected to attend to all serious cases at a moment's notice? What is the good of his saying ‘ I am busy, I cannot attend ’ and sending for a third officer for operation on the woman in a grave crisis. The life is lost.

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“ Are the Government going to countenance this? Sir, this officer is paid a high salary. Is he expected to be there for attending on the poor people or for private practice? And what is the record of this officer? He is not only a Superintendent of the Maternity Hospital, but he is also the Principal of the Giffard School of Midwifery; and he is also the Principal of the Medical College. Till last year he never used to attend the college every day; and it is said he was attending only once a week and even then he remained in the college only for an hour or two. There was recently a big fire in the college and articles worth about Rs. 5,000 were lost in the fire besides considerable damage to the building. It is the duty of the Principal to go round the building every day. All the predecessors of the present Principal used to go round the college at least once a day. Sir, before this officer returned from the War, out of the eight clinical appointments only two were held by the European officers; and what was the result then? The number of passes did not dwindle at all but always kept the high-water mark. It is only after this officer returned from the War that all this state of things came into existence. And now this officer says that no one is fit for a medical officer's post except one who is English-born, English-trained and”

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noon.

The hon. Mr. T. E. MOIR :—“ I rise to a point of order. Is there any connexion between the present motion and the qualifications of the medical officers? ”

* The hon. the PRESIDENT :—“ I am waiting to see if there is any connexion.”

* Dr. B. S. MALLAYYA :—“ I am pointing out, Sir, how these European officers devote themselves to private practice entirely, earn more money and then blame the poor Indian officers for their inefficiency. Mind you, Sir, these Indian officers are men trained by these Indian Medical Service officers, and if the latter are not able to turn out better kind of officers what are they for? They may want private practice. I submit medical officers holding responsible posts have some better work to do.

“ What is the fun of the Government allowing the Radiologist to have private practice? For, the present policy of the Government in running their X-ray department seems to be to provide ample facilities to the Radiologist to amass a fortune as in the days of John Company. In addition to his exorbitant salary of Rs. 1,500 he was given last year a risk allowance of Rs. 200 a month. He is not a qualified medical man and yet he is allowed to have private practice. The Raja of Ramnad had the misfortune to submit to his treatment and had to pay him Rs. 1,000 and if I remember rightly he told me plainly that his treatment did him no good at all. A few weeks back the President of our Corporation was complaining to me about the blisters produced on his back by the treatment of this gentleman. With these blisters he seems to have gone to Colo. Bradfield who seems to have found fault with poor Gopathi for having submitted himself to X-ray treatment without previously consulting an able doctor. This Radiologist is a full-time officer and he works only for four hours a day. During these hours a large number of photographs are taken daily in the hospital with the Government apparatus and Government materials and about 80 per cent of the charges realized from paying patients is pocketed by him. From the figures supplied to me by the Government on the 1st of March, I find that out of a sum of Rs. 47,337 collected from paying patients nearly Rs. 36,000 has gone to his share. A full-time officer who is paid a Lieutenant-Colonel's salary working only four hours

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a day and during those hours doing private work taking 80 per cent of the collection with Government materials and Government apparatus is a scandal, not tolerated in any civilized country. May I ask the hon. Minister for Public Health whether he has heard of such a thing in England or whether such a thing will be tolerated in any public institution? 'Graft' is too mild a term for this system. Where is the necessity for having this man at such an exorbitant pay? Last year when he was on leave in England that department was run by Dr. Pillai drawing only a third of his salary and turning out nearly double the amount of work without a single complaint from any quarter. In the interests of economy and efficiency, it is high time this post is abolished altogether. If the department is to be maintained there are qualified men, there is Dr. Graham who has X-ray qualification, who has served abroad for fifteen years but when he came over here he was given another job.

"Sir, in olden days when I was an assistant—I think the hon. the Home Member was a student of the Medical College in 1908—the Principalship of the Medical College and the Superintendship of the hospital were held by one officer and he was debarred from carrying on private practice. That appointment was a stepping stone to the Surgeon-Generalship. Now, Sir, if the purity of the services is to be maintained, the administrative medical officers should not be allowed to carry on private practice; and above all the Surgeon-General and the Principal, Medical College, and the Superintendents of big hospitals to whom their office is a recommendation, should not be allowed this concession. For, with private practice, do you think they will be able to carry out their work satisfactorily?"

"I am afraid the whole system will have to be changed. There are poor patients going to them every day and they are asked to go to the officers before they come to the hospital. Under such a state of things do the hon. Ministers realize for a moment that this concession of private practice should be continued? The chit system must be put down at once, and any one who gets a chit should have no preferential treatment over his other poor brothers. I would request the Government, if they are not willing to disallow this concession among subordinate medical officers, to abolish the system at least among those medical officers who are responsible for the efficient administration of the department. Medical officers responsible for gross negligence must be straightaway forced to retire from the service."

* Mr. B. RAMACHANDRA REDDI :—"Mr. President, Sir, I have listened with great care and interest to the several arguments that have been advanced in favour of this motion and I have listened with greater care to the pathetic stories that have been narrated by our hon. Friend, Dr. B. S. Mallayya. But yet, Sir, I am not convinced that this motion should be passed. I am afraid Dr. Mallayya has not seen beyond the headquarter hospitals in this city. I will for a moment take him to the mufassal hospitals (A voice: 'By all means do it') where medical aid is most necessary since the aid there is inadequate and the equipment far from satisfactory. In such places the rich and the middle classes can't go down to adjust themselves to the convenience that is afforded in the hospitals and therefore they have to take advantage of the medical aid from experts available in the mufassal hospitals. I stand here not to defend any medical officers or to uphold their present status but to voice forth the views of the general public, to wit, that the present

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system should continue until greater facilities in the mufassal are brought into existence. I need not tell you, Sir, that it is the rich and middle classes who pay the greater amount of tax and therefore they must have greater convenience. They should not be put to the necessity of resorting to hospitals where it is not possible to command convenience even at some cost. They should not be put to the inconvenience of going to the hospital; for, as matters stand at present, they can command better convenience at home than in the hospital. Hence we must have the very same practice now obtaining in the mufassal for some years to come. There is a clamour at present that the mufassal hospitals should be increased and that opportunities for medical aid in rural parts should be immensely extended. The doctors should not be debarred from private practice which is a real incentive to them to do better work beyond the hospitals. Hence it will be a calamity if this motion is passed in this House and the Government accepts it. I agree with the hon. the Raja of Ramnad that this motion should not be passed and the old order of things should continue for some time."

* The hon. Mr. T. E. MOIR :—"Mr. President, it would have been no part of mine to take part in this debate, but it is due to the medical profession that some Member of the Government should reply to the speech which has fallen to-day from the lips of a member of that profession, Dr. Mallayya. In the course of his speech he referred to cases which he alleged to have taken place, with the implication that in each case some member of his own profession had fallen from the standards which that profession is supposed to maintain. In one case at least it was perfectly clear which individual member of that profession he was attacking. I have asked my hon. Colleague whether he received from Dr. Mallayya any notice of the fact that he intended to bring these accusations against members of the department under his charge. I am told that he received no notice at all. The result is that all these personal attacks which Dr. Mallayya has advanced cannot be properly defended. He said further that if he were to refer to all the cases of corruption, then the whole department would have to hang their heads in shame. I have no material at my disposal, nor have my hon. Colleagues had an opportunity of having that material at their disposal, to deal with the attack on individual members of the profession. In attacking the whole department he has attacked practically the whole medical profession in Madras, because, as he himself and other members have said, it is the most numerous and the most important section of the medical profession in Madras. Everything he said goes against the whole profession and it seems to me most unfair that a member of that profession should get up in this House and make personal attacks on individual members under circumstances in which he knows there can be no defence. (Dr. Mallayya rose to speak.) I refuse to yield to the hon. Member, Sir. That, I think, is most unfair to those officers who have been attacked, most unfair to this House and to its Members to whom I can only appeal to remember that these attacks have been made under circumstances in which it is not possible for Government on the floor of this House to answer them. It is most unfair to the profession to which Dr. Mallayya belongs."

"I cannot believe that this was done with the cognizance of the hon. the Leader of the Opposition. I am perfectly certain, knowing the great tradition which he has maintained in this House that he would not have countenanced either the method or the course the hon. Member for Madras has pursued to-day."

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" I should like to say a few words, Sir."

* The hon. the PRESIDENT :—" I do not think I can allow the hon. the Minister to speak now."

* Dr. B. S. MALLAYYA :—" A personal explanation, Sir. All these facts were before the Government and the hon. Mr. Arogyaswami Mudaliyar who was in charge of the subject. He was perfectly aware who it was I have referred to in person to him."

* The hon. the PRESIDENT :—" Was it by means of questions ?"

* Dr. B. S. MALLAYYA :—" Yes, Sir, my questions were before them and I am still to get the information which I asked for from the Government about the burning incident. Sir, there is nothing personal between us. I have the highest admiration for the officers and I do not want the services to be brought down from the high standard to the low standard."

* The hon. the PRESIDENT :—" The latter portion does not constitute a personal explanation."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Sir, I am sorry my name has been dragged in. As far as I was officially aware, Sir, none of these facts were brought to my notice."

Dr. B. S. MALLAYYA :—" He was aware in his personal capacity."

Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, Sir, of late we have got accustomed to the somewhat excited temper of my hon. Friend the Finance Member . . ."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Moral lectures."

Mr. SAMI VENKATACHALAM CHETTI :—" When he knows the case he is defending to be hopeless, he assumes a furious temper so as to intimidate us into submission. I must say, Sir, that so far as Dr. Mallayya is concerned, I quite admit that they are very serious charges made against the medical profession and particularly against one or two individuals whose identity was clear though their names were not mentioned. But the answer to that from the Government must be that they would institute an enquiry into those serious charges. Dr. Mallayya is not an irresponsible man; nor does he disown the profession to which he belongs. As a medical man, he makes very serious charges on the floor of this House; and the best way to silence not only the hon. Member for the City of Madras but also others who agree with him in this matter is to institute an enquiry and challenge Dr. Mallayya to substantiate the statements he has made. There is no use of saying that Dr. Mallayya makes charges which cannot be repudiated on the floor of the House by the officers concerned. The hon. Minister may make an enquiry and inform the House of the truth of these charges against these gentlemen."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, I am accustomed in another place when cases are argued and any new points are mentioned to hear the question put, 'Does this point occur in paragraph so and so of your affidavit? If not, do not mention that.' It may be the truest of facts, it may be the most relevant of facts; it may have nothing to be said against it; but for the simple reason that it has not been mentioned in the affidavit, you cannot refer to it. I am accustomed to this sort of thing in another place."

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"Sir, it is the habit of the hon. the Finance Member to deliver lectures to us; but let him remember that all of us are his equals and several of us his superiors in the matter of Parliamentary manners and Parliamentary etiquette. He need not teach us."

Mr. ABBAS ALI KHAN :—" To abuse them."

* Mr. S. SATYAMURTI :—" My hon. Friend may keep quiet. For he need not be sure that he would not get back things from me."

"I wish, Sir, that the traditions of the House of which he talks so much received as much respect and consideration from the Treasury Bench as from the Opposition who are working under great obstacles. It is easy in this House, Mr. President, to sit behind the Treasury Bench and say 'Aye' to whatever the Treasury Bench says and always get up with them. That brings honours; that brings reward; that brings office. But we sit here from day to day, month to month, and year to year, doing the sisyphian task of proving to the Government that they are wrong. I ask my hon. Friend to try for a day; I am sure he will give it up in despair. We have no reward except the approbation of our own conscience and our own constituencies. As a reward for it, my hon. Friend, the Finance Member, jumps up, in connexion with a department with which he has no concern whatever. Is he the monitor of the House to tell us how to conduct ourselves? (The hon. Mr. Moir rose to interrupt.) I refuse to yield, Mr. President."

* The hon. the PRESIDENT :—" Is it a point of order ?"

The hon. Mr. T. E. MOIR :—" Sir, if my intervention in this debate had been out of order, I think the Chair would have called me to order. I refuse to be instructed in this matter by Mr. Satyamurti."

* Mr. S. SATYAMURTI :—" This is not a point of order. Let the hon. the Finance Member learn what a point of order is before he begins to teach us. This is unseemly talk which ought not to have come from one who talks big of Parliamentary traditions; he knows nothing about them. It was merely to make me sit down in order to score a point. It is not fair; it is not right. Sir, my point is this. Was it right, Mr. President, that a Member of the Opposition, my hon. Friend, the Member for the City of Madras, should be attacked in this vein? What is this new code of Parliamentary etiquette that he must write in advance to the hon. Minister, send a copy to the hon. Finance Member and say I propose to make an allegation: I propose to say the following things; please therefore be ready with the answers for these things. What are the Minister's Secretaries paid for? The motion is to deprive the Government servants of private practice. They must be ready with all the papers. What is this new Parliamentary etiquette that before I make any reference to anybody here, I must give 24 hours' notice or 72 hours' notice in advance so that they may be ready with the answers? It seems to me, Sir, we really cannot do our duties in this House if the Members of the Treasury Bench begin to lay down such rules. I know the hon. the Finance Member speaks for himself, for I have not heard such things from any other occupant of the Treasury Bench. I hope the new Minister will not follow his footsteps; if he does so, I wish him joy of it. I have not heard anybody saying that I must give early notice of what I propose to say. Do they give us notice of what they propose to say as a possible defence on

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any matter, so that we may go on exchanging documents for two weeks or two months on what we are going to say after two months? That is not Parliamentary business; that is not Parliamentary tradition.

"On the merits of the case, Mr. President, I think I am betraying no secret at all when I say that I am in a position to state that the present Surgeon-General himself is not satisfied with the system under which Government servants are allowed to have private practice. It has got to be looked into very carefully. It is liable to be abused easily. It would do no good either to the Government or to the patients or to the practitioners themselves. Therefore merely saying with a lofty mien, 'You have made an accusation which you ought not to have made,' may deceive the unwary amongst us and frighten some who are probably timid. But none on this side of the House is unwary or timid. We refuse to be put down by these statements. Unless the hon. Minister is going to examine the statements of my hon. Friend, the City Member, we are going to believe that the Government merely wanted to bully and frighten us and would not face facts squarely.

"My hon. Friend, the floor Leader of the new Independent Nationalist Party, said that he was not officially aware of these facts. He is no longer an official and he owes it to this House to say whether he is aware of this instance or not. I am told and I believe that at least in one instance in which Colonel Hingston was in charge and the woman died, he was informed of it and he asked Colonel Hingston for an explanation and he got nothing satisfactory. That, Sir, is a different matter. The point is that the hon. Member for the City of Madras made certain allegations and they had to be answered by the hon. Minister. But to suggest that all these various officers whose reputation is attacked should be present here to answer those charges is a new Parliamentary code. That the permanent servants of the Government should be present here to answer the charges against them is a position with which I am not familiar in any Parliament . . ."

The hon. Mr. T. E. MOIR:—"May I ask the hon. Member whether it was suggested by me that the permanent servants should be present here to answer these charges?"

Both the hon. the Finance Member and Mr. Satyamurti were standing; Mr. Satyamurti declined to yield.

* The hon. the PRESIDENT:—"Both the hon. Members are requested to resume their seats. Is it a point of order that the hon. the Finance Member wants to raise?"

The hon. Mr. T. E. MOIR:—"I wish to ask the hon. Member whether it was suggested by me . . ."

* The hon. the PRESIDENT:—"The hon. Member will have to wait for that."

* Mr. S. SATYAMURTI:—"I do think that the suggestion that the permanent servants should be present here in order to repel the attacks against them is a primitive conception of Parliamentary responsibility I am not familiar with. The responsible Ministers are there to answer these charges. All of us are convinced that this system of Government employees being allowed private practice is a system which is capable of being abused and must be completely prohibited; whether immediately or not is a question deserving examination. The object of this motion is to impress upon the Government

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the scope for abuse in this system, so that they may examine all the charges made and make up their minds to put an end to this system as early as possible and to minimise the chances of abuse in any direction, until the system is put an end to."

* The hon. the PRESIDENT:—"Does the hon. the Finance Member wish to say anything as a personal explanation?"

* The hon. Mr. T. E. MOIR:—"I wish to say that it was not I who made any suggestion that when attacks were made against officers of Government they should be present on the floor of this House to defend themselves personally. What I said was that when attacks of that kind were going to be made on officers of Government, then it was only fair to give intimation of the fact to the Member in charge of the department so that he might be able to elicit the facts and, if necessary, defend them on the floor of the House when the attacks are made."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I did not want to give 12-30
an instance which I personally knew. The last word of the hon. the Finance p.m.
Member tempts me to give that instance. I am only asking you and the hon. the Finance Member if I should have anticipated this many hours back and given intimation to the hon. Member. I am one of those who think that medical officers should be allowed private practice in certain circumstances, especially in the mufassal. But Resident Medical Officers should not be allowed private practice. I know the case of a young man who had an accident near the Royapetta Hospital. He was taken to the hospital. He was unconscious. The officer in charge was not there. The patient was kept unconscious in the verandah pending the arrival of the officer. The young man belongs to a respectable family having some family doctors. When he became conscious, he said who he was and his relatives were phoned for. They took him home and a family doctor performed an operation. If this young man did not recover consciousness in time, he would probably have died in the verandah. Therefore I think it is quite necessary that at least so far as the Resident Medical Officers are concerned whose duty it is to reside in the hospital to attend to emergency cases, they should not be allowed private practice. I gave this instance in order that Government may see that resident officers in hospitals are prevented from having private practice."

