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PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

THIRD SESSION OF THE THIRD LEGISLATIVE COUNCIL.

Volume XLIV.

CONTENTS

Monday, the 8th October 1928.

	PAGES
Personnel of the Government of Madras	1-10
Members present	11-12
I. New Members	12
II. Questions and Answers	12-59, 110-119
III. Communications to the Council	59-60, 119-138
IV. Adjournment motion <i>in re</i> the seizure of Subrahmanya Bharathi's songs by the Police	60-66
V. Demands for supplementary grants for 1928-29—	
Grant XIX—Education—Transferred	66-81
Grant XX—Medical—Transferred	82-92
Grant XXX—Civil Works—Transferred	93
VI. A Bill further to amend the Court Fees Act, 1870	93-109

Tuesday, the 9th October 1928.

Members present	139-140
I. Questions and Answers	140-166, 215-245
II. Communication to the Council	166
III. A Bill further to Amend the Court Fees Act, 1870	166-169
IV. A Bill to Amend the Madras University Act, 1923	169-187
V. Adjournment motion <i>re</i> seizure of copies of Bharathi's songs by the Police	187-214

Wednesday, the 10th October 1928.

Members present	247-248
I. Questions and Answers	248-298, 340-349
II. Communications to the Council	290, 349-350
III. Bills to amend the Andhra University Act, 1925	291-307
IV. A Bill to amend the Madras Local Boards Act, 1920 (Mr. Basheer Ahmad Sayeed Sahib)	307-313
V. A Bill to amend the Madras Local Boards Act, 1920 (Mr. G. Harisarvottama Rao)	313-314
VI. A Bill to amend the Madras Village Panchayat Act, 1920 (The Zamindar of Gollapalli)	314
VII. A Bill to further amend the Madras City Municipal Act, 1919 (Mr. Basheer Ahmad Sayeed Sahib)	314
VIII. A Bill for the Suppression of Brothels and Immoral Traffic (Mr. K. R. Venkatarama Ayyar)	315-316, 328-339
IX. A Bill to amend the Madras City Municipal Act, 1919 (Dr. B. S. Mallayya)	316-321
X. A Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Dr. (Mrs.) S. Muthulakshmi Reddi)	321-323
XI. A Bill to amend the Madras District Municipalities Act, 1920 (Mr. A. Kaleswara Rao)	323
XII. A Bill to amend the Madras Abkari Act, 1886 (Mr. J. A. Saldanha)	324-326

Thursday, the 11th October 1928.

Members present	351-352
I. Questions and Answers	352-371, 426-430
II. Communications to the Council	372
III. Announcement by the hon. the President (<i>re</i> Chairmen of Select Committees)	372
IV. The Annamalai University Bill	372-425, 430-457

Friday, the 12th October 1928.

Members present	459
I. Questions and Answers	460-511, 540-543
II. Voting by lobbies	511
III. Communications to the Council	512, 544-545
IV. The Annamalai University Bill	512-533
V. A Bill to amend the Madras University Act, 1923	533-535
VI. A Bill for the Suppression of Brothels and Immoral Traffic	535-589



INDEX

TO THE

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

THIRD SESSION OF THE THIRD LEGISLATIVE COUNCIL.

8th to 12th October 1928

Volume XLIV

PAGES

A

Abdul Hamid Khan, Mr.—	
Bills—	
Andhra University Amendment Bills, postponement of —	303-304
Annamalai University Bill	409, 414, 416
See Questions and Answers.	
Abdul Wahab Sahib, Mr.—	
See Questions and Answers.	
Additional Court—	
Question <i>re</i> — at Mangalore, opening of an —	266-267
Adinarayana Chettiyar, Mr. T.—	
Adjournment motion <i>re</i> —	
Bharathi's songs, seizure of —	60-66, 195-198, 187-214
See Questions and Answers.	
Adult education —	
Question <i>re</i> — through non-official and honorary agency	357
Agricultural College, Coimbatore—	
Question <i>re</i> admissions into —	44-46
Agricultural demonstrators—	
Question <i>re</i> — in Ganjam and Vizagapatam	46
Agricultural Department—	
Question <i>re</i> maistris in —	46-47
Agricultural implements—	
Question <i>re</i> — in Kurnool East	360
Agricultural improvements—	
Question <i>re</i> — in Telugu districts	46
Agricultural loans—	
Question <i>re</i> interest on —	17
Agricultural Loans Act—	
Question <i>re</i> penal interest on loans under —	466
Ahobilam water-supply scheme—	
Question <i>re</i> —	503
Amina, Miss—	
Question <i>re</i> scholarship to — in the Queen Mary's College	281
Ammamani fees—	
Question <i>re</i> —	58-59

A—cont.		PAGES
Anamalai forests—		
Question <i>re</i> details of the staff appointed for experiments in —	.. .. .	149
Ananthakrishna Ayyar, Rao Bahadur C. V.—		
Adjournment motion <i>re</i>—	.. .. .	64-65
Subrahmanya Bharathi's songs, seizure of — by the Police	.. .. .	
Anantapur district—		
See Electoral roll.	.. .. .	
Angampakkam—		
See Communal fracas.	.. .. .	
Anjaneyulu, Mr. P.—		
Bills—		
Andhra University Amendment Bills, postponement of —	.. .. .	302
Andhra University Amendment Bill (of Mr. P. C. Venkatapati Raju)	.. .. .	295-296
Annamalai University Bill	.. .. .	387
Madras University (Amendment) Bill	.. .. .	173-174
Demands for supplementary grant <i>re</i> —	.. .. .	
Birds of South India, publication of a book on —	.. .. .	68
Annadurai Pattar—		
Question <i>re</i> alleged re-entertainment of — in Government Press	.. .. .	159-160
Arabic schools—		
Question <i>re</i> recognition of —	.. .. .	278-279
Arms Act—		
Question <i>re</i> licences under — in Cuddapah	.. .. .	19
Arogyaswami Mudaliyar, Diwan Bahadur R. N.—		
Bill—		
Annamalai University Bill	.. .. .	385-386
Demand for supplementary grant <i>re</i> —	.. .. .	
Bride of South India, publication of a book on —	.. .. .	70-74
Commissioner of medical qualifications and standards for India	.. .. .	83-84
Arpudaswami Udayar, Mr. S.—		
Bills—		
Andhra University Bill (of Mr. P. C. Venkatapati Raju)	.. .. .	296
Annamalai University Bill	.. .. .	391, 395
Madras University (Amendment) Bill	.. .. .	171
Demand for supplementary grant <i>re</i> —	.. .. .	
Birds of South India, publication of a book on —	.. .. .	68
See Questions and Answers.	.. .. .	
Arrack shops—		
Question <i>re</i> — in Tiruvallur taluk	.. .. .	41-42
Assignment—		
Question <i>re</i> — of land to two political parties	.. .. .	504-506
Question <i>re</i> — of land in the Nilgiris	.. .. .	13-14
Question <i>re</i> — of lands to ex-military men in Nellore	.. .. .	365-367
Attendees in Revenue Department—		
Question <i>re</i> increased pay for —, Nilgiris	.. .. .	164
B		
Badvel tank—		
Question <i>re</i> — and cultivation	.. .. .	
Bhaktavatsalu Nayudu, Mr. P.—		
See Questions and Answers.	.. .. .	491
Bapatla District Munsif—		
Question <i>re</i> alleged irregular attendance of the —	.. .. .	
Basheer Ahmad Sayeed, Mr.—		
Bills—		
Annamalai University Bill	.. .. .	147
Hindu Religious Endowments Amendment Bill (Dr. S. Muthulakshmi Reddi)	.. .. .	384-385, 394, 397-398, 405, 408, 414-415, 418-419, 422-423, 424
Local Boards (Amendment) Bill	.. .. .	322
	.. .. .	307, 311-312

B—cont.		PAGES
Basheer Ahmad Sayeed, Mr.—cont.		
Bills—cont.		
Madras City Municipal (Amendment) Bill	.. .. .	314
Madras City Municipal (Amendment) Bill (of Dr. B. S. Mallayya)	.. .. .	317-318
Madras University Amendment Bill	.. .. .	180-181, 185, 533
See Questions and Answers.	.. .. .	
Beggars' Home—		
Question <i>re</i> —, Madras	.. .. .	500
Berm-cutting—		
Question <i>re</i> — in Cuddapah district	.. .. .	369
Bezwada municipality—		
Question <i>re</i> defalcations in —	.. .. .	38-39
Bhanoji Rao, Mr. A. V.—		
Bills—		
Andhra University Amendment Bills, postponement of —	.. .. .	291
Bharati Pracharalaya—		
Question <i>re</i> search of — and seizure of Bharathi's poems	.. .. .	509
Bharati's songs—		
Adjournment motion <i>re</i> the seizure of —	.. .. .	60-66, 187-214
Bheemayya, Mr. J.—		
See Questions and Answers.	.. .. .	
"Bheeshma Prathignya"—		
Question <i>re</i> proscription of —	.. .. .	474
Bills—		
Abkari Act (Amendment) Bill (Mr. J. A. Saldanha)—		
Referred to Select Committee	.. .. .	324-328
Andhra University Amendment Bill (of Mr. P. C. Venkatapati Raju)—		
Taken into consideration	.. .. .	294-297
Further consideration postponed	.. .. .	298-302
Andhra University Amendment Bills—		
Postponement of —	.. .. .	291-307, 302-307
Annamalai University Bill (The hon. Dr. P. Subbarayan)—		
Taken into consideration	.. .. .	372-523
Passed into law	.. .. .	523-533
Brothels and Immoral Traffic Suppression Bill (of Mr. K. R. Venkatarama Ayyar)—		
Referred to Select Committee	.. .. .	315-316, 328-339, 535-539
Court-Fees (Amendment) Bill (The hon. Diwan Bahadur M. Krishnan Nayar)—		
Bill introduced and referred to Select Committee	.. .. .	93-109, 166-169
District Municipalities Amendment Bill (of Mr. A. Kaleswara Rao)—		
Leave to introduce	.. .. .	323
Bill introduced	.. .. .	323
Hindu Religious Endowments Amendment Bill (of Dr. S. Muthulakshmi Reddi)—		
Referred to Select Committee	.. .. .	321-323
Local Boards (Amendment) Bill (of Mr. Basheer Ahmad Sayeed Sahib)—		
Motion for consideration adjourned	.. .. .	307-313
Local Boards Amendment Bill (of Mr. G. Harisarvottama Rao)—		
Leave to introduce (lost)	.. .. .	313-314
Madras City Municipal (Amendment) Bill (of Mr. Basheer Ahmad Sayeed Sahib)—		
Motion for leave to introduce (not admitted)	.. .. .	314
Madras City Municipal (Amendment) Bill (of Dr. B. S. Mallayya)—		
Motion for consideration (lost)	.. .. .	316-321
Madras University (Amendment) Bill (The hon. Dr. P. Subbarayan)—		
Taken into consideration	.. .. .	169-187, 533, 535
Village Panchayat Act (Amendment) Bill (of Zamindar of Gollapalli)	.. .. .	314
Birds of South India, book on—		
See Demand for supplementary grant.	.. .. .	
Biswanath Das Mahasayo, Sriman—		
Bills—		
Andhra University Amendment Bills, postponement of —	.. .. .	292
Annamalai University Bill	.. .. .	374, 380-381, 398-399, 404-405
Court Fees Act, a Bill further to amend the —	.. .. .	105-106
Madras University Amendment Bill	.. .. .	181-182, 533, 535
See Questions and Answers.	.. .. .	