* Mr. M. V. GANGADHARA SIVA:—"Sir, I quite appreciate the facts mentioned by Dr. Mallayya. Patients go to doctors in whom they have confidence and from whom they can get facilities. So, neither this House nor the Government can have anything to do with the choice of the patients. So, Government medical men should not be prevented from having private practice. I support what the hon. Member, Mr. Venkataramana Ayyangar, said that Resident Medical Officers should not have private practice."

Mr. A. B. SHETTY:—"Sir, I beg to withdraw the motion."

The motion was, by leave, withdrawn.

* The hon. the PRESIDENT:—"Does the hon. Member (Mr. Abdul Hamid Khan) propose to speak on the three motions he has given notice of, because all of them relate to the same subject?"

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* Mr. ABDUL HAMID KHAN :—" Mr. President, Sir, I rise to move
'to reduce the allotment of Rs. 6,05,400 for medical establishments by
Rs. 100'

to draw the attention of the Government firstly to the utterly inadequate representation of Muslims in Higher Medical Service as Surgeons, Civil Assistant Surgeons, secondly, to the unjustifiable manner in which appointments were made as Assistant Surgeons previous to the appointment of the Selection Board, and thirdly, to the refusal of the Government to entertain Muslims as Assistant Surgeons when it is not difficult to secure Muslim applicants for such posts. In dealing with this question I shall point out to the Government that so far as the Medical Department is concerned, very little has been done to encourage the members of my community. I might give the Government information that there is only one Muslim acting as Surgeon in the department and that there are only seven Muslims as Assistant Surgeons in the whole Presidency. Even though there are such a few number of Muslims in this department occupying such posts, the Government have not given employment to Muslims applying to these posts. Last year before the Selection Board was appointed some of them applied but they were told that they would have to wait until the Selection Board was appointed which would make selections. Before the Selection Board sat actually to make the selections I know of cases of persons belonging to other communities whose representation in this department is adequate, who were appointed because of the fact that they satisfied certain members in the Medical department, who had to give the posts they applied for, I think, it is not the Surgeon-General who is responsible for these appointments but the gentleman who is practically in charge of the department. If the applicants who were appointed before the Selection Board met were to appear before the Board I am sure and certain that those applicants would not have been selected by the Board. There was only one Muslim who applied for an Assistant Surgeon's post and appeared before the Selection Board. He did not pass from this University. He came from the Bombay Presidency. He was the only Muslim who was selected last year. Yet he has not been appointed because he has been given the last place in the list. Then another Muslim came forward who had passed out of the Madras Medical College. When he applied for a post he was told that he should wait till the Selection Board met three or four months after. In view of the fact that there is very inadequate representation of Muslims in the higher posts in this department cannot the Government take into consideration this fact and give chances to one or two applicants who come once in two or three years and thus encourage members of communities who do not have sufficient representation in the department? It is to impress these facts on the Government I tabled these cuts and I hope that this matter will receive due consideration."

* Mr. M. V. GANGADHARA SIVA :—" Mr. President, Sir, it is the depressed classes who embraced the Medical Department first. When the Western Allopathic system was introduced no community other than ours was bold enough to enter this department on account of religious scruples and lack of boldness. My community which was bold and hard-serving at all times of epidemics entered this department first and popularized the Allopathic system. The Government should therefore see that such a community is given preference."

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* The hon. the PRESIDENT :—" I think the hon. Member will have to wait for another opportunity to put forth the claims of his community. These motions are tabled to put forth the claims of the Muhammadan community."

The hon. Mr. J. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, the hon. Muhammadan Member for Madras told us that there was not sufficient representation of Mussalmans in the service. That is a matter which requires the sympathetic consideration of the Government. The hon. Member said that there was not even half a per cent or one per cent of representation. I give for the information of the hon. Member that out of 220 Surgeons and Assistant Surgeons there are six Muslims already in service and it works out to 3 per cent. The hon. Member referred to a case of a Muhammadan candidate who was selected but was not appointed as Assistant Surgeon. The facts are this man was selected and he has to undergo certain course before he could be appointed. As soon as the course is completed he will certainly be entertained in the Government service and the hon. Member need have no misapprehensions whatever in that matter."

Mr. ABDUL HAMID KHAN :—" The hon. Minister has not given me . . ."

* The hon. the PRESIDENT :—" The hon. Member has, I am afraid, no chance of saying anything now."

* Dr. B. S. MALLAYYA :—" Sir, I quite appreciate the answer given by the hon. Minister for Public Health. But I should like to know whether there are any principles on which officers are admitted in Government Medical service. In olden days there was competitive examination and persons who topped the list were taken in service. Repeated questions were asked on the floor of this House whether the Government followed any principle. We find now, Sir, that men are taken according to the influence they have on the officers in the Surgeon-General's office. Sir, it is neither caste nor ability that is taken into consideration but influence with high personages in the Surgeon-General's office. I should like to know whether the Government are going to have the good old system of competitive examinations when merit and merit alone was the test."

* The hon. the PRESIDENT :—" The question is 'to reduce the allotment of Rs. 6,05,400 for medical establishments by Rs. 100.'"

The motion was put to the House and declared lost.

A poll was demanded and the House divided as follows :—

Ayes.

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| 1. Mr. Mahmud Sohamnad Sahib. | 14. Mr. K. R. Karant. |
| 2. " Sami Venkatachalam Chetti. | 15. " C. Ramasomayajulu. |
| 3. " S. Satyamurti. | 16. " P. Bakthavatsulu Nayudu. |
| 4. " C. V. Venkataramana Ayyangar. | 17. " A. Kaleswara Rao. |
| 5. " T. Adinarayana Chettiayar. | 18. " R. Srinivasa Ayyangar. |
| 6. " P. Anjaneyulu. | 19. " L. K. Tulasingam. |
| 7. " J. A. Saldanha. | 20. " B. Ramachandra Reddi. |
| 8. " V. Ramjee Rao. | 21. Rao Bahadur C. S. Ratnasabapati |
| 9. " Tajudin Sahib. | Mudaliyar. |
| 10. " G. Harisarvottama Rao. | 22. Mr. Abdul Rasack Sahib. |
| 11. " Abdul Hamid Khan. | 23. " K. Sarabha Reddi. |
| 12. " K. V. R. Swami. | 24. Kumara Raja of Venkatagiri. |
| 13. Dr. B. S. Mallayya. | |

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Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 19. Mr. J. Bheemayya. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 20. " V. Ch. John. |
| 3. " Mr. T. E. Moir. | 21. " Kavalappara Muppil Nayar. |
| 4. " A. Y. G. Campbell. | 22. Subadar-Major S. A. Nanjappa Bahadur. |
| 5. " M. R. Seturatnam Ayyar. | 23. Mr. Al. Ar. Narayanan Chettiyar. |
| 6. " S. Muthiah Mudaliyar. | 24. " T. M. Narayanaswami Pillai. |
| 7. " Dr. P. Subbarayan. | 25. " K. Krishnan. |
| 8. Rao Bahadur C. V. Ananthakrishna Ayyar. | 26. " N. Siva Raj. |
| 9. Mr. F. B. Evans. | 27. " M. V. Gangadhara Siva. |
| 10. " H. A. Watson. | 28. Rao Sahib L. C. Guruswami. |
| 11. " G. T. Boag. | 29. Mr. V. I. Muniswami Pillai. |
| 12. " A. McG. C. Tampoe. | 30. " W. P. A. Soundarapandia Nadar. |
| 13. " S. H. Slater. | 31. " S. Venkayya. |
| 14. " C. B. Cotterell. | 32. " M. A. Manikkavelu Nayakar. |
| 15. " P. J. Gnanavaram Pillai. | 33. " A. T. Luker. |
| 16. " R. Foulkes. | 34. " S. Arpadaswami Udayar. |
| 17. " H. B. Ari Gowder. | 35. " G. R. Premayya. |
| 18. " A. Balakrishna Shetty. | 36. Swami A. S. Sahajanandam. |
| | 37. Rao Sahib R. Srinivasan. |

Neutral.

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|---|---|
| 1. Mr. Abbas Ali Khan. | 6. The Raja of Panagal. |
| 2. Syed Ibrahim Sahib Bahadur. | 7. Diwan Bahadur M. Krishnan Nayar. |
| 3. The Zamindar of Kallikota. | 8. P. O. Kithirajulu Nayuda. |
| 4. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 9. Mr. T. K. Chidambaramanatha Mudaliyar. |
| 5. The Zamindar of Gollapalli. | 10. Rao Bahadur K. Sitarama Reddi. |

Ayes 24. Noes 37. Neutral 10.

The motion was lost.

12-45
p.m.

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I rise to move
'to reduce the allotment of Rs. 1,96,500 for pay of officers by 100.'

"The object of this motion is to draw particular attention to the neglect of the Ayurvedic, Unani and other indigenous systems as well as to discuss the adequacy of provisions of drugs now made for rural dispensaries. It is a cry almost in the wilderness to-day to speak of Ayurvedic, Unani and other systems. We are always pointed out to the one achievement, the Indian School of Medicine and we are asked to be satisfied with that sweet that has been thrown to us by the powers that be. A great deal of talk there was, Sir, in this House about the inadequacy of medical aid in this country. It was, contended by the apologists of the monopolist I.M.S. that private practice was a necessity for Government officers because there was not sufficient medical aid forthcoming for the people. But what has this Government done for improving medical aid that can be rendered to the people of this nation by national methods? What has this Government done for either Ayurvedic or Unani or other systems of medicine? A number of questions were raised on the floor of this House more especially in regard to the grants that were made to the local bodies to be spent on medical institutions. I was told, Sir, that Government was awaiting the results of examinations in the Indian School of Medicine and that when graduates—no graduates, it is not even a college, it is still a school—when students come out it will be time enough to think whether medical grants may be given to local bodies. This is a queer way of dealing with the medical problem of the country. Local bodies are already employing Ayurvedic men and they have been dispensing Ayurvedic

* 26th March 1928] [Mr. G. Harisarvottama Rao]

medicines. Because they know that the local bodies will be in a very good position to render national medical aid to the people of this country and extend the same in a rapid manner and because local bodies are active the Government, who have a most delicate feeling for their I.M.S. officers, come forward and say, 'No, not until we have got a class of men who can deal with these things and therefore we do not want to contribute to the funds of the local bodies to render aid to national medical institutions.' That is the plea that has been put forward by the Government. Has the Government taken any steps towards standardizing practice in these Ayurvedic and Unani systems? Has there been any attempt made for registration of the Medical Practitioners under a proper Medical Registration Act in so far as the Ayurvedic, Unani and other systems are concerned? These are ancient systems in the country that claim adherents not in thousands but in lakhs. And, if the Government only chooses, it is quite possible that in the initial stages they can get a fair register made of these people. But here the monopolists—I.M.S. officers—stand in the way. They are the only scientists in the world. Theirs is the only authority in science. The English system is as much empirical as the Indian system except for the fact that it has been encouraged by the States. I do not grudge that in certain directions they have made progress and all facilities must be given for further progress. But in this country no attempt has yet been made to make a list of the practitioners under the Ayurvedic, Unani and Siddha systems and no attempt has been made to put some of them on an equal footing with the registered medical practitioners of the West. What is the reason? The monopolist I.M.S. officer must have perfect control on the financial aspect of medical practice. He and his system must have the fees that accrue out of registration. That is the reason, I believe, that has carried away the Government on this question of registration. Now, Sir, what is it the Government has been doing towards the spread of medical education in Ayurvedic, Unani and other systems except this institution of the School for Indian Medicines in Madras? What are the grants that Government has given to the Ayurvedic medical institutions or to Unani medical institutions of this country? Local boards are allowed to run institutions in their own way. No attempt, no serious attempt has yet been made to work out a system of education in these branches. It has not yet been extended in any large measure. The Principal of the Indian School of Medicine was said to have been deputed to the United Provinces to study the system by which the Government there is bringing up the Ayurvedic system of Indian medicine and other indigenous systems of medicine. That has been in the air for some time and we have known nothing further about it and questions on the floor of this House have not been able to elicit more information than this, that he was deputed and that he went to the United Provinces. With regard to research in the matter of Indian medicine what is it that the Government has undertaken? No doubt there was some attempt made with Dr. Coman as the officer to deal with Indian drugs. But what further? Indian drugs are being exported and the English pharmacopœia is full of instances where Indian drugs are used and manufactured. What is it that is being done here for the manufacture or preparation of Indian medicines? Is there any institution in which these things are being examined and any headway being made to purify the systems if they are contended to be not good and pure enough? Is there any research institute which the Government desires to found or any scheme put forward for such research institutions. Has any advance been made? I say

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none. Next, what about the popularization of these medical systems? Wherever you go, you meet with doctors, lanterns and lantern slides and people are lecturing. During health weeks and at other times lectures are being delivered. What are the lectures about? They are all about western medicine, western food and western advertisements. With regard to the Indian medicine, I know my friend, Dr. Lakshmipathi, has manufactured a number of slides touching the most important aspects of Indian medicines and yet even those slides are not used by the so-called men of the western system and everything Indian is tabooed. Government must find, immediately find, the method by which they can make even the western medical men take to Indian drugs so far as it is possible. I do not see why men should not use ginger when they are prepared to use the very thing prepared out of ginger. I do not see why they should not use cinamon when they are prepared to use things made out of it. I do not see why medical practitioners should not use cardomom when they are prepared to use it in the imported form. There has not been any attempt made—not even the least attempt has been made—by the Government to find out what can be manufactured in this country from indigenous drugs. Now, Sir, if all these could be undertaken by the Government—it would certainly mean a great deal of finance. I know it is a financial question and I know it is a question which will immediately affect the hon. the Finance Member who will forthwith interfere. That is the real difficulty. That is the way the shoe pinches and I wish the hon. Ministers who sit on the Treasury benches in the composure that they are safe, I wish they went into the whole question carefully and considered all aspects of the question. There is a great deal that can be done. Much of the money that has been wasted on the so-called medical institutions of the country can be saved. Most of the funds that are now being utilized to prop up the alien system can be better utilized and we can have a very much larger number of medical practitioners in this country who can immediately attend to the needs of the rural areas. It will be time enough to think further when we have made some headway in registering these men, in giving certain powers and facilities for research work and in giving publicity to the work that is being done on behalf of these systems. If the Government undertakes to do this much of work, I am sure the complaint about want of medical facilities in this country would be no longer there within the course of say five to ten years. I have therefore much pleasure in making this motion."

1 p.m.

* Mr. P. ANJANEYULU :—" Mr. President, I have much pleasure in supporting this motion as one who has given notice of the same. It is hardly necessary at this stage of the debate to dwell elaborately on all the benefits derived by the Ayurvedic and Unani systems of medicine in this country, and I shall confine myself to one or two instances. Two days ago, an instance was quoted by no less a person than the President of the Corporation of Madras that when he was attacked by jaundice he underwent treatment for nearly two months by an I.M.S. officer of the City and he found no escape from it, but in less than three days, he was saying as his personal experience, an Indian doctor following the Ayurvedic system was able to cure him thoroughly. That being the case, and this subject being a Transferred one and the Member in charge thereof being Indian, it is rather a question why they did not—they must have had experience of these systems—encourage these systems. After all, the previous Ministry or the Ministry previous to that, inaugurated the Indian School of Medicine in this City, but it has not done all that is necessary for that school to prosper. One of the great needs of that school seems to be that the

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students attending there (and there are only 300 now) are left entirely to themselves to find out ways and means for lodging and boarding. I hope I may take this opportunity of inviting the attention of the hon. Minister concerned to the urgent necessity there is for improving this school by the provision of a hostel, and putting it in a flourishing condition. We cannot say that attempts have not been made, but the attempt that is now made is only a consolation prize. It is all done in a half-hearted way, and no one seems to encourage it and see that it comes to stay, that it is useful not only to the City but also to the mufassal.

"As for the other proposition, namely, the inadequacy of the provision for rural dispensaries, this is another consolation prize. Sir Patro and the Raja of Panagal thought of establishing rural dispensaries all over the country. But now they are left practically to shift for themselves. Hardly enough provision is made for one month's expenditure, if properly utilized, and it is within my personal knowledge that in some of the rural dispensaries they give only watered down medicines, like the watered down milk obtainable in the City of Madras. Instead of giving these medicines it would be better to leave the patients to themselves, so that they may find their own doctors. Instead of having a number of these starving dispensaries, it would have been really better if they concentrated their attention in certain selected localities and had given a fair trial to this system. With these observations I recommend this out to the acceptance of the House."

* Mr. A. KALESWARA RAO :—" Mr. President, Sir, I wish to show what scant attention is paid to the Indian medicine by the Government. This year the budget for medicine comes to 90 lakhs, and we see only one lakh provided for the Indian School of Medicine as well as the dispensary attached to it. Except that a medical school and a dispensary are established in Madras, nothing is being done in the shape of encouraging the Indian system of medicine. Sir, as early as 1928, a committee to investigate into the question of encouraging Indian medicine with regard to its efficiency, suitability and importance was appointed under the distinguished presidentship of the hon. Dr. Usman, and the Committee made excellent proposals. Of course, they were not extremists and they did not want that the Allopathic system should go out altogether or be replaced by Indian system of medicine. It went on the most moderate lines, and their recommendations have not been paid any heed to by the Government all these five years, except that one School of Indian Medicine has been established and there the progress has been going on at a snail's pace. While the expenditure on the Allopathic system is large, the expenditure on Indian system is very small. It is too late to contend now that Indian system of medicine is not a science or that it is not efficient. All those arguments advanced by the anti-Indian medicinists were refuted by the Government Committee itself. With regard to efficiency, what the Committee has stated is this: 'A number of such institutions exist even in our own Presidency town, and, though hampered for lack of sufficient funds, they are nevertheless holding their own against comparatively well-advanced dispensaries in the neighbourhood maintained by the Corporation, and are popular amongst all sections.'

"They have also quoted with approval the opinions of various medical men that the indigenous system is by far cheaper as the drugs are available in all parts of India and used in fresh form as juices, decoctions, etc., which

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is not the case with the Allopathic system which includes spirits, etc. How the drugs can be found very cheaply and also how they can be used fresh, they themselves have testified to. They also say that there are hundreds of drugs, vegetables, animals and minerals used widely by the Ayurvedic system which no western-trained medical men have heard of. This country is full of forests and the drugs are available easily and the people have been using them from time immemorial without resorting to the self-sufficient Allopathic doctors. The Committee also states that 'we have received overwhelming evidence in support of this claim and we have numerous testimonials from men of light and leading testifying to the great benefits derived from the Indian system of medicine; and many cases after being given up by Allopathic doctors have been cured under this system.' We need no more testimony than the recommendations of the Committee itself. The Committee have made certain valuable recommendations. They say that in the very first year the Ayurvedic system of medicine should begin with a budget of 5 lakhs, and that there should be a department altogether separate from the Surgeon-General's department. The Surgeon-General was said to have expressed the opinion that recognition of the Ayurvedic system means putting back the clock of civilization by 150 years. That was the opinion of the Leader of the Allopathic system. But contrary to this opinion the Committee has written its report and the Government has established a School of Indian Medicine. Therefore, the first and most important thing is to establish a separate branch of Indian medicine. They have suggested that a Commissioner of Indian Medicine should be appointed to be in charge of this department, and also a new Committee of Indian Medicine, with the Minister as its President, and consisting of well known Indian medical scholars as members. These two things if immediately established would facilitate unhampered the growth of this system under the Government. They have also stated that one lakh should be given as grant to local boards and private agencies in order to encourage the Indian system of medicine. But nothing has been done in that direction. They wanted to establish a big college at Madras, but we have only a School of Indian Medicine. We want more schools of Indian Medicine in the Telugu country and the Tamil country. The expenditure on the staff, on clothing, etc., does not come to a fraction of the amount that they have suggested. I therefore draw the attention of the hon. the Minister that he should at once take up this important and also popular business and spend much more money on the improvement of Indian medicine, at least on the lines suggested by the Government Committee itself. Therefore I have great pleasure in supporting this motion."

* The RAJA OF KALLIKOTA:—"Mr. President, Sir, I rise to support this motion. The scheme of bringing medical aid within the easy reach of the rural population was introduced by my hon. Friend the Raja of Panagal when he was the Chief Minister in the year 1924, and it was stated then that the starting of a large number of Ayurvedic and Unani dispensaries would serve a very useful purpose. There were however some difficulties four years ago for the starting of Ayurvedic dispensaries owing to the lack of qualified hands. Four long years have now passed, Sir, and the Government School of Indian Medicine is turning out a certain number of qualified doctors. Some local boards are also sending men with scholarships to this school with the idea of utilizing their services in the rural parts. May I ask what is the attitude

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of the Government towards these Ayurvedic dispensaries now? Will they support local boards with adequate grants if they start rural Ayurvedic dispensaries?

"The second suggestion made was that there should be a large number of itinerating or travelling dispensaries, but it was recognized by the Government that these travelling dispensaries would not serve a useful purpose and therefore this was dropped.

"The third suggestion was that private Allopathic practitioners should be given encouragement to settle down in villages for practice by the grant of money subsidies. This scheme is now in force and the local boards have been asked to work it, unfortunately, without the funds to make it a success or a boon to the public. The rural dispensaries under these local boards are absolutely starved. Government do not pay any subsidy to these rural dispensaries towards the purchase of medicines and drugs. It is hardly to be expected that the local boards, with their meagre resources, should equip their rural dispensaries with a free and full supply of medicines. I have known of several cases, Sir, where the taluk board makes a certain allotment for the year for the purchase of medicine and long before the year comes to a close this supply is exhausted and the doctor for the remaining portion of the year has to either beg for the medicines or to supply them from his own pocket, as the taluk boards cannot afford to give him a further supply. This is a very unsatisfactory state of things. I have therefore to impress upon the hon. the Minister the great necessity of subsidising rural dispensaries with a fixed grant for the purchase of medicine and I suggest that a lump sum subsidy of at least Rs. 500 per annum should be given for each rural dispensary. With these few words I close my remarks."

* Mr. BASHEER AHMAD SAYEED:—"Mr. President, Sir, the motion that is raised is on two definite points. One is to protest against the neglect of Ayurvedic, Unani and other indigenous systems, and the other to discuss the adequacy of provisions of drugs now made for rural dispensaries. I wish to point out in my turn, Mr. President, that the interest shown by this Government in the direction of encouraging indigenous systems of medicine is hardly worth commendable. They have started a school no doubt of Indian Medicine in the City of Madras, but the way in which they are conducting that school is most unsatisfactory. They are giving out very niggardly funds and the number of beds in the in-patient hospital are very few, whereas the number of patients that are resorting to this school and hospital is too large. From the returns of the report of the School of Indian Medicine, I think a fair idea would be had as to the large number of patients that are coming, as to the cheapness of administering Indian medicine to those patients and also the way in which the Government is moving. They are proceeding in such a slow and snail-speed manner and that it hardly gives us any hope that the system will at any time succeed at all in this country with such a lack of interest from the Government. The School of Indian Medicine, especially the Unani section, of which I can speak with some knowledge, is not properly staffed. Except the one teacher who holds any diploma from a recognized school of Unani medicine, the other assistants are hardly competent to do any good work. I should say without disparity to their merit, they are not the proper men for the job that they are entrusted with; especially the choice of the recent one of them was a matter of favouritism of the so-called Advisory

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Committee of that school; and no proper test was held with regard to the selection of the assistants to the present Lecturer in the Unani section of that school. There is also a Unani Board appointed for the school, of which so far as I am aware the members are hardly any of them doctors with the exception of one. They are not practising doctors in Unani medicine or any other medicine for the matter of that. That is a board constituted of laymen to advise on medical matters.

"The other point, Mr. President, is the school is not developed as it ought to be. The Herbarium which should have been within these two or three years an accomplished fact is still in the making and from the budget estimates I find a special pay allotted for the Superintendent of the Herbarium. I do not know whether the Herbarium that exists now requires a Superintendent to look after. I visited the school not long ago and saw the Herbarium with some plants. It is hardly encouraging to have such a thing like that and to pay a superintendent Rs. 100 or Rs. 200 as a special officer for that Herbarium is a question which requires scrutiny.

"In the rural districts Indian medicine is not encouraged at all. The municipalities are not goaded by the Government to start their own dispensaries, in Unani and Ayurvedic medicine."

*The hon. the PRESIDENT:—"I hope the hon. Member will give at least ten minutes' time for the hon. Minister to reply."

*MR. BASHEER AHMAD SAYEED:—"I will wind up, Sir. In spite of the fact that Unani medicine, Ayurvedic medicine and other indigenous systems of medicine are cheaper, yet the Government have not taken any steps to encourage the municipalities and local boards to open dispensaries in local areas. The existing dispensaries of an Allopathic nature in the districts of South Arcot and Salem are hardly accessible to the large number of patients who suffer in the rural areas. The dispensaries are situated in far off places at a distance of 10, 20 or 30 miles and are hardly accessible to the patients. I therefore urge upon the Government that they should devote more attention—not in the manner in which they are now devoting—but I say, their attention must be devoted more towards the development of the indigenous systems of medicine than towards the Allopathic system."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Mr. President, Sir, while I entirely sympathise with the feelings expressed by the hon. Members of this House that it ought to be the aim of Government to encourage Unani and Ayurvedic systems of medicine, I feel I must repudiate the statement that the Government are not taking steps to encourage these systems of medicine. This question has been engaging the attention of this Government for about seven or eight years and the Government did recognize these two systems of medicine and they started this School of Indian Medicine. In the School of Indian Medicine there are about 400 students receiving instruction and I am perfectly sure that when the first batch of students are turned out in the course of another three or four months and after these students have taken their degree in that course, the question of their employment will receive due consideration. At present that question has not risen for consideration. Surely, hereafter when these pupils pass their final examination and go out of the school, the question of their employment will

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arise and I may say it will be favourably considered by Government, because the Government have established a school and have trained a number of young men in these systems of medicine. The Government consider the systems to be efficacious—I am not comparing these systems with the other systems—the Government would not raise objection.

"The hon. Member said that no research in Indian medicine is being made. I may say that so far as I am able to gather, research in Indian medicine is made not in this province but in Calcutta. I believe this Government also will have the benefit of the researches made by Calcutta both by private practitioners and also, of Government; and two men have been sent by this Government for instruction in the Calcutta Research Institute to do research work and when they come from there, this Government will have the benefit of the knowledge acquired by these two gentlemen. It is not always possible to start a research institute in each province. We have to benefit by the results of the experiments carried on not only in other parts of India but in other parts of the world also and if Calcutta gives the benefits of its research I don't see why we should not take advantage of it. What I say is that we have just started a School of Indian Medicine and if the young men that are turned out prove their capacity for research work, as I am sure they will in course of a few years, the question of research will be considered. (Dr. B. S. Mallayya interrupting: 'Who is to give the report of the School of Indian Medicine? Is it not the Surgeon-General?') Of course all the Schools of Medicine are under the Minister and they form part of the Transferred departments; and they will be administered by the Minister with the permanent officers of Government. (Dr. B. S. Mallayya interrupting said: 'What is the relation of the Surgeon-General to the School of Indian Medicine?') If the hon. Member had raised this question during the debate, I might have been able to give a satisfactory answer, but certainly it cannot come in way of interruption when I am answering other questions.

"As regards rural dispensaries, these rural medical practitioners are being paid an annual allowance of Rs. 600 and provision has been made in the budget for 480 rural dispensaries, and I must say that in spite of efforts made by Government, the provision made even during the last year has not been exhausted, for it has not been possible to start the necessary institutions for which provision was made. I may assure hon. Members that during the next year all possible efforts will be made and I hope we will be able to establish all the 480 institutions for which provision has already been made in the budget. The hon. Member from Coimbatore wanted that encouragement should be given to these medical institutions. As the hon. the Raja of Kallikota has pointed out Rs. 360 is paid by the taluk boards for the purchase of drugs in these institutions. I am told that this Rs. 360 works out on an average at the rate of Rs. 30 per month and if even more money is required and the attendance in these hospitals is satisfactory and the people do derive benefit by this, probably this allowance of Rs. 360 may be increased too. There is nothing to prevent this. I should consider this is more than what is given in the municipal hospitals. (Mr. G. Harisavottama Rao: 'That is also your subject'.)

"I may also say for the information of hon. Members that Government is taking steps to increase the teaching staff of the School of Indian Medicine by eleven and I may say it is quite adequate. An adequate provision has also been made in the budget for increase in the staff.

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"The hon. Mr. Basheer Ahmad referred to the Herbarium and its unsatisfactory condition. A Superintendent has been appointed for taking charge of the Herbarium on what I should consider to be an adequate pay of Rs. 100 or Rs. 120. Hon. Members may know that this sort of Herbarium where medical plants can be reared and maintained is not an easy thing. This may in the course of a few years become a permanent Herbarium and will supply all the ordinary plants and herbs that may be required for the preparation of Indian and Unani medicines. With these few observations I must finally express my sympathy with the hon. Members of this House in their anxiety to improve Unani and Ayurvedic systems of medicine and hon. Members may rest assured that I will do everything possible for me to do or for the Government to do in this matter."

* Dr. B. S. MALLAYYA :—"I have been carefully listening to the Minister. He says he is going to increase the number of professors in the Indian School of Medicine, but taking the statistics I find that there are only two boys in each section. What is the use of increasing the number of teachers without increasing the number of boys? Then again it is an instance of an Allopathic doctor teaching Anatomy as well as midwifery in that school. It is a rule in the Medical College that a man who teaches Anatomy must not be allowed in the Maternity Hospital. I should warn the hon. Minister or the Government to see that no case of blood-poisoning takes place and the poor and innocent patients made to suffer."

"Coming to rural dispensaries, there has been persistent complaints made that money is not sufficient to give fractional doses to patients who go there. If the Government cannot do anything, at least they can cut off the number of hospitals which they are going to ask the taluk boards to start, and they can make a saving and from this saving they can give ample funds for the subsidized medical officers to do useful work. They have got certain complaints and they are putting it in the form of a memorial and will reach the Government in course of time."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 1,96,500 for pay of officers by Rs. 100."

The motion was put to the House and declared lost.

1-30 p.m. A poll was demanded by Mr. Harisarvottama Rao and the House divided thus :—

Ayes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 15. Dr. B. S. Mallayya. |
| 2. The Zamindar of Kallikota. | 16. Mr. K. R. Karant. |
| 3. Saiyid Tajuddin Sahib Bahadur. | 17. " C. Obi Reddi. |
| 4. Mr. V. Ramjee Rao. | 18. " C. Ramasomayajulu. |
| 5. " Sami Venkatachalam Chetti. | 19. " Basheer Ahmad Syeed. |
| 6. " S. Satyamurti. | 20. " P. Bhaktavatsulu Nayudu. |
| 7. " C. V. Venkataramana Ayyangar. | 21. " A. Kuleswara Rao. |
| 8. " T. Adinarayana Chettiyar. | 22. " R. Srinivasa Ayyangar. |
| 9. " P. Anjaneyulu. | 23. " K. Koti Reddi. |
| 10. " J. A. Saldanha. | 24. " L. K. Tulasiram. |
| 11. " C. S. Govindaraja Mudaliyar. | 25. " B. Ramachandra Reddi. |
| 12. " G. Harisarvottama Rao. | 26. Rao Bahadur C. S. Ratnasabapat |
| 13. Abdul Hamid Khan Sahib Bahadur. | Mudaliyar. |
| 14. Mr. K. V. R. Swami. | 27. The Kumaranaja of Venkatagiri. |

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Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 19. Mr. J. Bheemayya. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 20. " V. Ch. John. |
| 3. " Mr. T. E. Moir. | 21. Subadar-Major S. A. Nanjappa Bahadur. |
| 4. " " A. Y. G. Campbell. | 22. Mr. T. M. Narayanawami Pillai. |
| 5. " " M. R. Seturatnam Ayyar. | 23. " K. Krishnan. |
| 6. " " S. Muthiah Mudaliyar. | 24. " N. Sivaraj. |
| 7. " Dr. P. Subbarayan. | 25. " L. C. Guruswami. |
| 8. Rao Bahadur C. V. Ananthakrishna Ayyar. | 26. " V. I. Muniswami Pillai. |
| 9. Mr. F. B. Evans. | 27. " W. P. A. Soundarapandia Nadar. |
| 10. " H. A. Watson. | 28. " M. A. Manikkavelu Nayakar. |
| 11. " G. T. Boag. | 29. " Syed Ibrahim Sahib. |
| 12. " A. McG. C. Tampoe. | 30. " G. R. Premayya. |
| 13. " S. H. Slater. | 31. Rao Sahib R. Srinivasan. |
| 14. " C. B. Cotterell. | 32. Mr. W. O. Wright. |
| 15. " R. Foulkes. | 33. Diwan Bahadur M. Krishnan Nayar. |
| 16. " Abbas Ali Khan. | 34. Mr. T. K. Chidambaranatha Mudaliyar. |
| 17. " H. B. Ari Gowder. | 35. Abdul Razaack Sahib Bahadur. |
| 18. " A. B. Shetty. | 36. Mr. K. Sitarama Reddi. |
| | 37. " M. V. Gangadhara Siva. |

Ayes : 27. Noes : 37.