	PAGES
B—cont.	
Black water irrigation—	
Question <i>re</i> — in East Godavari	371
Boat traffic—	
Question <i>re</i> — on the Godavari	467
Breach irrigation—	
Question <i>re</i> penal rate for —	254-255
Question <i>re</i> joint inspection of —	371
Question <i>re</i> — in jirayati lands, penalty for —	370
Bulkley, Mr. (Railway Police)—	
Question <i>re</i> alleged shooting by —	469-474
C	
Calendar—	
Question <i>re</i> preparation of — in Record office	496-497
Calicut—	
<i>See</i> Government headquarters hospital.	
Carnatio Paper Mills—	
Question <i>re</i> Government rights in the —	488
Question <i>re</i> inspection of the —	489
Question <i>re</i> liabilities of —	47-48
Question <i>re</i> loan application of —	489
Question <i>re</i> loan to the —	289
Question <i>re</i> origin of the —	489
Question <i>re</i> recommendation of the Tariff Board <i>re</i> grant of loan to —	362
Cases in Courts—	
Question <i>re</i> delay in the disposal of —	147-148
Catholics (in Mangalore)—	
<i>See</i> Darkhast lands.	
Cattle breeding—	
Question <i>re</i> — in Karnool	48-49
Cattle grazing—	
Question <i>re</i> — and penning and compounding fees	57
Ceded Districts College, Anantapur—	
Question <i>re</i> opening of group III classes of the B.A. course in the —	142-144
Cement—	
<i>See</i> Mettar dam.	
Chidambaram Municipal Council—	
Question <i>re</i> complaint against the Chairman of the —	284-285
Chidambaranatha Mudaliyar, Mr. T. K.—	
Adjournment motion <i>re</i> —	
Bharathi's songs, seizure of —	201-202
Cholera—	
<i>See</i> Kurnool district.	
Cinchona department, Madras—	
<i>See</i> Papers laid on the table.	
Civil Justice Committee—	
Question <i>re</i> recommendations of the —	59
Civil Procedure Code—	
Question <i>re</i> report of the special committee <i>re</i> amendment of —	477
Civil suits—	
Question <i>re</i> adjournments in —	53-54
Question <i>re</i> disposal of — by district and sub-judges	52
Question <i>re</i> disposal of — by district munsifs	53
Question <i>re</i> quarterly statement of —	53
Commissioner of medical qualifications—	
<i>See</i> Demand for supplementry grants.	
Communal franchises—	
Question <i>re</i> — at Angampakkam	477-478

C—cont.	
Communications to the Council—	
<i>See</i> Papers laid on the table.	
Commutation rate—	
Question <i>re</i> fixing of — in resettlement of Godavari and Kistna districts	18
Constables—	
Question <i>re</i> revision of the pay of — in South Kanara	265-266
Conversion (to Christianity)—	
Question <i>re</i> — of accused in Villivakkam murder case	29-30
Copyists—	
Question <i>re</i> — in Judicial service	492
Corley, Mr. F. E.—	
Bills—	
Madras University (Amendment) Bill	177-178, 179
Oath of office	12
Connoil—	
Duration of the October sittings of the —	425
Court Fees Amendment Bill —	
<i>See</i> Bills.	
Cuddapah district—	
<i>See</i> Berm-cutting.	
Cunnayya, P.—	
Question <i>re</i> alleged receipt of gifts by one —, foreman in the Government Press	161
Cunningham, Mr. C. B.—	
Oath of office	12
Curator—	
Question <i>re</i> — of the Madras Record Office	360-361, 429-430
Curricula of studies—	
Question <i>re</i> — in girls' schools	856
D	
Damerla tank—	
Question <i>re</i> supply ragu to —	461-462
Darkhast lands—	
Question <i>re</i> disabilities of Catholics in Mangalore <i>re</i> —	15-16
Davis, Mr. J. A.—	
Adjournment motion <i>re</i> Bharathi's songs, seizure of —	204-205
<i>See</i> Questions and Answers.	
Demand for supplementary grants <i>re</i> —	
Birds of South India, publication of a book on — Grant XIX. Education—Trans-	
ferred	68-81
Commissioner of medical qualifications and standards for India—Grant XX.	
Medical—Transferred	82-92
Lady Amphill Government Secondary School for Girls at Masulipatam, building	
for the — Grant XXX. Civil Works—Transferred	93
Depressed classes—	
Question <i>re</i> local boards to have Presidents from the —	282
Deputy Inspectors of Schools—	
Question <i>re</i> number, etc., of — in South Kanara, etc.	279-280
Deputy Tahsildars—	
Question <i>re</i> appointment of Muslims as — in Salem and other districts	163-164
Dharakota estate—	
<i>See</i> Estates Land Act.	
District Board Presidents—	
<i>See</i> Nomination.	
District Gazetteers —	
Question <i>re</i> preparation of —	460
District Gazettes—	
Question <i>re</i> publication of market rates of provisions in —	493-494

D—cont.		PAGES
District Municipalities Act—		
Question re Bill to amend the —	283	
District Munsif of Bapatla—		
Question re alleged irregular attendance of the —	147	
Doctors—		
Question re transfers of — in rural dispensaries	353	
Dodwell, Mr. H.—		
Question re — (Orator)	495	
Dorai Raja, Mr. S. N.—		
Adjournment motion re—		
Bharathi's songs, seizure of —	203	
Bills—		
Annamalai University Bill	379-380, 401	
Madras University (Amendment) Bill	172-173	
See Questions and Answers.		
Drink evil—		
Question re — in Kistna district	352-353	
Duvvaleru project—		
Question re—	461	
E		
East Godavari (Agency)—		
Question re disbursement of certain grant in —	12	
Economic enquiry—		
Question re — in Godavari and Kistna districts	370	
Education—		
Question re educational facilities for Parsi boys (Nilgiris)	57-58	
Electoral roll—		
Question re — for elections to temple committees in Anantapur district	358-359	
Electric installation—		
See Tanjore municipality.		
Electric Supply Corporation—		
Question re Trichinopoly-Srirangam —, financial position of —	54-55	
Elementary schools—		
Question re introduction of the scout movement in —	144-145	
Estates Land Act—		
Question re Dharakota estate and —	503	
Ethirajulu Nayudu, Diwan Bahadur P. C.—		
See Questions and Answers.		
European and Anglo-Indian girls—		
Question re exemption of — from school fees	19	
Ex-military men—		
See Assignment of lands		
Ex-military officers—		
See Nomination.		
F		
Fasi-ud-din, Mr.—		
See Kazi of Madras.		
Fire-arms—		
Question re licence for — in Forest department	56	
Fire tracing—		
Question re — in exterior lines of forests	498	
Forest—		
Question re committee to enquire into the grievances of ryots in — areas	478	
Forest boundaries—		
Question re — to be beyond a mile from villages	268	