The motion was lost.

* The hon. the PRESIDENT :—"The question is that Government be granted a sum not exceeding Rs. 77.07 lakhs under Demand XX—Medical."

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

* The hon. the PRESIDENT :—"The Council will now adjourn and re-assemble at 2-30 p.m."

After Lunch (2-30 p.m.).

DEMAND XXI—PUBLIC HEALTH AND VITAL STATISTICS.

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Sir, on the recommendation of His Excellency the Governor, I move

'that the Government be granted a sum not exceeding Rs. 45,67,000 under Demand XXI—Public Health and Vital Statistics.'

* The hon. the PRESIDENT :—"The question is that Government be granted a sum not exceeding Rs. 45,67,000 under Demand XXI—Public Health and Vital Statistics."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I rise *'to move that the demand of Rs. 10,31,300 be reduced by Rs. 100.'*

"My intention in moving this motion is, Sir, to urge the abolition of the Public Health Department as it is now constituted. The Public Health Department is a gilded mosquito, preying on the finances of the country. We have always statistics thrown in our faces. We are told, Sir, that certain figures are very favourable in regard to this Health Department. Vaccinations, so many thousands or so many lakhs, have been successfully carried out. Births and deaths have been successfully registered. That is the whole song of the Public Health Department. We are now and then reminded of the existence of this department by the fanfare that is made at the time of the Health Week. Agencies are brought into existence and heaven and earth are moved to make the Health Week a success amidst the din and dust of all cities. There is plenty of dust raised on that day both metaphorically and as

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an actual matter of fact. School children are taken round on dusty roads with flags to the credit of the Health Department, in the mufassal, my friend adds and truly also. Beyond that I do not see what the Health Department is really doing for us in this Presidency. There are what are called Health Inspectors. They are few in number compared to the necessities of the country. They are the old class of vaccinators. They were under the control of the District Medical Officers and they were doing exactly the same work that they are doing to-day under the District Medical Officers. We have a Director of Public Health, his assistants, specialists and special officers, their offices and the ambition in the Health Department is to devour the Medical Department into itself. All this we have, no doubt. But the Government has begun at the wrong end as in everything else. What is really required is the attention to the needs of the rural areas. The Director of Public Health does not attend to the needs of rural areas or the people in the rural areas. It is the official lower down, the poor Health Inspector who is burdened with duties in numbers and he is expected to discharge those duties only on paper and subject to the rules framed. He is a mere automaton, a machine that goes about and collects figures or makes reports. He has not got the life in him to do the work that is entrusted to him. He is not a live organism. He does not feel the great duty imposed on him. He cannot possibly be feeling it because under the financial conditions that obtain, with the existing system of Government, it is impossible really to make adequate provision for the health or the good of the people of this country. The whole money is eaten up at the top. The whole money is lost and the fate of the Health Department is equally that. The Directors, the higher officials and the higher hierarchy and all the specialists and other people apportion among themselves the money, of course, legally, technically legally. They are entitled to that amount technically and they apportion that amount between themselves and for work lower down there is not much left. And, in a vast country like this, where admittedly there is not enough of medical aid or sanitary advice that can be given there has not been serious attention bestowed upon the actual necessities of the situation. The Health establishments sometimes deliver lectures—propaganda work that is called—and I have myself attended these lectures. I have seen the films put upon the screen. I have heard speeches made in the streets of our small towns. What is it that they do it for? They do it for the mere number of it, for the mere account of it and for the mere statistics of it. Beyond that, there is nothing very interesting. Very few people—I may say, absolutely no people—of any decent standard attend these lectures or hear these speeches for the simple reason that these speeches and lectures are barren. There is nothing interesting about them except a dying man carried in a bier, except a person with a bottle of oil by his side or under a mosquito curtain, except a mosquito-proof house built for the rich. Nothing that would interest the common people is said or shown at the time of these speeches. I have myself taken part in some of these exhibitions and I find that even laymen like us may sometimes be able to do a little, but I find that the department in itself is unable to do anything that would induce the people to go either to these lectures or attend these meetings. Why waste all this money for the so-called Health Department? What is the benefit that is coming out of this department? Speaking of these lectures and speeches, I am convinced that no honest intelligent attempt

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is being made to develop the cultural life of the country, to give the people real and useful ideas. There is nothing interspersed in these lectures that would make the lectures interesting. Not one beautiful scene is shown. Not one beautiful temple is put on the screen. Not one beautiful passage from the country's ballads is shown on the screen. All these interspersed with scientific truths might attract people, might give them some real education. But not a thought is bestowed on these matters. Everything is done in a very mechanical way and that on the most meagre scale. Where are the lectures? Where are the lanterns? And, where are the slides? They are really scattered over the country in a few places and they come up only at the time of the so-called Health Week, because that Health Week is celebrated in the name of one of the biggest personages that adorned some Imperial status in this country. Except for this single fanfare that is held for a week in the year, I do not see that the Health Department deserves to exist at all. It does nobody any good. There is nothing in the Health Department's work that would help me to say, 'Here is the Health Department which is really doing good work.' But when I say that the Health Department should be abolished, I do not mean that the whole department should be abolished altogether. I do not mean that these statistics should be abolished, I do not mean that you should send away these men. My cut motion clearly says that the abolition of the Health Department 'as it is now constituted' is aimed at. I want service for the people. I do not want berths for specialists. I do not want berths for experts. Experts and specialists have their own places; that ought not to be the end and aim of Government policy in any department. And in the Health Department, I see nothing except the emoluments of experts and specialists. In spite of numbers of experts and specialists, very little literature is produced on health. I have not read nor have I heard of any such literature. I am a man that is very voracious in reading literature of any kind. I am a person who takes interest, though of course I am more wedded to the Ayurvedic system and have my own ways of thinking, in reading every bit of sanitary information that is given by the western scientists also. But I find that the Health Department is doing precious little except during that one week. During that week, some missionary organization appears to be very active and little leaflets published by the S.P.C.K. Press are distributed broadly and some of these posters published a few years ago, the ante-diluvian period of the Health Service. They are already printed and ready in the Government Press. These posters are got and pasted and there the whole responsibility of the Health Department seems to end.

"Sir, very little of non-official agency is used by the Health Department. 2-45
After all, the work of the Health Department will be impossible, will be next p.m.
to nothing, as long as the Government which is responsible for the development of the country does not think of the cultural development of the country, does not think of extending the knowledge of the people on a broad-based principle of expansion of education. Just fancy a Government refusing to accede to the demand of the Andhra University for extension work. That is an index of the expansion work that this Government is doing. There is no good of multiplying departments. I want, Sir, that the Health Inspectors should be under the District Medical Officers once again and that once again they should function as part of the Medical Department, and that this Public

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Health Department as a department should go, that more attention should be paid to rural needs and more money should be spent on the rural population than upon mere superior officers and superior posts.

"Sir, there may be some friends here who may tell us that with advancing times, it would be suicidal to give up the advanced improvements of scientific discoveries in the world. Sir, I am not against giving the people the benefits of the scientific advance that has been made; but I am against using razors to cut firewood. This country is a poor country, this country has been taxed to the utmost, and every pie that is spent in this country must be accounted for as being utilized for the benefit of the man in the village. As long as luxuries are thrown upon him in the name of departments which do not benefit him or improve him, I do not want those luxuries to be there. The luxuries are only for the gilded flies of the departments; let the gilded flies not be there. They are intended for doing rural work, and this rural work can be better done by the overpaid I.M.S. officer who occupies all the berths in the Medical Department."

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, the hon. Member has compared the Public Health Department to a gilded mosquito preying upon the finances of the province. Sir, there is some truth in that. What he meant was that the benefits of the department do not reach the masses. But that is not a justification for the abolition of the department. He himself spoke of the Health Week. Sir, Health Weeks held in different parts of the province have been a great success, success because they enlighten and educate the people, all classes of people, villagers, school-going children, student population."

Dr. B. S. MALLAYYA :—"Blind people!"

* Mr. S. ARPUDASWAMI UDAYAR :—"And even doctors like my hon. Friend there, in regard to improved sanitation and health. Sir, more of these Health Weeks should be held not only in cities but also in some rural centres, and I believe they will be a powerful means of instructing the masses as to what they should do, what steps they should take, what means they should employ in order to improve their own health and the health of their neighbours. My friend also spoke of appeal to cultural life. Sir, it only means that there is not much co-operation between the public health officers and other agencies. For instance, if the educational authorities, if the school-masters in rural areas co-operate with the officers of the Public Health Department, certainly lectures can be arranged which will be far more interesting than those of which my hon. Friend spoke just a while ago, and the activities of the Health Department will penetrate the masses."

"Again, Sir, speaking of the Health Week, I know that what we want in this province is such kinds of popular demonstration. For a whole week, sometimes for even a fortnight, great preparations are made by non-official bodies, and we find large crowds resorting to the magic lantern lectures. Surely what they see with their own eyes and what they hear will not be lost upon them. Sir, instead of abolishing this department, what we must contend for is that there should be more liberal grants allotted for this department for carrying on its work satisfactorily. We should have larger establishments. We have at present perhaps one Inspector whose jurisdic-

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tion extends to about 60 villages. How can one man in times of cholera or some other epidemic do justice to his work and transport himself from place to place and how can he work a miracle of bilocation or trilocation at one and the same time? So, if we have more Inspectors and if their work is confined to certain specific localities, especially in times of epidemic such as cholera or relapsing fever, I think the department can do much better work on such occasions, and more useful work too.

"Sir, we were told that these Health Inspectors are recruited from the ranks of vaccinators. Sir, the vaccinators are doing very good work, and I think there are proposals to recruit Health Inspectors from L.M.Ps. I know that many of my friends are not satisfied with the propaganda work. Propaganda work is certainly very good, especially with regard to certain diseases like the hook-worm disease or the relapsing fever or even cholera when these Health officers go to different places and advise people as to what they should do, how they should take water for drinking purposes, how they should not take water from certain wells and how before taking water from certain wells, they should see that all the bacteria are killed. All these things are certainly beneficial so far as they go; but if in addition to this propaganda work, all these Inspectors have a good staff for giving all sorts of assistance to the people free of cost and of instructing them how they should use medicines, etc., many of the difficulties can be avoided and the health of the people, especially in times of epidemic, can be very much improved. Therefore, Sir, I think my friend who really felt that this department was not doing any good may take it from me that it will be made to do all the good it is capable of doing if, instead of its being abolished, the department is allotted larger amounts for larger establishments and a greater number of Health Inspectors who by coming often and often and more and more in contact with the people in the villages will certainly take better care of the sanitation and health of those villages."

Mr. K. V. R. SWAMI :—"I move, Mr. President, that the question be now put."

* The hon. the PRESIDENT :—"The hon. the Minister has not yet replied."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Mr. President, Sir, I have been very carefully listening to the speech of the hon. Member for Kurnool, and I am afraid I devoted most of the time that he took in making his speech in thinking about what he meant by 'gilded mosquito'. I must confess, Sir, I was not able to quite catch the simile, but I tried my best to understand it. Perhaps what he meant was that these officials of the Public Health Department in the guise of doing good to the public were trying to eat away the money of the people just as mosquitoes. . . . (Mr. G. Harisavottama Rao : 'Exactly'.) My hon. Friend assures me that I have been able to catch his meaning correctly; and if I did not catch the rest of what he said, he will kindly excuse me as I was thinking about this new phrase which he has coined."

"The hon. Member for Kurnool was saying that the Health Department is not doing any real good and that what should be done is to educate the masses, so that they may be able to understand the propaganda. Sir, I perfectly believe that every one in the Public Health Department recognizes this as one of his first duties and is doing a great deal in this direction."

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These Health Inspectors of whom there are eight to fifteen in each of the districts are delivering lectures in various places. My hon. Friend said that these lectures are not attended by any decent men. Certainly, Sir, they are not attended by decent men because these lectures are delivered for the improvement and instruction of the ignorant masses in the villages. Decent men who know all these things already much better than the Health Inspectors themselves know—people like Mr. Harisarvottama Rao or for the matter of that any other hon. Member of this House, certainly will not derive any benefit by attending these lectures. But the question is whether the masses in the villages who know much less than what we do of the principles of hygiene and sanitation, appreciate these lectures and whether they understand them or not. (Mr. G. Harisarvottama Rao: 'They don't.'). There is no good saying that they do not understand them. These lectures delivered in the villages are of an elementary nature. The Inspector says 'you must drink pure water. (Mr. S. Satyamurti: 'Let them get it; they don't want your water'.) Very well; let them not drink dirty water till they get good water. I think that is a very wholesome advice. This is the nature of the lectures delivered in the villages, and I am not surprised at the fact that many people of culture and education do not go and attend them. But I do not at the same time believe that these lectures are unnecessary and that they do not serve any useful purpose. My hon. Friend said that the lectures with lantern slides are very much in progress during the Health Week and that at other parts of the year they are not delivered at all. It may be so in some districts, and if any hon. Member of this House comes across any delinquent who does not do his duty properly—it is up to him to bring it to the notice of the authorities—certainly due notice will be taken of such delinquencies. But to say that they are not doing their duty properly, without citing any instance, is not fair. Perhaps what the hon. Member meant was—as Mr. Arpudaswami Udayar said—that these people ought to do their duties more satisfactorily and in a more efficient manner. If only the hon. Member in the course of his speech had suggested any constructive proposal as to what should be done, certainly, we would have been able to consider it; but Government, after the speech of the hon. Member, are left to their own resources and they have themselves to find out, to the best of their lights, what should be done to improve matters. Certainly, the Government will consider in what directions the administration of the Health Department can be improved. May I say, Sir, that during the course of the last year, more than 80,000 lectures were delivered in all the districts, and that the average attendance in each one of these lectures was from 30 to 50. I must say, Sir, that in these villages an audience of 50 is really a great thing, and if people were not really interested in what they heard, they won't have gathered there at all.

"Then the hon. Member was saying that there is no good of the department and that the people must be given what they want. Let us know what the people want. What they want is good health. (Mr. Satyamurti: 'People want good food, etc.'). If the hon. Member will bring forward a scheme by which the Government can undertake to give them a good supply of food, certainly I will be the first to jump at it."

Mr. S. SATYAMURTI:—"Swarnj will give them food; cross the floor. That is the only scheme."

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The hon. Mr. S. MUTHIAH MUDALIYAR:—"I am not perfectly sure, Sir, if my hon. Friend can be so sanguine of supplying good food to the people during the Swaraj regime. (Mr. Satyamurti: 'Why so?') Because I have had a fore taste of what the Swaraj Government will be. (Mr. Satyamurti: 'What is it?') Now I have been made to refer to it I shall amplify it if there is no interruption from the Opposite side. I don't think it is necessary to drag this into this discussion but since I have been forced to refer to it I shall say that the Swarajists are not willing to take up the responsibility; and the latest specimen is the speech of the hon. Member for the University."

* The hon. the PRESIDENT:—"Order, order. The hon. Member is not in order."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I thoroughly understand that it is not quite pertinent to the subject, but I have been forced to refer to it because of the interruptions."

* The hon. the PRESIDENT:—"I will advise the hon. Member not to mind the interruptions."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I shall not refer to the interruptions provided the hon. Members do not take it as an insult and think that I had not the courtesy to reply to them."

"The whole department has been doing its work and if the House is disposed to believe me, it is doing more good to the country than it is generally believed. The death-rate in 1926 is 26.9 and in 1927 it is 24.9. The birth-rate now is 36.5; so that during the course of a year the birth-rate exceeds death-rate by 12.4; that is to say, in one year the increase in population is 1 1/4 per cent; so that in one census the population of the province will exceed, without taking into consideration extraneous causes like emigration, etc., by about 12 1/4 per cent or one-eighth."

Mr. G. HARISARVOTTAMA RAO:—"Quite certain of statistics?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If the hon. Member says the statistics are wrong, he will have to support his argument by facts."

"If hon. Members think that the figures I give are not correct . . ."

Mr. S. SATYAMURTI:—"We don't agree with your figures."

* The hon. the PRESIDENT:—"Order, order."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Health staff in each of the districts are attending the fairs and festivals in the villages and they are doing everything in their power to prevent the outbreak and spread of epidemics. I quite concede that this department could do more but there is no meaning in saying that because it has not done what it could have done therefore it should be abolished."

* Dr. B. S. MALLAYYA:—"I have listened with interest to the speech of the hon. Minister for Public Health. Sir, he has made out a fine case for the department of which he is in charge. But I am afraid that because he is in possession of statistics of the good work that his department is doing, it does not go a long way for the continuance of the department. We the Indian medical practitioners will rather see the medical department now under Government control being placed under the Director of Public Health, just as

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it is done in other countries. The Surgeon-General is a military officer and he is out of place there. And I am sure the hon. Minister has no control over him. If at all there is any control it will be that of the Surgeon-General over the hon. Minister."

The hon. the PRESIDENT :—"I am afraid the hon. Member will be quite in order if he refers to the Director of Public Health, instead of referring to the Surgeon-General." (Laughter.)

Dr. B. S. MALLAYYA :—"I am telling how the Director of Public Health aims at good work being done. I have been in the Public Health Department and I know what line of action is pursued by them. For one thing their attention is not drifted away by private practice. (Hear, hear). Reference was made to the vaccination work. If there is anything done in the medical world which protects the people from blindness, lameness, etc., it is the vaccination which acts as a protection against the much dreaded disease of small pox. Coming to the epidemic diseases, cholera was a terror and a nightmare to the people; but under the fine organization of the Public Health Department and the latest discovery of inoculation for cholera this dire disease is not promoted. The most important duty of the Health Department is to provide pure drinking water; and it is my firm conviction that if adequate steps are taken to provide every village with pure drinking water there will be no necessity for any staff on whom lakhs and lakhs of rupees are spent to stamp out diseases. If such sums are pent in matters of public sanitation, conservancy, prevention of disease, etc., it will give a better return and it will be better appreciated by the Public Health Department. And I am sure this will be supported by all medical private practitioners."

* Mr. T. M. NARAYANASWAMI PILLAI :—"Mr. President, Dr. Mallayya has answered the criticism levelled by my hon. Friend, Mr. G. Harisarvottama Rao. When he was speaking I was wondering whether he was pleading for the strengthening of the establishment or for its abolition. To me it appears that he was really for strengthening the department. He said :—'No doubt there is much to be done by the Health Department. As it is, it has not done enough, therefore abolish it.' This is bad reasoning. While the hon. Minister was speaking the hon. Member for University exclaimed 'Give us water.' In some of our places the difficulty is not so much about the supply of water as about the knowledge of people as to what has to be done to make the water good and fit for drinking. I come from the Lalgudi taluk where there was an outbreak of cholera. And in one month there were about 750 attacks; and but for the activities of the Public Health Department and the timely steps taken by the District Board the disease would have wrought havoc. The Health Department took steps to see that every village well was disinfected and the people were supplied with disinfected water. In our village the difficulty is not want of water but the real difficulty is the ignorance of the people in taking bad water. There is a channel near by from which they have been taking water customarily. If the people had drunk the water after boiling it there would have been no disease. But the people were ignorant of this and it was the Public Health Department that taught the people to take boiled water. I am alive to the necessity of and the useful work done by this department and I feel there is no use decrying this department. As a matter of fact this department is carrying knowledge to the homes of the people as to how to lead a clean, pure and healthy life. This

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department has undertaken to do work with a limited finance and it is doing excellent work. Therefore we ought to do our best to see that this department is placed on a satisfactory basis. I do not think there is any virtue in crying for the abolition of this department. Our aim should be to strengthen it. Hence I oppose the motion."

Dr. B. S. MALLAYYA :—"Sir, I move that the question be now put."

The motion for closure was put and carried.

The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 10,31,300 for Public Health establishments by Rs. 100."

The motion was put to vote and lost.

* Mr. J. A. SALDANHA :—"Sir, I beg to move

'to reduce the allotment of Rs. 10,31,300 for Public Health establishments by Rs. 100', to point out the backwardness and defects of the sanitary system in the Presidency as a whole.

"In drawing the attention of the House to some of the defects of the present system I shall read one passage from the book 'India in Transition' by H. H. the Aga Khan: 'Now British rule in India has been criticised, and rightly criticised, for having allowed the twentieth century to dawn and grow without having grappled fully and successfully with the illiteracy general in India, and with the insanitary environment of the masses so bad that avoidable deaths are counted by the million every year, while the standard of the physique of the masses is deplorably low.'"

Dr. B. S. MALLAYYA :—"Is the hon. Member justified in reading a passage from an extraneous book?" (Laughter.)

* The hon. the PRESIDENT :—"Yes."

Mr. J. A. SALDANHA :—"This passage has bearing on the subject. These words coming from no less a personage than His Highness the Aga Khan are beyond dispute. I am not here to lecture on the defects arising from social customs; for that the forum is different. But in this forum I may show how far Government are responsible for the present defects.

"One of the important things is water-supply. The Government is very slow in the matter of providing adequate water-supply. Take the case of Mangalore, for instance. On the mere survey of our water-supply scheme thousands of rupees have been spent and the preliminary investigation has been going on for the last 15 or 16 years. As yet we are not near the end. We do not know how long we shall have to wait. The predecessor of the present Minister came to Mangalore and I took special trouble to take him to the site of the water-supply project though it was not in his original programme and pointed out to him where the investigation was made. He promised to look into the matter and expedite the water-supply scheme. I do not know whether anything has been done to expedite the preliminary investigation. With all our efforts—we are ourselves doing much and we have a Health and Welfare Association of which I am myself the President—it is very difficult to considerably decrease the infant mortality which stands at 125. Of course Madras is much worse and its rate is 250."

Dr. B. S. MALLAYYA :—"350."

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* **Mr. J. A. SALDANHA** :—" Though in Mangalore it is only 125, it is still abnormally high compared with the rate of infant mortality in Europe and even in London. That is enough to show how backward our system is. It is not merely the fault of the people. One of the remedies is to carry out town-planning schemes for all largely populated villages. In this matter Government have been very slow. The Town-Planning Act need not be confined to towns alone; it may be applied to villages also. I brought to the notice of the Government the case of a village which is affected by floods year after year and asked them to have a town-planning scheme for that place and shift the site of the village to a higher level. Government have been absolutely indifferent to this. The scheme of the Act is very comprehensive and includes water-supply, roads and so on. It would conduce to the improvement of the health of our people if the scheme of the Act is applied to unions and villages. I do not understand why the Government should not take into consideration the suggestion made by an hon. Member of this House who has had experience of town-planning and land acquisition scheme in Bombay. I do not see why the Government should not bring pressure on its officials to apply the Town-Planning Act to a large village like Bantwal. If the Government do not adopt this suggestion of mine, I will press this point and urge this on the hon. Minister again and again until this Act is extended. It will be very useful if one or two villages are brought under this Act and made into model villages. Why should the Government turn a deaf ear to my suggestion? I hope the hon. Minister, with a wider outlook on the subject, will be bold enough to face the situation and see that the Act which has not been made use of, is made use of properly. This Act had not been made use of for Mangalore at all. My hon. Friend Mr. Karant and myself and others are working to extend to all parts of the town the benefits of the Act. We must take the bull by its horns. We want to see that the sanitation in the villages is improved by applying the provisions of this important Act."

* **Mr. K. R. KARANT** :—" Mr. President, Sir, I had no idea of speaking on this motion, because the terms of the motion were so wide that I did not think that town-planning would actually come within its terms. Now that the hon. Member Mr. Saldanha has spoken on it I wish to add a few words to what he has said."

* **The hon. the PRESIDENT** :—" The salary of the Town-Planning Officer is included in that item."

* **Mr. K. R. KARANT** :—" The attention given by the Government to this department seems to be very inadequate. I am told that when the Justice Ministry was in power something tangible was done; but ever since that time, I am sorry to say, and I speak with some knowledge, that nothing has been done to improve the Town-planning department. Take, for instance, Mangalore, where we are doing a little spade work. We wanted the department to give us hands to work out town-planning. Our people cannot do it. Government is not in a position to give us hands even though we are prepared to pay their salaries. I would therefore suggest to the hon. Minister to train up half a dozen hands, say at Rs. 100 a month, to actually work out schemes instead of the Act remaining a dead letter as it is now. They may train some hands and ask the municipalities to take them up and work out the schemes. I hope this will be done."

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, the Government will certainly devote its attention to the suggestion of the hon. Member Mr. Saldanha and of Mr. Karant. I have not yet thoroughly gone through the provisions of the Act to say anything as regards its application to the villages. As to what the feeling of the villagers will be in the matter of the application of the Act, I am not in a position to venture an opinion at present; because the Act imposes certain liabilities and responsibilities and whether the people affected are willing to undertake them or not is a question which has to be examined. For I find that in certain places, though the people know that if that place is declared to be a municipality it would bring them improved sanitation and improved health, they are yet averse to that step because it would touch their pockets. Similarly, the people in the villages may object to the application of the Town-Planning Act. This is a matter which requires consideration by the local authorities and the people concerned and Mr. Saldanha and Mr. Karant will have a determining voice in the application of the Act to that district."

"As regards the investigation of the Mangalore water-supply scheme, if the hon. Member had referred to this in his token motion I would have been able to give him some specific answer. But I was unable to understand from the nature of the cut motion what exactly was the intention of the hon. Member in giving notice of this cut. Now that he has referred to the Mangalore water-supply scheme that question will be investigated and due attention will be paid to the suggestion of the hon. Mover and Government will see that there is no avoidable delay in the matter."

The motion was by leave withdrawn.

Mr. S. VENKIAH in moving the following motion spoke in Telugu :—

'That the allotment of Rs. 29,26,000 for public health purposes be reduced by Rs. 100' to discuss the desirability of improving water-supply to depressed classes of rural areas, and to safeguard them from obstruction of using public wells and tanks.

"నిమ్మ జాతులయొక్క ఆరోగ్యము, లోపభూయిష్టమైనందున సంగతి ప్రభుత్వము వారికి తెలిసిన విషయము. వారి పల్లెలు అనారోగ్య ప్రదేశములయందు నిర్మితమయినవి. ఇండ్లు ఒక చానీతో నొకటి అంటియందుంటు. ఇండ్ల చుట్టు పెంటకుప్పలు, ఇరుకు సందులు మంచిగాలి వచ్చుటకును, చెడుగాలి పోవుటకును ఎదురెదురుగా కిటికీలు, ఉండవు. వంటచేయు నప్పుడు పొగ బయటపాకుండా ఇండ్లనిండా వ్యాపించి అట్టి తరి యిండ్లలో మనుష్యులందుట కేతమాత్రం వీలు ఉండదు. గ్రామములచుట్టు మురికి నీటి గుంటలు. ఆ మురికినీరు పోవు టకు మార్గములు ఉండవు. గాన దొరతనమువారు కొన్ని ప్రదర్శన పల్లెలు (model villages) నిర్మించివారికి ఆరోగ్యమును ప్రదర్శించు, ఇండ్లు కట్టించి కొన్ని వాయిదాలమీద వాటి కిచ్చుత్తులు తీర్చుకొనే పద్ధతిమీద వారికి యివ్వవలయును. ఆరోగ్య శాఖాధికారులు నాగరిక ఆరోగ్యవంతములగు పట్టణములలో ఉపన్యాసము లిచ్చుటవలన ప్రయోజనము లేదు. ఇట్టి అనారోగ్యములగు పల్లెలకు తరుచుగా బోయి మ్యాజిక్ లాంతరు ప్రదర్శనముల మూల మున ప్రజాభివృద్ధి గావించవలయును."

"నీటిపరం (water-supply).—లోకల్ బోర్డు మ్యునిసిపాలిటీలన్నూ లేబరు డిపార్టు మెంటువారున్నూ, అచ్చటన్నట కొన్ని నీటి సదుపాయములు చేసినయినారు. ఇది బహు స్వల్పము. తెచ్చులుగాని, నూతులుగానీ, నీటి సదుపాయము కొరకు ఏర్పాటు చేయబడని

[Mr. S. Venkiah]

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నిమ్మజాతుల చల్లెలనీకములు. ప్రతి తాలూకాలోను ఉన్నవి. గ్రామములచుట్టూ నిలచియుండు నీటిపావుట కట్టి సదుపాయములులేవు. లోకల్ బోర్డులవల్ల నిర్మించబడిన చెరువులు నూతులలో సకలజాతులు నీళ్లు వాడుకొనవచ్చునని ప్రభుత్వ ప్రకటన ఉన్నప్పటికిని, అగ్రజాతులవారి ప్రాబల్యముచే యీ జాతులవారిని చేరినివ్వడములేదు. ఇట్టి సాఫ్ట్లా ప్రవేశించుటకు ప్రతివోట బోర్డులు కట్టించవలెను. ప్రతి రెవిన్యూ ఆఫీసరు గ్రామములను దర్శించునపుడు సదరు సంస్థ లో ప్రవేశపెట్టుటకు సహాయపడుచుండవలయును. ప్రతి రెవిన్యూ ఆఫీసరు, నూతులు, చెరువులు లేనట్టియు, నివేశ్ స్థలములులేనట్టి ప్రజలుగల పల్లెలల్లోను తయారుచేసి ప్రభుత్వము వారికిని లోకల్ బోర్డుల ప్రసిద్ధిచెట్టుకున్నా తెలుపుచుండవలయును.

“అంతువ్యాధులు.— మహుచి, విజజ్వరములు, కలరా, మొదలగు వ్యాధులు కలుగునపుడు ఈ దురిదృష్టవంతుల పల్లెలయందు ప్రవేశించి తర్వాత నాగరిక పల్లెలకున్నా, పట్టణములకున్నా వ్యాపించి సర్వజనులకు అరిష్టదాయకములగుచున్నవి గాన, నిమ్మజాతుల యీ రోగ్యమును కాపాడుట, సర్వజన శ్రేయోదాయకమైనదని. కాబట్టి ఆరోగ్య శాఖామంత్రి గారు నిమ్మజాతులవారి ఆరోగ్యమును కాపాడుటకు తగు చర్య తీసుకొనుటకై యీ 100 రూపాయలను తగ్గించు గోరుచున్నాను.”

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* Mr. V. I. MUNISWAMI PILLAI :—“ Mr. President, Sir, time and again on the floor of this House we, Members representing the depressed classes, have impressed on the Government the necessity for making enough provision for digging more wells. I know, Sir, as a matter of fact that this Government are trying to do something to relieve depressed classes from this grievance. What happens is a major portion of the money set apart for digging wells is used for paying the staff. We really get very little money out of the amount allotted for digging wells. I have been visiting a number of rural areas. There is a great cry for adequate water-supply. I know of instances where women and children have to wait for half a day or more for a potful of water. It is very necessary that the very element for existence should not be denied to the depressed classes by spending more money on the staff. I appeal to the Government to set apart a large sum of money to provide wells for the depressed classes in districts where the activities of the Labour department have not been extended. Recently I was touring in Malabar and I found a large number of wells dug by my people, but the water was unfit to be drunk even by animals. Though there are a few wells there they are not in a good condition. On behalf of the depressed classes I once again impress upon the Government that they must take keen interest in the matter of water-supply in the rural areas.”

* Mr. M. V. GANGADHARA SIVA :—“ Mr. President, Sir, times without number, discussion has taken place on the floor of this House as regards the need of water and wells for drinking purposes. I wish to know whether the Government are taking steps to put a stop to the restrictions on the use of public wells and tanks by members of the depressed classes. All public wells and tanks constructed with public money should be open to every tax-payer and to every citizen. The Government should provide decent wells to the depressed classes. I am afraid that the Government have been very nervous in taking stringent measures to see that no depressed class people are obstructed from taking water from public wells. Even under the present law it is possible for these poor and helpless people to assert their rights and get influential caste brethren convicted in courts of law. It is absolutely necessary that the Government should see that the depressed classes do not suffer

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for want of drinking water. As regards Ceded districts the depressed classes people suffer very much because the Government have not provided for water-supply to them. Cuddapah suffers most in any summer season. In this part of the year the depressed class people have to go to a river to get water and they have to dig for hours together before they can get a small quantity of water and that too full of dirt. That is how the Ceded districts people suffer much in summer season. I therefore request the Government to see that some arrangements are made for providing wells to the depressed classes, especially in the Ceded districts.”

* Diwan Bahadur P. KESAVA PILLAI :—“ Mr. President, Sir, I quite agree with my hon. Friends, the representatives of the depressed classes, that there is a great need for providing wells for the depressed classes in many villages, especially in the Ceded districts. In some villages there are only one or two wells and those for the caste people only, and the depressed classes have no wells at all. The Government have been giving small doles of grants to local bodies every year for providing wells to the depressed classes. I have been in charge of local boards for many years and I know that no separate grant is given for this purpose. What we want is more money so that we may spend it for digging wells. Most of the local bodies have got estimates ready for digging wells. But money is not forthcoming. When grants are made, they are not made in the beginning of the year but only in the latter part of the year. The grants lapse because we are not able to spend the money before the close of the year.

“As regards public wells, I do not think the Government can interfere. Public opinion has to be educated; people have to be enlightened to allow other classes also to draw water from public wells. No doubt, caste people draw a line between wells and water-taps at railway stations and towns. The pipe is open to all; all are taking water from pipes. The best way for the Government to help the people is to give more money to the local bodies. I know the Labour department has been contributing money for construction of wells, but not enough.