F—cont.		PAGES
Forest Districts of Kurnool—		
See Penning fee.		
Forest officers—		
Question re service of —	57	
Forest Rangers—		
Question re confidential reports about —	57	
Forests in Rampa—		
Question re reservation of additional blocks of —	148	
Fuel—		
Question re supply of — in Kurnool	497-498	
G		
Gangadhar Siva, Mr. M. V.—		
Bills—		
Hindu Religious Endowments Amendment Bill (of Dr. S. Muthulakshmi Reddi)	322	
Gingelly crop—		
Question re — in Godavari	508-509	
Girls—		
Question re exemption of poor — from school fees	499	
See Curricula of studies.		
Godavari —		
Question re — river bed	504	
Gollapudi village—		
See Water-supply—		
Gopala Menon, Mr. C.—		
Bill—		
Annamalai University Bill	379, 420-421	
Madras University Amendment Bill	188	
Demand for supplementary grant re Commissioner of medical qualifications and standards for India	86	
See Questions and Answers.		
Government headquarters hospital—		
Question re site for — at Calicut	354-356	
Government Institute of Commerce—		
Question re building for the —	278	
Government Press—		
Question re committee to investigate into the affairs of the —	260-262	
Question re Annathurai Pattar, alleged re-entertainment of — in —	159	
Question re duties and qualifications of the overseer, —	160	
Question re employment of old hands in the — on light work	162	
Question re Gopal (binder), —	160	
Question re Knapp's scheme of 1920 regarding the employers of the —	163	
Question re leave application of a reader in —	262-263	
Question re Pay, etc., of the Superintendent, —	259-260	
Question re piece workers in —	154-159	
Question re reversion of imposers to the frame in the —	161-162	
Question re technical establishment of the —, revision of scale of pay of —	155-156	
See Cunayya, P.		
Government School of Indian Medicine—		
Question re hostel for —	488	
Question re Principal of —	501-502	
Govindaraja Mudaliyar, Mr. C. S.—		
Bills—		
Local Boards (Amendment) Bill (of Mr. Basheer Ahmad Sayeed Sahib)	307-308	
Grants to Orphanages—		
Question re — in this Presidency	145-147	

G—cont.

PAGES

Group III classes of the B.A. course— See Ceded Districts College, Anantapur.	
Gudempad project— Question <i>re</i> —	461
Gyarween-Shareef— Question <i>re</i> — as partial holiday	490

H

Habib ul-la, Moulvi Mufthy Haji— See Kazi of Madras.	
Harisarvottama Rao, Mr. G.— Adjournment motion <i>re</i> Bharathi's songs, seizure of — Bills—	
Andhra University Amendment Bill (of Mr. P. C. Venkatapati Raju)	198-199
Andhra University Amendment Bills (postponement of —)	300
Annamalai University Bill .. 376, 376, 377, 394, 395, 399, 419, 422, 514-515, 522,	302
Local Boards Amendment Bill—Leave to introduce (lost)	527-528
Madras University Amendment Bill	313
Demand for supplementary grant <i>re</i> —	186
Birds of South India, a book on —	
Commissioner of Medical qualifications and standards for India	75-76
See Questions and Answers.	88-87
Headquarters Hospital, Calicut— Questions <i>re</i> site for —	
High Court (Madras)— Question <i>re</i> vacancies on the — bench	354-356
Hindu Religious Endowments Act— Question <i>re</i> Bill to amend the —	509-510
Honorary Agency— See Adult education.	40-41

I

Inclusion fee— Question <i>re</i> — in Kistna Eastern delta	
Indian Statutory Commission— Question <i>re</i> Government memorandum to the —	494
Islam Orphanage (Calicut)— Question <i>re</i> annual expenditure of the I.D.T. —	257-259
	40

J

Jamabandi allowance— Question <i>re</i> — to village menials of Gudiyattam taluk	
Jungle areas— Question <i>re</i> malaria in —	162-163
Jurors and assessors— Questions <i>re</i> daily allowances to —	288
J. K. Middle School (Penukonda)— Question <i>re</i> grants to —	54
	492

K

Kadarambam parts— Question <i>re</i> memorial by ryots of —	
Kadirvelu Nainar (Local Arcot Mission)— Question <i>re</i> —	253-254
	80

K—cont.