“I would request the Government to take a long view of the sanitary measures that are required to improve the condition of the depressed classes. Most of the depressed classes live in insanitary conditions amidst prickly-pears or near ponds containing stagnant rain-water. The ponds are breeding grounds for mosquitoes and epidemics. Some of the local bodies are doing a good deal of propaganda work. The Government should give grants to the local bodies to remove prickly-pears, and improve sanitation. My District Board has instituted prizes to the value of Rs. 15, 10 and 5 to be given to the primary schoolmasters to write essays in easy readable Telugu so as to be understood by the villagers for extirpating prickly-pear and promoting sanitation in the villages. Water and healthy surroundings are sorely needed and the Government will have to find ways and means to make larger grants to be spent on these improvements of vital importance to the life of the people.”

* Mr. G. HARISARVOTTAMA RAO :—“ Mr. President, Sir, I thought that a civilized Government which has a Labour department would take particular care of a problem like this. The futility of the department is clear from the manner in which the depressed classes are pining for water. In my districts, I have the misfortune to see our friends of the depressed classes being put to

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the necessity of waiting for hours to get a potful of water from the hands of a casteman. They are not allowed to take water from the wells which belong to castemen. There is very little of water in the Ceded districts. The Government have not made it a part of their policy first of all to attend to the necessity of supplying drinking water to the depressed classes and to completely carry out that programme within the shortest possible period. Water is a primary necessity. We are delivering lectures on the necessity of the depressed classes being clean. How can the depressed classes be clean when they do not get water for drinking, much less to wash themselves? Go to any village in the Ceded districts—I speak with complete knowledge—and you will find that there is not sufficient water for the depressed classes to drink. Where is water for them to cleanse themselves? What is the good of talking to them about sanitation? What is the use of delivering lectures to them that there is a paternal Government which maintains a department to raise the standard of these people? The first necessity is water. When this first necessity is denied to these classes of people, where is the talk of improvement? Have the Government honestly attempted to make provision for this? What has become of the remitted portion of the provincial contribution? All that has gone into the melting pot. The depressed classes are where they were. The Labour department is only a gilded show. There is no real substance. That moment would be the best moment when my depressed classes brethren would make bold in the most non-violent way to non-co-operate even with the castemen and get their rights established in the villages. I would stand by them and I want them to stand by themselves. I want the Government to help them. The Government do not do anything of the kind. The Government will not help the depressed classes.

“What are the poor local bodies to do? We have heard the speech of one of the district board presidents. He thinks that the contributions given to them are very little and insufficient. The local bodies are unable to make provision for all the numerous people inhabiting every village. In every village you have depressed classes. In every village there is necessity to supply them drinking water. Estimates are ready; where is the money? Are the Government ready with money? The Government should have a policy and they must complete the scheme within as short a time as possible. They must complete the scheme within two years from to-day. Let them make a promise to-day. Are the Government prepared to spend money upon that scheme? Then we can speak of the usefulness of the Labour department. The Labour department is extending its arms in every direction except in the direction, which is most essential, of providing for water. We cannot talk of the clearing of prickly-pear when these poor people have not got as much as one cupful of water for drinking at the proper moment. Suppose a member of a family is suffering from cholera in the hut. There may be only one other member in the family. He has to go to the well and wait there for a long time till water is poured into his vessel by a casteman. What pangs the individual member of the family attacked by cholera has to suffer are known only to God above and to the suffering poor. These are small things and these small things are things that really matter.

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p.m.

“These are vital things and I wish that in the matter of rural water-supply the needs of the depressed classes are completely attended to with the surplus money of the Government. Money is not available for any good purpose of the country, neither for the rural water-supply, nor for the depressed classes,

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nor for prohibition, nor for anything good. It is available for the needs of the department. Money is available for the higher officers for their pay, for Secretaries, Superintendents and what not. It is there that the hypocrisy of the system of Government is exposed. Let my depressed classes brethren remember that if the Government mean well by them this question of the drinking-water supply can be solved within the next year. I hope that this motion will not be withdrawn at the dictation of the bureaucratic Government.”

* Mr. J. A. SALDANHA :—“I was rather astonished to hear the speech of my hon. Friend Mr. Harisarvottama Rao, because so far as I know the difficulties of the depressed classes arise more from caste objections than anything else. This difficulty is the same with the depressed classes in this Presidency as well as the sister Presidency. When there are two or three wells in a village, even cattle are allowed to drink water there. But the members of the depressed classes are not allowed to drink even from the water-trough in which cattle drink. They are treated as beasts and worse than beasts. I was astonished at the eloquence of my hon. Friend, because our caste system is more responsible for the troubles and difficulties of the depressed classes than the Government. (Laughter.)

“It is no use blaming only the Labour department, because we ourselves are partly responsible for the trouble. It is a question of cost. Where is the money for large special grants for wells for particular castes to the exclusion of others? My Christian brethren are of the same kind. We have got our own castes. There are Christians on this side of India who deny the right of water and the right of entry into certain churches to the out-caste Christians. It is a cry in the wilderness to go on talking about defects of water-supply without eliminating one of the main causes which are responsible for them, viz., the baneful effect of the caste intolerance. We must do away with such things and bring in a Bill for opening the public places including wells to all. This is one of the solutions to the difficulty and the next solution is where there are no wells, to provide new wells in proportion to the population without distinction of caste. With these few words, I hope this motion will be pressed.”

சுவாமி A. S. சகஜானந்தம் பேசியதாவது :—“உயிருக்கு ஆதரவாக உள்ளது தண்ணீர். நல்ல தண்ணீர் கிடைக்காமையாலேயே நோய்களுண்டு அகின்றன. எங்கள் ஜனங்களுக்கு நல்ல தண்ணீர் கிடைப்பது மிகவும் அருமையாயிருக்கிறது. எங்கெங்கு கிராமத்தாருக்கு எங்கள் ஜனங்கள் மீது வருத்தம் உண்டாகிறதோ அங்கு தண்ணீரிருக்கும் குளம், ஆறு, ஏரி முதலானவைகளுக்குப் போகும் வழியில் முள் போட்டுத் தடுத்து விடுகிறார்கள். இவ்வாறு பல இடங்களில் நிகழ்கின்றன. பொதுக் குளம், கிணறு முதலானவைகளில் தண்ணீர் எடுத்துக்கொள்ளலாம் என்று அசாங்கத்தார் சட்டம் இயற்றியிருக்கிறார்கள். ஆனால் அது அனுபவத்தில் நடைபெறவில்லை. சிதம்பரத்திற்கு கிழக்கே மகத்துவாழ்க்கையென்னும் ஊரிருக்கிறது. அங்கு, ஊரில் தாலாகா போர்டு குளத்தில் ஆகிராவிடர்கள் தண்ணீர் எடுத்துக்கொள்வார்கள். கிராமத்தாருக்கு ஏற்பட்ட மனக்கசப்பால் தற்போது தண்ணீர் எடுக்கவொட்டாமல் தடுத்துவிட்டார்கள். கனம் லேபர் கமிஷனர் எல்விஸ் துரையாடிகள்

[Swami A. S. Sahajanandam] [26th March 1928]

சென்று கேரில் பார்வையிட்டார். அது விஷயம் ஒன்றும் முடிவு பெறவில்லை. அரசாங்கத்தார் பணச்செலவிட்டு எடுக்கும் கிணறுகளும் முழு மோசமாயிருக்கிறது. தாலுகா போர்டார் பல கிணறுகள் வெட்டியுள்ளனர். அவை தற்போது பாழடைந்து கிடக்கின்றன. லேபர் டிபார்ட்மென்டிலும் கிணறுகள் வெட்டி வருகிறார்கள். அவைகளில் ஆரவது மாதத்தில் தண்ணீர் இருப்பதில்லை.

“லேபர் டிபார்ட்மென்டும், தாலுகா போர்டும் பணம் செலவழித்தும் பயன்படவில்லை. ஓவர்சியர்களை வசப்படுத்திக்கொண்டு குத்தகை எடுப்பவர் நாஜாறு ரூபாய்கள் ஜாபிதா போர்ட் கிணற்றை, நூற்றைம் பது ரூபாய்களில் வெட்டினால் எவ்வாறு ஜலம் கிடைக்கும்? மேல் அதிகாரிகள், வெட்டிய கிணறுகளை அடிக்கடி மேல் பார்க்கவேண்டும்; வெட்டும் கிணறுகளைத் திறமாக வெட்டவும், கட்டவும் பார்க்கவேண்டும்.”

* Mr. S. ARPUDASWAMI UDAYAR :—“Mr. President, Sir, the depressed classes are subject to many disadvantages even in towns. There are municipalities which have a protected water-supply. But unfortunately even in those municipalities they grudge to open one or more taps in cheris. I was instrumental in moving a resolution for having one or two taps opened in cheris. That resolution has not yet been given effect to. I know that, at the recent cholera outbreak, many of the members of the depressed classes were victims and the reason of cholera outbreak among them was that they were in the habit of taking the dirty water of the Uyyakondan channel into which sewage water is allowed to flow. Every municipality which has a protected water-supply is surely guilty of a great dereliction of duty if it does not open taps in cheris. We have taps in gardens and the whole day we find water wasted. Are not human beings far more precious than plants and trees? As regards wells, I think last year, on the floor of the House, I made this remark which was agreed to by the then Minister for Public Health, viz., that we should have block allotments made for the digging of wells and the moneys should be invested and spent according as the estimates were ready and could be given effect to. I should like to ask what steps have been taken. I am sure many members of the taluk boards will support me when I say that small sums are doled out which are hardly sufficient to keep the existing wells under repair. Then what about new wells, especially in places where there are no wells for the benefit of the depressed classes? Thirdly I find several taluks where even castemen are labouring under the same difficulties. They sail in the same boat as the depressed classes. There is no well and there is no water. I know of places in the Tanjore taluk where even now with their vessels in one or two bullock-carts and they take sometimes half a day to fetch water. I have heard of a story that some of them were overtaken by night by robbers and were robbed of their vessels. The ex-Minister for Agriculture appointed a committee in order to try the experiment of sinking wells and of boring for the purpose of seeing whether water was available in certain localities for drinking purposes. Some such survey ought to be undertaken without delay. The proposal I made for having some lump grants or block grants allotted for the purpose ought to be adopted without any delay. Fourthly it is possible even in parts where there are no tanks for a good supply being assured by the Irrigation department, if they only act more

[26th March 1928] [Mr. S. Arpudaswami Udayar]

sympathetically without paying attention to the letter of the law. In this connexion I am reminded of the story of Paramata Guru whose turban fell down and the disciples would not touch it because it was not stated in the rules that the disciples should take it. Likewise you find the channels overflowing with flood water at a distance of a few miles with which it is possible to have one or two fillings of several tanks. But the departmental engineers will not do this. The engineers ought to adopt this policy as a special case to allow the filling up once or twice at least during flood time when the water is wasted into the sea. That is the situation in the Tanjore taluk and I challenge the Minister to go and visit several villages where he will find villagers including caste men suffering for want of drinking water. Therefore, Sir, I think that something should be done without any further delay in order to relieve them from this difficulty, to relieve the distress of the depressed classes and also a large number of the caste men.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“Mr. President, Sir, Government themselves are fully conscious of the difficulties people are put to, not only the depressed classes, but people of all castes, for want of drinking water. As Mr. Saldanha and other Members pointed out, the difficulties are in some measure due to the higher castes themselves. But there is absolutely no excuse for Government saying because the higher caste people throw in difficulties they shall not take up that work. It is the duty of the Government to provide the villagers with good drinking water. Government is moving in this direction. During 1928-29 a grant of 13 lakhs has been made in the budget for improving the water-supply in municipalities. I suppose if the water-supply in municipalities is improved and the people of the place have adequate supply, the members of the depressed classes of these localities will also get the benefit of it. If there is any undue obstruction to these people getting adequate water it is up to hon. Members to move in the matter as far as they are concerned.

“The grant of 7 lakhs was made to the Madras municipality for improving the water-supply and if the supply is increased the depressed classes will get the benefit of it.”

“There is one other thing. The Government is making grants to the district boards for the purpose of providing a good water-supply. I find during the last two years the district boards have not been able to utilize all the moneys and more than half the amount has lapsed. Then during the current year owing to some circumstance or other they are not able to carry out the conditions of the grant. (A voice : ‘Late contribution.’) The conditions imposed by the Government are that they must complete the work within the year. If within the year they do not complete the work and if a board applies for a regrant, certainly the Government will have no objection to regrant it next year. They do grant it. For the current year about 8½ lakhs has been provided for the improvement of water-supply in rural areas, of which 7½ lakhs is for non-panchayat areas and 1·20 lakhs for panchayat areas. If these local bodies and the village panchayats utilize the amount without allowing it to lapse and undertake any work and carry it out, I am perfectly sure that Government will make at least an equal amount, if not a greater amount in the next Budget, for the purpose of improving water-supply. But I perfectly realize that with these grants the difficulties of the people cannot be removed in the course of a year or two. But the effort of the Government will be to improve the water-supply in the course of a few

[Mr. S. Muthiah Mudaliyar] [26th March 1928]

years or as early as possible and to give good drinking water to all classes of people without any distinction whatever. I request, as Mr. Saldanha has stated, that the higher classes of people will not put unnecessary restrictions on depressed classes taking water from a good source of water-supply."

Mr. BASHEER AHMAD SAYEED :—" I move, Sir, that the question be now put."

The motion for closure was put and adopted.

The original motion was then put and declared lost.

Mr. Satyamurti demanded a poll, and the House divided as follows :—

Ayes.

- | | |
|--------------------------------------|---|
| 1. Mr. S. Venkayya. | 12. Dr. B. S. Mallayya. |
| 2. „ S. Arpudawami Udayar. | 13. Mr. K. R. Karant. |
| 3. Swami A. S. Sahajanandam. | 14. „ C. Obi Reddi. |
| 4. Mr V. Ramjee Rao. | 15. „ C. Ramasomayajulu. |
| 5. „ S. Satyamurti. | 16. Basheer Ahmud Sayeed Sahib Bahadur. |
| 6. „ C. V. Venkataramana Ayyangar. | 17. Mr. P. Bhaktavatsulu Nayudu. |
| 7. „ J. A. Saldanha. | 18. „ A. Kaieswara Rao. |
| 8. „ G. Hariaravottama Rao. | 19. „ R. Srinivasa Ayyangar. |
| 9. Abdul Hamid Khan Sahib Bahadur. | 20. „ K. Koti Reddi. |
| 10. Mr. K. V. R. Swami. | 21. „ L. K. Talasiram. |
| 11. Muhammed Meera Ravuttar Bahadur. | |

Noer.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 14. Mr. C. B. Cotterell. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 15. " P. J. Gnanavaram Pillai. |
| 3. " Mr. T. E. Moir. | 16. " R. Foulkes. |
| 4. " Mr. A. Y. G. Campbell. | 17. Abbas Ali Khan Bahadur. |
| 5. " Dr. P. Subbarayan. | 18. Mr. A. B. Shetty. |
| 6. " Mr. S. Muthiah Mudaliyar. | 19. " J. Bheemayya. |
| 7. " Mr. M. H. Seturathnam Ayyar. | 20. " V. Ch. John. |
| 8. Rao Bahadur C. V. Ananatakrisna Ayyar. | 21. " Mahmud Schammad. |
| 9. Mr. F. B. Evans. | 22. " Muppil Nayar. |
| 10. " H. A. Watson. | 23. Subadar-Major S. A. Nanjappa Bahadur. |
| 11. " G. T. Boag. | 24. Mr. T. M. Narayanaswami Pillai. |
| 12. " A. McG. C. Tampoe. | 25. " K. Krishnan. |
| 13. " S. H. Slater. | 26. " W. P. A. Soundarapandia Nadar. |
| | 27. " M. A. Manikkavelu Nayakar. |

Neutral.

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| 1. Diwan Bahadur P. Kesava Pillai. | 14. Diwan Bahadur R. N. Arogyaswam |
| 2. Mr. H. B. Ari Gowder. | Mudaliyar. |
| 3. " N. Siva Raj. | 15. The Zamindar of Seithur. |
| 4. " M. V. Gangadara Siva. | 16. The Zamindar of Gollapalli |
| 5. Rao Sahib L. C. Guruswami. | 17. Mr. B. Ramachandra Reddi. |
| 6. Mr. V. I. Muniswami Pillai. | 18. The Raja of Panagal. |
| 7. Syed Ibrahim Sahib Bahadur. | 19. Diwan Bahadur M. Krishnan Nayar. |
| 8. Sir James Simpson. | 20. Mr. T. K. Chidambaramatha Mudaliyar. |
| 9. Mr. W. O. Wright. | 21. Rao Bahadur S. Ellappa Chettiyar. |
| 10. " C. R. T. Congreve. | 22. Abdul Razaq Sahib Bahadur. |
| 11. The Zamindar of Kallikota. | 23. Rao Bahadur K. Sitarama Reddi. |
| 12. Mr. G. R. Premayya. | 24. Kumara Raja of Venkatagiri. |
| 13. Rao Sahib R. Srinivasan. | |

Ayes 21. *Noes* 27. *Neutral* 24.

The motion was lost.

26th March 1928]

* Mr. R. SRINIVASA AYYANGAR :—“ Mr. President, Sir, I beg to move
‘ to reduce the allotment of Rs. 29,26,000 for grants for public health
purposes by Rs. 100 ’

with a view to discuss the question of the Cuddalore water-supply scheme. The question of providing a good drinking water-supply to Cuddalore is, if I remember right and if I am not very much mistaken, really 20 years old. Cuddalore, as the hon. Members of this House may be aware, has quite a good and pleasant climate ; it is situated on the sea-coast. But all these advantages seem to be completely impaired, if not altogether destroyed, by the lack of good drinking water-supply. Good water has been regarded as one of the tripod of life, and yet it is a sorry spectacle to find one of the districts on the Coromandal coast suffering from want of a good water-supply. About 20 years ago, a scheme was adumbrated for the purpose of giving us a good water-supply and it was one of the dreams of the late lamented Diwan Bahadur Subbarayalu Reddiyar to secure a good water-supply for this town. If he had been spared one or two years more, we would have got all that we wanted and were longing for. But fate was against us. Somewhere about 1912, investigations were carried on and two reservoirs on the bed of the Pennar were sunk at a cost of Rs. 14,000, the water was tested and it was found to be excellent. But before the scheme could be brought up for the ultimate sanction of the Government the Great War broke out, with what result ? Prices went up and it was found impossible to finance the scheme, and the whole scheme was held up. About 4 or 5 years later, in 1919, the scheme was sought to be revived by the late Diwan Bahadur Subbarayalu Reddiyar. That was just the time when the finances of the province were in an unsatisfactory state, and though the Government were in a mood to sanction it, unfortunately the local council took up a different attitude and insisted upon Government coming to the rescue of the municipality by contributing 75 per cent of the total cost. That was an attitude which was quite unreasonable on the part of the Council and no wonder that when the matter came up ultimately before Government, the Government turned it down. Some years later, a modified and less ambitious scheme was embarked upon and the matter was taken up and investigations went on, with absolutely little or no result. The Surgeon-General visited the place and between the Ministers on the one side and the department on the other, as regards the source from which water is to be tapped or taken, there has been some difference of opinion. I am told, eventually, some understanding or agreement has been arrived at. And, about this time last year, Diwan Bahadur Arogyaswami Mudaliyar visited the place and I requested him to give this matter his serious consideration. He promised to look into the matter sympathetically, and beyond giving us pious hopes he has not done anything in that direction.

“ The Cuddalore Municipality has an area of about 20 square miles, and two of the main divisions of the municipality suffer largely from epidemics, such as cholera and smallpox and elephantiasis. The two divisions are Pudupalayam where my hon. Friend Mr. Sitarama Reddiyar also resides, and Cuddalore Old Town, and these are the most insanitary places in Cuddalore, and the Government have not done anything to improve them. Time and again schemes are sent up. But what is the use unless Government are prepared to suggest to the municipality a scheme of a moderate character and ask them to pay prompt attention to it? I read in the papers, after I left

[Mr. R. Srinivasa Ayyangar]

[26th March 1928]

Cuddalore, that the Cuddalore Municipal Council did meet and pass some resolution to give a protected water-supply to the two parts of the Municipality, namely, Pudupalayam and Cuddalore Old Town. They also, I understand, have resolved to levy a water-tax with retrospective effect from 1st April 1927. I am not quite sure how far it is true; that is what I gather from the papers. I doubt very much the legality of a municipality holding a meeting at the fag end of the year and levying a water-tax with retrospective effect. So there is not the ghost of a chance for good water-supply for some years to come. That is the real position of affairs. May I appeal to the hon. the Minister, who is fully conversant with the place because in other walks of life he has visited my place many a time, and I daresay I am not appealing in vain if I ask him to give it the consideration it really demands. I understand, Sir, that the scheme is not likely to cost more than Rs. 12 lakhs with a recurring expenditure of 25 or 30 thousands every year. I think instead of putting forth one excuse or another, and instead of referring it back to the municipal council, it is much better that some modest beginning is made and water is given at least to some portion of the municipal area. Notwithstanding the fact that we have been crying hoarse these 20 years, we have not had one drop of water. It is true, in the Civil Budget Estimate, I find some allotments made to some municipalities but Cuddalore is left out. It is up to the Minister to inaugurate his regime by giving us a good water-supply at the earliest possible opportunity."

* Rao Bahadur K. SITARAMA REDDIYAR :—" Sir, while sympathizing with the sentiments contained in the speech of the previous speaker, I do not know where exactly we have to throw the blame. The Government for a long time past have been laying down the policy of half-grant and I cannot take objection to this policy of theirs."

4-15 p.m. "The whole blame rests with us. (Mr. S. Satyamurti: 'Then you don't want it?') It is not a question of my not wanting the water-supply, but this is a question of the rate-payers taking the responsibility. I am told that the rate-payers did not want to take the responsibility of levying a certain amount of tax. It is not a question of the citizens not wanting water-supply, but it is a question of the citizens being willing to pay a small amount of taxation. The matter was threshed out on many occasions. I think the Director of Public Health visited the place on one occasion and my hon. Friend Diwan Bahadur Arogyaswami Mudaliyar was also there in connexion with this scheme, which, as my hon. Friend Mr. Srinivasa Ayyangar said, has been pending for a long time. I am not prepared to throw the whole blame on the Government. They have got two schemes one for the supply of water to the whole town by means of the Pennar water which is considered to be the best water and the other for supplying water to portions of the town which suffer very badly on account of the poor supply or bad supply of water. It is mainly, I beg to submit, the look-out of the rate-payers who must be made responsible and if they are not prepared to tax themselves, I don't see why Government should prefer that place in preference to others which are willing to tax themselves. Therefore the duty of hon. Members, including my Friend Mr. Srinivasa Ayyangar, should be to educate the rate-payers to be willing to tax themselves and not to throw the blame on Government. In fact if the rate-payers are willing to finance themselves to the extent that is generally expected of them in the adumbration

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[Mr. K. Sitarama Reddiyar]

of such schemes, I am sure the Government will be willing to finance that scheme. This is one of the schemes sanctioned so long ago as 1914 and approved. This approval can take effect only if the rate-payers are willing to take the responsibility."

Mr. BASHEER AHMAD SAYEED :—" Mr. President, as time advances, the Government is finding more and more advocates on its behalf. It is indeed very fortunate of the Government that its advocates are increasing and growing in numbers. I thought Mr. Sitarama Reddiyar, who is the District Board President of the South Arcot district, would not be the advocate of the devil and speak in the manner in which he has done. It has now become a common practice with the Government and those people who want to advocate its cause to say that things are very impossible and so they have been abandoned. I don't think that things are really so impossible as they are represented to be, and, from my knowledge of the scheme, it seems to be quite within practicability, but it is only a question of Government financing to a certain extent and the tax-payers financing to some other extent. True, the Government cannot bear the whole burden and the municipality has to bear a portion of it. But why is it that the Government never comes forward to meet even the reasonable demands of the municipality and the tax-payers. It is not a question of Cuddalore alone, but the whole district of Cuddalore where there are several municipalities which do not have proper water-supply, and the Government has not taken steps to ensure a good water-supply."

* The hon. the PRESIDENT :—" Order, order, I think the hon. Member will have to confine his remarks to the water-supply of the Cuddalore Municipality."

Mr. BASHEER AHMAD SAYEED :—" May I point out, Sir, it is not the municipality, but Cuddalore water-supply that is mentioned in the amendment?"

* The hon. the PRESIDENT :—" My interpretation is, it is only the municipality of Cuddalore and not at all the district. The hon. Mover has confined his remarks to the municipality. I cannot permit the hon. Member to ramble about."

Mr. BASHEER AHMAD SAYEED :—" I only mentioned it by way of illustration, Sir. I don't want to speak of the other portions of Cuddalore except the municipality. I only wish to associate myself entirely with what Mr. Srinivasa Ayyangar has said. I want the Government to take some steps to give effect to the proposals that are already before them if they have not already shelved them, and if they mean business."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, as my hon. Friend Mr. Sitarama Reddiyar has said, the Government is always prepared to help the people. Whenever a water-supply scheme for a town is got ready and the municipality makes an application to the Government, the Government is ever prepared to make the half-grant. As regards the Cuddalore town itself, there are two portions of the town—the old town and the new town. The old town has a protected water-supply. It is only as regards the new town the question arises. As regards the new town, a scheme was put forward about 1913 or 1914 and worked out for the half money that the tax-payers had to bear at 12 or 15 per cent. of the income on houses, but then the people demurred and the scheme was dropped. A smaller scheme was got ready which would cost 3 lakhs of rupees and which would involve an additional taxation of 9 per cent. I am glad to learn from Mr. Srinivasa

[Mr. S. Muthiah Mudaliyar] [26th March 1928]

Ayyangar that the Municipal Council has passed a resolution to levy the tax from July 1927. At the same time he has raised the question of the legality of the resolution of the Municipal Council. He seems to suggest that the people should not be taxed. If the people do not pay the taxes or bear a portion of the burden, I am at a loss to understand how Government could help. The Government are willing to pay half the grant if the municipality pays the other half. The whole thing rests with the hon. Members of the district and the people of the district. If the people are prepared to bear a portion of the responsibility, the Government is not unwilling to make a grant."

Mr. K. V. R. SWAMI :—"I move for closure, Sir."

* The hon. the PRESIDENT :—"Mr. Srinivasa Ayyangar, are you pressing the motion?"

Mr. R. SRINIVASA AYYANGAR :—"Yes, Mr. President."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 29,26,000 for grants for public health purposes by Rs. 100."

The motion was put to the House and declared lost.

Mr. Basheer Ahmad Sayeed demanded a poll and the House divided as follows :—

Ayes.

- | | |
|--|---|
| 1. Mr. S. Satyamurti. | 11. Mr. A. Kuleswara Rao. |
| 2. " C. V. Venkataramana Ayyangar. | 12. " R. Srinivasa Ayyangar. |
| 3. " J. A. Saldanha. | 13. " K. Koti Reddi. |
| 4. " G. Harisanyottama Rao. | 14. " L. K. Talasirani. |
| 5. Abdul Hamid Khan Sahib Bahadur. | 15. " B. Ramachandra Reddi. |
| 6. Mr. K. V. R. Swami. | 16. Rao Bahadur C. S. Ratnasubapathi Mudaliyar. |
| 7. " K. E. Kurant. | 17. Rao Bahadur K. Sitarama Reddi. |
| 8. " C. Obi Reddi. | 18. Kumara Raja of Venkatagiri. |
| 9. Basheer Ahmad Sayeed Sahib Bahadur. | |
| 10. Mr. P. Baktavatsala Nayudu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Macjoribanks. | 23. Mr. T. M. Narayanaswami Pillai. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 24. " K. Krishnan. |
| 3. " Mr. T. E. Moir. | 25. " N. Siva Raj. |
| 4. " " A. Y. G. Campbell. | 26. " M. V. Gangadara Siva. |
| 5. " " M. B. Seturathnam Ayyar. | 27. Rao Sahib L. C. Guruswami. |
| 6. " " S. Muthiah Mudaliyar. | 28. Mr. V. I. Maniawami Pillai. |
| 7. " Dr. P. Subbarayan. | 29. " W. P. A. Soundarapandian Nadar. |
| 8. Diwan Bahadur P. Kesava Pillai. | 30. " S. Venkiah. |
| 9. Rao Bahadur C. V. Anantakrishna Ayyar. | 31. " M. A. Manikkavelu Nayakar. |
| 10. Mr. H. A. Watson. | 32. Syed Ibrahim Sahib Bahadur. |
| 11. " G. T. Boag. | 33. Sir James Simpson. |
| 12. " A. McG. C. Tampoe. | 34. Mr. C. R. T. Congreve. |
| 13. " S. H. Slater. | 35. The Zamindar of Kallikota. |
| 14. " C. B. Cotterell. | 36. Mr. G. R. Premayya. |
| 15. " P. J. Gnanavaram Pillai. | 37. Rao Sahib R. Srinivasan. |
| 16. " R. Foulkes. | 38. Syed Tajudin Sahib Bahadur. |
| 17. Abbas Ali Khan Bahadur. | 39. Mr. V. Ramjee Rao. |
| 18. Mr. H. B. Ari Gowder. | 40. The Raja of Panagul. |
| 19. " A. B. Shetty. | 41. Rao Bahadur Sir A. P. Patro. |
| 20. " J. Bheemayya. | 42. Diwan Bahadur M. Krishnan Nayyar. |
| 21. " V. Ch. John. | 43. Mr. T. K. Chidambaramatha Mudaliyar. |
| 22. Sabadar-Major S. A. Nanjappa Bahadur. | 44. Rao Bahadur S. Ellappa Chettiyar. |

Ayes 18. Noes 44.

The motion was declared lost.

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* Mr. C. V. VENKATARAMANA AYYANGAR :—"I move

'that the allotment of Rs. 29,26,000 for grants for public health purposes be reduced by Rs. 100', to ask for details of grants for water-supply to Coimbatore and other places in the district of Coimbatore.

"Although my notice includes both the town and the district of Coimbatore, I want to confine myself to the specific case of the Coimbatore town itself. I am glad that the keeper of the conscience of this House, hon. Mr. Moir, is here and I appeal to him in this matter to make a note as to how the finances of this Presidency have been defrauded and how the people of Coimbatore are being in a way defrauded so that the hon. Member may look into the whole question once again and see why such things have been permitted to go on. I am going to show how Government and some of its chief officers have really defrauded Government money as well as citizens' money of Coimbatore. Luckily for us, the hon. Minister and the Government cannot say in this case that the people of the Coimbatore town have hesitated to pay their quota. For the last 25 years we have been ready to pay our quota whatever it might be. Various schemes were investigated and finally a very costly scheme was propounded and they said this scheme cost 40 lakhs and naturally the people were told that they should be prepared to pay a contribution of about 20 lakhs. We smelt that there would be something fraudulent in this matter and still we were prepared to pay the money because we have no water to drink. Whatever may be said of other places, the people of Coimbatore have got not only no good water to drink but not even any water to drink and therefore people had to agree to pay what I consider to be a very great extortion of 20 lakhs.

"Then, Sir, a scheme was adopted costing Rs. 40,00,000. We were given some hopes that this would be over in a very short time. I do say now that the whole matter began with a fraud. The Government were prepared to pay Rs. 20,00,000. I ask, Sir, how has that 20 lakhs been spent? It has been spent upon some iron pipes which are rotting both over the earth and under the earth in and near Coimbatore. I do not want to go into this miserable history of the purchase of those pipes. We were clearly made to understand on the floor of this House that the matter of purchasing of the pipes would be deeply considered, but all of a sudden we were told one day that against the rules of Government, against the order of the Government, the Chief Engineer had purchased these 20 lakhs worth of pipes. He had no authority to purchase them, we were told. We were also told that the Government were having some correspondence about this purchase. But yet we were informed that the Chief Engineer had purchased them though he had no rights. It is said that he had done so thinking he had a right to purchase them although the Government said he had no right to do so, and although Government had asked him not to purchase. Thus, Sir, the matter certainly began with a fraud by the Chief Engineer. I only say 'constructive fraud'—I do not deal with him personally but only officially. The Chief Engineer representing the Government of Madras going and purchasing Rs. 20,00,000 worth of pipes for this purpose without the authority to do so and having, as the Government said, misunderstood the orders of the Government—this is how, Sir, we were told that Rs. 20,00,000 worth of our good money was spent upon the purchase of pipes.

4-30
p.m.

[Mr. C. V. Venkataramana Ayyangar] [26th March 1928]

"Then, Sir, the other question is that we were asked to pay Rs. 20,00,000 for other expenses including the making of a tunnel. Here also, Sir, I now ask the hon. the Minister to give us some information whether we are going to get water at all and if so when. We have been given so many hopes that we would be getting water one year, two years or three years hence, but I think that the Government are still in the process of creating water. Well, Sir, did we demur to pay the very high tax that was required? But the Government of that time said that we should pay 12½ per cent water tax but upon some calculations we were able to make it 8½ per cent. But the municipality and the Government going through the process of revision as it were enhanced our house rentals. That, I suppose, increased by 4 or 5 per cent and that made up altogether 12½ per cent, and although we are as far from the chance of getting water we are now actually paying the water-tax. In addition to the 8 per cent of house-tax, we are paying 8½ per cent as water-tax, these together making up 16½ per cent. I may say in this connexion that this 8½ per cent is only the water-tax. It does not include drainage taxes. If we want to have a drainage scheme, we will have to pay another 8½ per cent tax.