PAGES

Kaleswara Rao, Mr. A. — Bills—	
Andhra University Amendment Bill (of Mr. P. C. Venkatapati Raju)	298
Andhra University Amendment Bills, postponement of —	292, 307
Annamalai University Bill	384, 406, 416
District Municipalities Amendment Bill (of Mr. A. Kaleswara Rao)— Bill introduced	323
See Questions and Answers.	
Kanchalamma Project— Question <i>re</i> —	461
Kangundi division— Question <i>re</i> transfer of —	248-250
Karant, Mr. K. R.— Bills—	
Annamalai University Bill	395-396
Court Fees Act, A Bill further to amend the —	98-99
Local Boards (Amendment) Bill (of Mr. Basheer Ahmed Sayeed)	309, 312-313
See Questions and Answers.	
Karnams (Asst.)— Question <i>re</i> — in Kurnool district	551
Kattalai Scheme— Question <i>re</i> Trichinopoly ryots' memorial to H.E. the Governor about the —	289-290
Kazi of Madras— Question <i>re</i> appointment of —	270-272
Question <i>re</i> committee for selecting the —	272-273
Question <i>re</i> deputation to the Governor <i>re</i> the —	275-276
Question <i>re</i> memorials recommending the appointment of Moulvi Mufthy Haji	273-275
Habib-ul-la as —	276-277
Question <i>re</i> qualifications of Mr. Fasi-ud-din to be the —	
Kosava Pillai, Diwan Bahadur P.— Bills—	
Andhra University Amendment Bills, postponement of —	302
Kilalur madugu— Question <i>re</i> —	507-508
Kiran Chandra Mukherjee, Sjt.— Question <i>re</i> grievances of—(a detainee)	269
Kistna district— See Drink evil.	
Kistna Eastern delta— Question <i>re</i> irrigable ayacut of the —	251
Kistna High flood channel— Question <i>re</i> action taken on resolution <i>re</i> —	365
Knapp's Scheme— See Government Press employees.	
Koti Reddi, Mr. K — Bill—	
Annamalai University Bill	388-389, 390, 413
Demand for supplementary grant <i>re</i> Commissioner of medical qualifications and standards for India	86
See Questions and Answers.	
Krishnan Nayar, the hon. Diwan Bahadur, M.— Adjournment motion <i>re</i> Bharathi's songs, seizure of—	63-66, 205-207
Bills— Court fees (Amendment) Bill—	93-94, 167-168
Krishnaswami Nayakar, Mr. K. V — Adjournment motion <i>re</i> — Bharathi's songs, seizure of—	211-213
Kudimaramat — Question <i>re</i> — in Kurnool district	369

K—cont.		PAGES
Kumaraswami Reddiyar, Diwan Bahadur S.—		
Bill—		
Annamalai University Bill—	.. .. .	375, 402
Court Fees Act, A Bill further to amend the —	.. .. .	101-102
Madras University (Amendment) Bill—	.. .. .	180
Kurnool district—		
Question <i>re</i> cholera and malaria in —	.. .. .	287-288
<i>See</i> Papers laid on the table.		
<i>See</i> Agricultural implements.		
L		
Labour department—		
Question <i>re</i> extension of the activities of the —	.. .. .	162
Labour Officers (District) —		
Question <i>re</i> control of —	.. .. .	491
Ladies—		
<i>See</i> Local boards.		
Lady Ampthill Government Secondary School for Girls, Masulipatam—		
<i>See</i> Demand for supplementary grant.		
Lady Surgeons—		
Question <i>re</i> appointment of — in Nellore district	.. .. .	502-503
Lady Willingdon Training College—		
Question <i>re</i> land acquisition for the —	.. .. .	279
Land Improvement Loans Act—		
Question <i>re</i> loans under —	.. .. .	467
Land Revenue Bill—		
Question <i>re</i> introduction of —	.. .. .	463-466
Law Reports—		
Question <i>re</i> publication of —	.. .. .	25
Lawrence Asylum Press —		
Question <i>re</i> eligibility of service in the — for pension	.. .. .	151-152
Legislative Council Library—		
Question <i>re</i> purchase of books for the —	.. .. .	265-266
Leprosy—		
Question <i>re</i> treatment of —	.. .. .	44
L.M.P. candidates—		
Question <i>re</i> admission and training of —	.. .. .	42-43
Lime—		
<i>See</i> Mettur dam.		
Liquor shops—		
Question <i>re</i> rentals from — in Ceded districts	.. .. .	484
Loan—		
<i>See</i> Carnatic Paper Mills.		
Lobbies—		
Introduction of the system of division by —	.. .. .	511
Local boards—		
Question <i>re</i> — in Kistna district	.. .. .	499-500
Question <i>re</i> nomination of ladies to —	.. .. .	281
Local Boards Act—		
Question <i>re</i> amending Bills to —	.. .. .	282-283, 483
M		
Madhavan Nayar, Mr. K.—		
<i>See</i> Questions and Answers.		
Madras City Police—		
Question <i>re</i> reorganization of —	.. .. .	361-364
Madras Educational Service—		
Question <i>re</i> reorganization of —	.. .. .	33-34

M—cont.		PAGES
Madras Harbour—		
Question <i>re</i> admission to —	.. .. .	31
Madras Legislative Council—		
<i>See</i> Postal rates.		
Madras Medical College—		
<i>See</i> Medical College.		
Madras Record Office—		
Question <i>re</i> alleged overlooking of the claims of qualified clerks for promotion by the Curator of the —	.. .. .	150-151
Question <i>re</i> appointment of Mr. Vernon on special duty in the —	.. .. .	266
Question <i>re</i> change of designation of the Assistant Superintendent of the —	.. .. .	31-32
Question <i>re</i> Curator of —	.. .. .	476
Question <i>re</i> Superintendent of the —	.. .. .	477
<i>See</i> Curator.		
Madras University Act —		
<i>See</i> Bills.		
Mahmud Sahannad Sahib, Mr. —		
Bills—		
Local Boards (Amendment) Bill	.. .. .	313
Malappuram Training School—		
Question <i>re</i> —	.. .. .	35-36
Malaria —		
<i>See</i> Jungle areas.		
Mallayya, Dr. B. S.—		
Bills—		
Brothels and Immoral Traffic Suppression Bill	.. .. .	538, 539
Madras City Municipal (A Amendment) Bill —	.. .. .	316-317, 320
Motion for consideration lost	.. .. .	72-73
Demand for supplementary grant <i>re</i> —	.. .. .	89-90
Birds of South India, a book on —	.. .. .	
Commissioner of medical qualifications and standards for India	.. .. .	
<i>See</i> Questions and Answers.		
Mappilla Training School (Malappuram)—		
Question <i>re</i> religious instruction in —	.. .. .	35
Mappillas—		
Question <i>re</i> promotion of education among —	.. .. .	35
Marjoribanks, The hon. Sir Norman—		
Council, duration of the October sittings of the —	.. .. .	425
Medical College—		
Question <i>re</i> hostel for the Madras —	.. .. .	286-287
Meera Ravuttar, Mr. K. P. V. S. Mahammad—		
Bill—		
Annamalai University Bill	.. .. .	389
<i>See</i> Questions and Answers.		
Mettur dam—		
Question <i>re</i> materials for constructing the —	.. .. .	251-253
Mettur Project Deputation Committee—		
Question <i>re</i> report of the —	.. .. .	252-253
Midwives—		
Question <i>re</i> — in rural dispensaries	.. .. .	493
Minister for Education and Local Self-Government—		
<i>See</i> Tours.		
Moir, The hon. Mr. T. E.—		
Bill—		
Annamalai University Bill	.. .. .	382, 383-384, 387, 393, 529-531
Demand for supplementary grant <i>re</i> —	.. .. .	71-72
Birds of South India, a book on —	.. .. .	88-89
Commissioner of medical qualifications and standards for India	.. .. .	
Motor crash at Trichinopoly —		
Question <i>re</i> —	.. .. .	22-24

	M—cont.	PAGES
Mufassal cases—		
See Public Prosecutor.		
Muneru—		
Question re irrigation under —		
Muniswami Nayudu, Rao Bahadur B.—		468
Bills—		
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju) ..		296
Annamalai University Bill ..		414, 417
Muniswami Pillai, Mr. V. I.—		
Adjournment motion re Bharathi's songs, seizure of —		205
Annammalai University Bill ..		
Demand for supplementary grant re—		
Birds of South India, a book on —	386, 402-410, 528-529	
See Questions and Answers.		69
Muslim newspapers—		
Question re banning of two —		
Muttayya Mudaliyar, The hon. Mr. S.—		35
Bills—		
Abkari Act (Amendment) Bill ..		
Annamalai University Bill ..		
Demand for supplementary grant re—		324, 326-327
Commissioner of medical qualifications and standards for India ..		396
Muthulakshmi Reddi, Mrs. S.—		82, 92
Bills—		
Brothels and Immoral Traffic Suppression Bill		
Hindu Religious Endowments Amendment Bill—		
Referred to Select Committee ..		337-339
Muthuranga Mudaliyar, Mr. C. N.—		
Adjournment motion re Bharathi's songs, seizure of —		321-323
Bills—		
Madras University Amendment Bill ..		194-195
See Questions and Answers.		185-186
	N	
Nagan Gowda, Mr. R.—		
Bill—		
Annamalai University Bill		
Demand for supplementary grant re—		
Birds of South India, for publishing a book on —		379
Commissioner of medical qualifications and standards for India ..		67
See Questions and Answers.		82-83
Nanjappa Bahadur, Subadar-Major S. A.—		
See Questions and Answers.		
Narayana Menon, Mr. M. P.—		
Question re release of —		
Narayana Raju, Mr. D.—		
Bills—		
Court Fees Act, a Bill further to amend the —		479-483
Narayanawami Pillai, Mr. T. M.—		
Adjournment motion re Bharathi's songs, seizure of —		99-101
Nataraja Mudaliyar, Mr. P. V.—		
Question re — as municipal councillor and Endowments Commissioner ..		210-211
Navigation—		
Question re — in the Godavari ..		32-33
Nellore District—		
See Assignment of lands.		467
Newsam Mr. W. O.—		
Question re —, District Judge ..		510

	N—cont.	PAGES
Nomination—		
Question re — of ex-Military Officers to local bodies ..		492
Question re — of ex-presidents of district boards to the same boards ..		484
Question re — to certain taluk boards ..		492
Non-official Agency—		
See Adult education.		
	O	
Oath of office—		12
Corley, Mr. F. E. ..		12
Cunningham, Mr. C. B. ..		12
Zamindar of Singampatti, the ..		12
Obi Reddi, Mr. C.—		
See Questions and Answers.		
Opium—		
Question re consumption of — in East Godavari ..		487
Oriya Deputy Tahsildars—		
Question re — ..		259
Oriya gazetted officers—		
Question re — in the Police department ..		262-263
Orphanages—		
Question re grants to — in this Presidency ..		145-147
Owk tank—		
Question re assignment of the tank bed of — in Koilkuntla taluk ..		14-15
	P	
Panchayat Courts—		
Question re legal practitioners and — ..		478-479
Papers laid on the table re—		
Bodokhemedi Estate, increase of seigniorage rates in the forests of — ..		290
Ceded districts, number of shops opened or closed after the formation of the Excise		
Advisory Committee in the — ..		290
Cinchona department, Madras, G.O. No. 815, Development, dated 3rd May 1928,		
on audit reports and accounts of — for year ending 31st March 1927 ..		60
Government Industrial Institute, Government Order recording the audit report of		
the — for quarter ending 31st December 1927 ..		166
Kurnool District—		
Reports regarding repairs to the supply channel to certain tanks in—		59, 119-135
Pos's on Rs 500 and above created during the quarter ending 30th		
June 1928 ..		59, 136-138
Return of Officers holding permanent, temporary, etc. appointments		
on the 1st April of each of the years 1924 to 1928 ..		372
Russelkonda Saw Mill—		
G.O. No. 846, Development, dated 7th May 1928 re audit report		
and accounts of — for quarter ending 31st September 1927 ..		60
South Kanara—		
Figures showing area under cultivation, area available for grazing		
purposes etc., in — ..		512
Statistics re—		
Sale and lease value of land in certain villages in Godavari and		
Kistna districts ..		290
Parasurama Rao, Mr. A.—		
Bills—		
Court Fees (Amendment) Bill ..		166-167
See Questions and Answers.		
Parlakimedi—		
See Settlement.		

F—cont.