"Whatever that may be, our concern is whether any such money is being spent usefully. I want to know whether the estimates are being kept up to their original figures. We knew the ways of the Government and their officers and we have been asking the Government, 'Do you restrict yourselves to asking only for this Rs. 20,00,000 from us?' If by the mistake of your officers or of the Government, your estimates go above Rs. 40 lakhs, we say we should not be asked to contribute more than Rs. 20,00,000, because this Rs. 20,00,000 is already too much for us to pay. But I am afraid at the rate at which the Government is going, we will soon be asked to pay more than Rs. 20,00,000. I want the hon. the Minister and the hon. the Finance Member to make a statement exactly as to whether the estimates are likely to be kept up at the original figures or are they likely to go up as in the case of the Mettur scheme. One of the works includes a tunnel across a small hillock and it seems that there has been some mistake. We are not in the confidence of the Government and I would be very glad to get at the real information from the Government. But the rumour goes that originally they estimated for a tunnel being excavated in what would be a thick rock and now it seems that the rock has disappeared and it seems to be purely a matter of soft earth or soft rock. Sir, I speak subject to correction and I am saying all this with a view to get information. Only 150 feet of this tunnel has been cut so far it seems, and even that portion is falling down, out of about 1,000 feet of the tunnel. I would be glad to know what the total length of the tunnel exactly is and how much has been cut up. The one great mistake that I am charging the Government with is that they are not sure of the tunnel and yet all the iron pipes are going under the ground although the greatest experts think the efficacy of iron will give it a life of not more than 20 years. We only think it can last for 10 or 12 years. But they say probably that it will last more, i.e., for about 20 years. Granting that some pipes are under the ground for the last one year, or two years—they are probably more anxious to put the pipes under the ground than completing the tunnel—we have to reckon that one year underground life for the pipes means washing a lakh of rupees and the loss will become greater if the tunnel is not to be available for three or four years. The pipes will be under the ground all the time and the earth will be eating them up.

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"I am, therefore, asking the Minister and the hon. the Finance Member to look into this matter and see as to why after the tunnel is almost, say 75 per cent, ready, they should not put these pipes inside the ground. This is a matter which should be taken into consideration at once because every year the pipes are kept under the ground without water passing through them would mean a waste. Even granting that it is 20 years or Rs. 20,00,000 it is worth one lakh of rupees per year and the earth has already eaten up about two or three lakhs worth and it would be going on eating up much more. Therefore, Sir, apart from other considerations, I am asking the Government as to where the necessity is to put these pipes not only all the 20 miles distance, for the tunnel is 20 miles from the town, but even inside the town, causing great inconvenience to those using the roads. They are digging culverts across roads. They are very particular in all these things, but never particular at all about the water-supply being made available to the town.

"Therefore, Sir, this is a very serious matter which the Government should take into consideration. I want that the hon. the Minister should give us an answer as to when they promise, in all human probabilities, to give us water. How long are they going to extort the water-tax from us without giving us even a drop of water?

"One other important matter, Sir, in this connexion is that Government are defrauding the people of Coimbatore in Coimbatore itself. We have got the curious practice of the Government using some portion inside the municipal limits exempt from the municipal taxes, and by magic as it were they have exempted the Central Jail which is like an island surrounded by municipal area. The same is the case with the Police Recruit school. The Forest College and the Agricultural College are practically surrounded by the municipal area and yet they have with a wave of their magic wand have declared these shall not be included in the Municipality. Why? Because they would otherwise have to pay water-tax, etc. Simply to avoid the necessity of paying water-tax they have exempted themselves. The Municipal Chairman and the Councillors passed a number of resolutions asking the Government to include these Government sites inside the municipal area so that a portion of this water-tax might be reduced. But that has not yet been done.

"The other thing we have been asking the Government is this: There is a large quantity of water available in addition to the necessities of water-supply to the town which would be useful for some cultivation purposes. The people of Coimbatore are suffering for want of water for agricultural purposes. We say, 'Let us have a portion of this water to be utilized for agricultural purposes on payment of money and the burden on the Municipality will be lessened.' But they will not do even that. The hon. the Minister in charge of the Department came with his big paraphernalia to Coimbatore. He went through the pretence of hearing us and deputations waited on him and were given plenty of hopes—all these big people give us hopes that something will be done but, alas, when they come to the headquarters nothing comes out of all their promises. This Minister also came to the headquarters and had a talk with the Secretaries and the result was that nothing was done. Sir, I have not very much hope to say now as to whether the new Minister will be allowed or will be able to do anything definite. I ask the Government to say in their conscience and I ask of the gentleman who keeps the conscience of the Government and of this House especially, to say whether this is fair,—asking us to pay Rs. 20,00,000 and then wasting the money upon pipes and burying them and not giving us any hopes as

[Mr. C. V. Venkataramana Ayyangar] [26th March 1928]

to when water will be available to us, and further more, not paying us one pie for all the various big Government blocks which they possess there simply because they have the power to exempt portions from the municipal area. Supposing I get an oil engine and I am able to get water for my bungalow, shall I be exempted from the payment of the tax? Not at all. Why should these people then come and ask me to pay a tax but want to get separate consideration for themselves. While they extort money from the people by various ways, they want to deprive the Municipality of the right of getting money by taxes such as house-tax and water-tax from the various places which legitimately come under the municipal limits but which are kept back by the Government from a selfish point of view.

"I think, Sir, I have got a very good case to show that the Government are not fair in their dealings as far as this water-supply to Coimbatore is concerned."

* Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" Mr. President, Sir, I entirely agree with Mr. Venkataramana Ayyangar in what all he has said but I would also desire to bring to the notice of Government a few other aspects of this question. My hon. Friend, Mr. Venkataramana Ayyangar, said there has been much delay in the carrying out of the scheme. That cannot be denied even by the Government. I have frequently brought to the notice of the Government that in the matter of the tunnel work which is the most important item of the whole scheme and on the success of which depends also the success of the whole scheme, there has been very much delay. Three favourable seasons have been lost since the launching of the scheme. It is only between December and May every year that people can work at the tunnel. But, the Public Works Department have neglected this part of the work and are carrying on only the work of the pipe-laying. I cannot agree with my hon. Friend, Mr. Venkataramana Ayyangar in saying that the pipes have been ordered rather prematurely early. With regard to the pipe-laying they have kept up to the programme of their work. According to the programme settled by the Government the scheme should be completed by 1928-29. By 1928-29 the pipe-laying, the gravitation main as also the distribution main will be completed. But the most important work, i.e., the tunnelling work has been very much delayed and will not be completed by 1928-29. Even when the municipality calls for a fortnightly report of the progress of work, the Executive Engineer is very obstinate and refuses to give the report. All these, Sir, show that with regard to the tunnelling work there has been much delay and neglect on the part of the Executive Engineer.

"Now, Sir, there is also another question, and that is the levy of centage charges at 15½ per cent. The Council has been claiming that this 15½ per cent should not be levied on this scheme and their reasons are these: Even though the 15½ per cent may be generally charged for all water-supply schemes, the case of Coimbatore must be treated differently, that is because, out of the total cost of the scheme, viz., Rs. 38·38 lakhs nearly three-fourths of the cost goes towards the purchase of the pipes, i.e., Rs. 25 lakhs. Even on the value of the pipes the Government charge 15½ per cent centage charges.

"Coming to the pipes purchased for Rs. 25,00,000. Here also the Council has been badly treated. If only the Government had waited for at least six months, the cost of these pipes would have been considerably reduced. But for some reason or other, the Chief Engineer has given orders for the purchase of these pipes all on a sudden."

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Mr. C. V. VENKATARAMANA AYYANGAR :—" You say you do not agree with me there."

* Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" I agree, but the mistake of the Chief Engineer comes in here. The order for pipes should have been placed after calling for tenders in the open market. But this has not been done by the Chief Engineer. He has simply called for quotations and without giving an opportunity for all the business concerns who trade in pipes, he has placed an order for their supply. If he had only called for tenders in the open market, I am sure that the cost of the pipes would have been reduced by at least 30 per cent. And even here, Sir, the interest of the Council is adversely affected. It is not fair for the Government to charge 15½ per cent on the cost of pipes, especially when the purchase had been made against the interest of the Council.

"When the municipality addressed the Government on this question, they say that a general reduction of the centage charges from 15½ per cent to something less is under the consideration of the Government. It has been under consideration now for more than two years; and the contention of the municipality throughout has been that this question should be taken up separately and dealt with on its own merits. Out of this 15½ per cent centage charges, 7½ per cent goes towards the pay of the staff employed on this work. The Government have themselves calculated the cost of the staff that will be employed on this scheme until it is completed, and according to their own calculation, it comes up to Rs. 1,40,000. The general centage charge under this head at 7½ per cent works out to Rs. 2·50 lakhs. When Government have actually calculated that the cost of the staff will come to Rs. 1,40,000, I again ask whether they are justified in charging 7½ per cent or Rs. 2·50 lakhs.

"Now, Sir, coming to the question of the inclusion of the Central Jail and the Police Recruit school buildings at Coimbatore within the municipal limits, my hon. Friend has already referred to them. He said that the Council has applied for the inclusion of these buildings within the municipal limits. My point is that they are already situated within the municipal limits of Coimbatore, but they are excluded for purposes of taxation. These two institutions, the jail and the recruit school, are situated at the highest level possible in the whole of the town, and they suffer most for want of water. In the reports of the Central Jail, it has been repeatedly stated that the jail has not got an adequate or a good supply of water. In spite of it, Sir, the Government in order to avoid taxing these institutions, do not want to give them the benefit of the water-supply. I do not know whether it is the intention of the Government to include these two institutions within the municipal limits just after the scheme is completed. The municipal town is paying now a tax of 8 per cent and not 8½ per cent as my friend said. The Government may very well say that after the scheme is completed they will be prepared to include these two institutions. Sir, when the whole town is now paying tax at the rate of 15½ per cent I do not know why the jail and the police school alone should be exempted from payment of this tax especially when they enjoy all the amenities of municipal administration."

"Coming now to the agricultural aspect of this scheme, the Council has been repeatedly asking that the scheme which is being worked at a heavy cost should also benefit irrigation, and Government have been stubbornly refusing to investigate this question. I may say for the information of the House and

[Mr. C. S. Ratnasabapathi Mudaliyar] [26th March 1928]

of Mr. C. V. Venkataramana Ayyangar that the Government have now agreed to ask the Chief Engineer to arrange for the actual gauging of the rainfall on the hills, and when that is done, I hope the Government will make the scheme benefit the agricultural lands in the taluk and thereby waive the costs of the headworks to the extent to which the agricultural lands will be benefited."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, the hon. Member for Coimbatore has been telling us that the people of Coimbatore have been saying that these pipes were purchased at a time when they need not have been purchased and that they have been buried in the ground before the tunnel has been completed. In sanctioning these estimates, the Government have fixed a certain period within which they said the works should be completed and it ought to be the endeavour of the Government to see to that. But in certain instances, unforeseen circumstances do happen, and in this case, as my hon. Friend told me some time back, the place where it was first proposed to place the tunnel has been found to be a sandy place and therefore it is a bit more difficult to put it there than was originally expected. I may tell you, however, Sir, that the work was expected to be completed in 1928-29, i.e., in the course of another year or so, but Government think that it may take another year more and very much regret that there has been a delay of about a year in the completion of the work. All that I can say is that the people of Coimbatore should patiently put up with this small delay, because it is certainly the intention of the Government to do as much as is possible for them to do in this matter."

"Then, Sir, both the hon. Members from Coimbatore told us that the Engineering department is not going on with the tunnelling portion of the work as briskly as they go on with the laying of pipes. There are two different parts of the work to be done, and one has to get on as well as the other; and as my hon. Friend himself said, the tunnelling work can be done only during three or four months in a year. And if in those three or four months there is any slackening in the matter, that will be gone into and necessary instructions to the officer carrying on the work there will be issued, to expedite the work as much as possible."

Mr. C. V. VENKATARAMANA AYYANGAR :—"What about the whole work?"

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"As I have already stated, the work is expected to be completed in two years that is to say by the year 1930. The question of the pipes having been ordered without advertisement also in this House on more than one occasion previously. I think in the year 1926 at the instance of my hon. Friend the matter was fully dealt with, and nothing has happened subsequent to that to revive a discussion on this subject. With these few words, Mr. President, I may assure the representatives of the Coimbatore district that the Government are anxious to push through the work as quickly as possible."

"As regards the centage charges which the hon. Member for Coimbatore referred to, it is being levied uniformly for all the works in the province. If the hon. Member for Coimbatore thinks that an exemption ought to be made

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in the case of the Coimbatore district, it is for him to make out a case for its exemption. And though the Government will be sympathetically disposed towards any such application, they may probably be unable to treat Coimbatore as an exception. The matter is however under consideration and if legally it is possible to show any concession to Coimbatore, I may assure him that it will be done."

* The hon. the PRESIDENT :—"Does the hon. Member propose to press the motion?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"Yes, Sir."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 29,26,000 for grants for public health purposes by Rs. 100."

The motion was put to the House and lost.

* The hon. the PRESIDENT :—"I think I may now put the demand to the vote of the House."

* Mr. J. A. SALDANHA :—"As regards my Motion No. 847 'to reduce the allotment of Rs. 1,75,500 for expenditure in connexion with epidemic diseases by Rs. 100', I want to put only one question, Sir."

* The hon. the PRESIDENT :—"I have no objection to call the names of hon. Members who have given notice of the other motions. In that case, I am afraid the hon. Member will have to wait."

* Mr. T. M. NARAYANASWAMI PILLAI :—"Mr. President, Sir, I beg to move

'that the allotment of Rs. 29,26,000 for grants for public health purposes be reduced by Rs. 100.'

"Sir, my object is to urge upon the Government the necessity for immediately sanctioning the Srirangam drainage scheme."

"Sir, very few minutes are at my disposal and I shall not waste the time of the Council. That the Srirangam municipality requires a drainage scheme urgently cannot be denied. The necessity for this scheme has been recognized more than fifteen years ago; but the pity is that the scheme, the necessity for which has all along been recognized, has been delayed for such a long time. Sir, it was started in the year 1911-12 and it has been hanging fire all these years. Srirangam, as you know, Sir, is a great sacred town so far as we Hindus are concerned. It has got a provincial importance if not an all-India importance. Almost every day we see hundreds of pilgrims gathering in the city and on festival occasions, thousands of people go to the place. It is therefore of the utmost importance to the whole province and even to the whole of India to keep the health of this city in a good condition. If the health of Srirangam is bad, it is not Srirangam alone that will be affected, but the rest of the presidency and the rest of India will also be affected. Therefore, Sir, we have been all along agitating for this scheme. Of late, the health of the city has been going down and it has become a breeding place for mosquitoes. That is why we have been strongly urging on the Government the necessity for the drainage scheme. We wanted also a preferential treatment for Srirangam. It is not enough that the Government sanction a half-grant. On account of the peculiar position and importance of Srirangam, we

[Mr. T. M. Narayanaswami Pillai] [26th March 1928]

wanted that the Government should come forward with a full grant. The Government were in favour of that and the hon. the Minister for Public Health, Mr. Arogyaswami Mudaliyar, when he visited the place last year promised to go into the question; and relying on the promises of the Government, several walls have been dismantled and the city is now in a worse condition than when the scheme was first inaugurated. With these few words, Sir, I would like to urge upon the Government the immediate necessity for sanctioning the scheme."

* The hon. Mr. S. MUTHIAH MUDALIYAR:—"Mr. President, Sir, the scheme for the drainage of the Srirangam municipality is almost ready and I think it will be sanctioned in the course of the year; and if the municipality will undertake to carry the work through and pay the contribution that they will have to pay, the Government are not anxious to place any impediment in their way; on the other hand, they are quite willing to help the municipality in carrying this scheme to completion."

* Mr. T. M. NARAYANASWAMI PILLAI:—"Sir, I withdraw the motion in view of the remarks made by the hon. the Minister."

The motion was, by leave, withdrawn.

The hon. the PRESIDENT:—"I am afraid there is no possibility of Mr. Saldanha's motion being reached, and so I will now put the Demand to the House."

"The question is that Government be granted a sum not exceeding 45.67 lakhs under Demand XXI—Public Health and Vital Statistics."

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

The House then adjourned to meet again at 11 o'clock the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

26th March 1928]

APPENDIX.

[Vide answer to question No. 1788-A asked by Dr. B. S. Mallayya at the meeting of the Legislative Council held on the 26th March 1928, page 551 supra.]

* 967 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(a) what the total loss to Government is on account of the fire accident in the Medical College;

(b) when the Principal visited the building last prior to the accident;

(c) who the officer in charge of the buildings and of the various stores in the College is;

(d) how many times the Principal has visited the stores and buildings in the course of this year;

(e) how often the former Principals were inspecting the stores and buildings; and

(f) whether there is an officer of the Indian Medical Service who is on the premises of the College for more than six hours a day; and for more than six days in a week?

A.—(a) Rs. 24,877.

(b) The day before the fire, i.e., on the 19th July 1927.

(c) The Principal is in charge of the buildings. The stores are in charge of the Professors of the different departments.

(d) No record is kept.

(e) There is no record.

(f) No. Sunday is observed as a holiday in the Medical College.

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