PAGES

Parsi boys— See Education.	
Parthasarathi Ayyangar, Mr. C. R.— Bills— Court Fees Act. A Bill further to amend the	102-103
Patro, Rao Bahadur Sir A. P.— Bills— Court Fees Act. A Bill further to amend the Demand for supplementary grant re Commissioner of medical qualifications and standards for India	103-105
See Questions and Answers—	84-85
Penal Interest— Question re—On arrears of takkavi instalments in Anantapur district	168
Penal rate— See Breach irrigation.	
Penning Fee— Question re levy of — in Kurnool	148
Physical education— Question re Committee to consider the problem of —	278-279
Piece-work establishment— Question re classification of — and the grant of pension	153-154
Piece-workers in Government Press— See Government Press.	
Police department— See Oriya Gazetted Officers.	
Poor girls— Question re action taken on the resolution about exemption of — from payment of school fees	144
Port Conservancy Board at Mangalore— Question re establishment of a —	149-150
Postal rates— Question re exemption of Madras Legislative Councils from —	491
Posts on Rs. 500 and above— See Papers laid on the table.	
President, the hon. the— Adjournment motion re Subramanya Bharathi's songs—Seizure of—by the Police	60, 61, 62, 63, 64, 65, 66
Announcement re— The chairman of certain select committees	372
Demand for supplementary grant re— Birds of South India, for publishing a book on	69
Bills— Abkari Act (Amendment) Bill Andhra University Amendment Bills Annamalai University Bill	324, 327 374-377, 379, 389, 392-395, 397, 406 407, 410-412, 416, 420, 422, 517, 521
Brothels and Immoral Traffic Suppression Bill Court Fees (Amendment) Bill Hindu Religious Endowments Amendment Bill Local Boards (Amendment) Bill Madras City Municipal (Amendment) Bill Madras University (Amendment) Bill Lobby system, introduction of— See Rulings.	169 307, 308, 309, 311, 312, 313 314 179 511
Priokly-pears— Question re removal of—from lake bunds	506-507
Prohibition— Question re—and Government Policy	484-487

P—cont.

PAGES

Public Prosecutor— Question re instructions to the — in mufassal cases before the High Court	267-268
Public Service notification— Question re representation from Andhra University re amendment of —	18
Publicity in villages— Question re method of better —	255
Queen Mary's College— See Amina, Miss.	
Questions and Answers— Abdul Hamid Khan, Mr.— Question re appointment of Muslims as deputy tahsildars in Salem and other districts Question re committee to select the Kazi of Madras Question re deputation to the Governor re the Kazi of Madras Question re Kazi of Madras Question re Kazi of Madras, memorials for appointing Moulvi Habib-ul- la as — Question re qualification of Mr. Pasi-ud-din to be the Kazi of Madras	168-164 272-273 275-276 270-272 273-275 276-277
Abdul Wahab Sahib, Mr.— Question re acting or permanent Christian and Muhammadan tahsildars in Tanjam Question re confidential notes against the staff in the Revenue Department	52 490-491
Adinarayana Chettiyar, Mr. T.— Question re conversion of the accused in Villivakkam murder case Question re Jamabandi allowance to village menials of Gudiyattam taluk Question re Kadirvelu Nainar (Local Arcot Mission)	29-30 162-163 30
Arpudaswami Udayar, Mr. S.— Question re Kattalai scheme, memorial from Trichinopoly ryots re the — Question re Trichinopoly-Srirangava Electric Supply Corporation Limited, completion of compulsory works by — Question re Trichinopoly-Srirangam Electric Supply Corporation, Limited, financial position of — Question re Trichinopoly-Srirangam Electric Supply Corporation, Limited, half- yearly reports of the — Question re Trichinopoly-Srirangam Electric Supply Corporation, security deposited by —	289-290 55-56 54-55 56 55
Basheer Ahmai Sayeed Sahib, Mr.— Question re assignment of lands in the Nilgiris Question re District Gazetteers, preparation of — Question re Madras Record Office Question re Madras Record Office, alleged overlooking of the claims of qualified clerks in the — Question re Madras Record Office, change of designation of the Assistant Superintendent of the — Question re Madras Record Office, Curator of the —	13-14 460 268 150-151 31-32 360-361 429-430 476 496 496-497 477 509-510
Bhaktavatsulu Nayudu, Mr. P.— Question re arrack shops in Tiruvallur taluk Question re instructions to public prosecutor in mufassal cases before the High Court Question re Kilanur Madugu Question re Madras Harbour, admission to — Question re Masonry dam at Tiruvarkadu Question re tank-bed submersion porambokes in Velliyur Question re Vadathurkasam	41-42 267-268 507-508 31 460-461 16-17 364

Questions and Answers—cont.	PAGES
Bheemayya, Mr. J.—	
Question re grants to J. K. Middle school, Penukonda	492
Biswanath Das Mahasayo, Sriman—	
Question re Dharakota estate and Estates Land Act	503
Question re Oriya Deputy Tahsildars	269
Question re Oriyas as Gazetted officers in the Police Department	268
Question re settlement operations in Parlakimedi	507
Davis, Mr. J. A.—	
Question re educational facilities for Parsi boys in the Nilgiris	67-68
Dorai Raja, Mr. S. N.—	
Question re electric installation in Tanjore municipality	37-38
Ethirajulu Nayudu, D. wan Bahadur P. C.—	
Question re tahsildars (communitywar) in Ganjam, etc.	68
Gopala Menon, Mr. C.	
Question re Government Institute of Commerce, building for the —	278
Question re Government Press, classification of and grant of pension to piece-work establishment in	153-154
Question re Government Press, employment of old hands in the — on light work.	153
Question re Government Press, grant of increments to pieceworkers in —	154-155
Question re Government Press, rates of payment to piece-workers in the —	155
Question re Government Press, revision of the scale of pay of the technical establishment in —	155-156
Question re Government Press employees, Knapp's scheme for —	153
Question re Lawrence Asylum Press, eligibility of service in the — for pension	151-152
Harisvottama Rao, Mr. G.	
Question re Agricultural implements in Kurnool East	360
Question re Ahobilam water-supply scheme	503
Question re Assistant Karnams in Kurnool district	551
Question re Berm cutting in Cuddapah district	369
Question re Cattle breeding in Kurnool district	48-49
Question re Ceded Districts College, Anantapur, opening of group III classes of the B. A. course in the —	142-144
Question re Cholera and Malaria in Kurnool district	287-288
Question re Duvlam project	461
Question re Economic enquiry in Godavari and Kistna district villages	376
Question re exemption of poor girls from school fees	499
Question re Forest boundaries to be beyond a mile from villages	268
Question re fuel for Kurnool town	427-428
Question re Gudempad project	461
Question re Kanchalamma project	461
Question re Kudimaramat in Kurnool district	369
Question re liquor shops in Ceded districts	484
Question re Loans under Land Improvement Loans Act	467
Question re owk tank in Koilkuntla taluk	14-15
Question re penal interest on loans under Agricultural Loans Act	466
Question re penning fee, levy of — in the forest districts of Kurnool	148
Question re prohibition	484-487
Question re Public service notification, representation from Andhra University	18
Question re Rajahmundry Training College, specialists for the —	33
Question re Release of Mr. Narayana Menon	479-483
Question re Superintendent, Government Press, pay, etc., of the —	259-260
Question re supply channel in Kurnool district	13
Question re supply vagu to Damerla tank	461-462
Question re Tank Restoration Scheme divisions	462
Question re Thukapalli project	462
Question re train service between Dronachalam and Kurnool	166
Kaleswara Rao, Mr. A.—	
Question re Curricula of Studies in girls' schools	356
Question re District Municipalities Act, Bill to amend the —	283
Question re Drink evil in Kistna district	352-353
Question re Government Press, committee to enquire into the affairs of the —	260-262
Question re Government School of Indian medicine, hostel for —	486
Question re grievances of ryots in forest areas	501-502
	478

Questions and Answers—cont.	PAGES
Kaleswara Rao, Mr. A.—cont.	
Question re inclusion fee in Kistna delta	494
Question re irrigation under the Muneru	463
Question re Kistna eastern delta, irrigable avacut of the —	251
Question re Kistna High flood channel —	365
Question re local boards in Kistna district	499-500
Question re local boards, nomination of ladies to —	281
Question re Local Boards Act, Amending Bill to the —	483
Question re Physical education, committee to consider the problem of —	274-279
Question re Tank Restoration Scheme	483
Question re Vernaculars as media of instruction in high schools	278
Question re water-supply to fields in the villages of Gollapudi, etc.	250
Kameswara Rao, Mr. V.—	
Question re Civil Justice Committee, recommendations of the —	53
Question re Civil suits, adjournments in —	53-54
Question re Civil suits, disposal of — by District and Sub-Judges	52
Question re Civil suits, quarterly statement of	53
Question re disposal of suits by District Munsifs	53
Question re midwives in rural dispensaries	493
Question re orders under Section 144, Criminal Procedure Code on Messrs. Joshi and Giri	54
Karant, Mr. K. R.—	
Question re additional court at Mangalore, opening of an	266-267
Question re Civil Procedure Code, amendment to —	477
Question re tasdiks, withholding of — from certain temples	510-511
Koti Reddi, Mr. K.—	
Question re Badvel tank and cultivation	491
Question re Mettur dam construction	251-252
Question re Rajampet Taluk Board President	36-37
Madhavan Nayar, Mr. K.—	
Question re copyists in judicial service	492
Question re nominations to certain taluk boards	492
Mahmud Sahamnad Sahib, Mr.—	
Question re Arabic Schools, recognition of	280
Mallayya, Dr. B. S.—	
Question re Carnatic Paper Mills and Government rights	488
Question re Rayapuram Medical School	502
Question re undertrial accused in Trichinopoly railway strike case	474-476
Meera Ravuttar, Mr. K. P. V. S. Muhammed—	
Question re accommodation for gosha ladies in registration offices	59
Question re Ammamani fees	58-59
Question re Gyarween-Shareef, partial holiday for	490
Question re daily allowance to jurors and assessors	54
Question re registration in private residences	59
Question re Wakf properties	58
Muniswami Pillai, Mr. V. I.—	
Question re attenders in Revenue department, Nilgiris, increased pay for —	164
Question re depressed classes to be appointed as Presidents of Local Boards	282
Question re exemption from school fees for European and Anglo-Indian Girls	19
Question re Labour department, extension of the activities of the —	162
Question re school fees, action taken on the resolution about exemption of poor girls from payment of —	144
Muthuranga Mudaliyar, Mr. C. N.—	
Question re assignment of land to two politicians	504-506
Question re Bharathi's poems, seizure of —	509
Question re confidential reports about forest rangers	57
Question re Government Press, leave application of a reader in —	262-263
Question re Government Press, medical examination of Gopal, a binder in the —	160
Question re Government Press, piece-workers in the —	156-158
Question re Government Press, re-entertainment of Annathurai Pattar in the —	159-160
Question re licence for firearms in the Forest department	58
Question re prickly-pears on lake bunds	506-507

Questions and Answers—cont.	Q—cont.	PAGES
Muthuranga Mudaliyar, Mr. C. N.—cont.		
Question re Red hills tank, irrigation under —		491-496
Question re Madras City Police, reorganization of —		361-364
Question re Saidapet Municipality, electoral roll of the —		283-284
Question re service of forest officers		57
Question re Tamaramudugu tank (Chingleput)		17, 370
Question re tours of the hon. Minister for Education and Local Self-Government		357-358, 426-428
Question re Trichinopoly railway strike conspiracy case		263-264
Nagan Gowda, Mr. R.—		
Question re agricultural loans, interest on —		17
Question re Ceded districts, grants for second-class roads in —		282
Nanjappa Bahadur, Subadar-Major, S. A.—		
Question re construction of a dam for Thoppiar river		52
Question re local bodies, nomination of ex-military officers to —		492-493
Question re special drain for Salem town		58
Obi Reddi, Mr. C.—		
Question re electoral roll for elections to temple committees in Anantapur district		358-359
Question re nomination of ex-presidents of district boards		484
Question re penal interest on arrears of takkavi instalments in Anantapur district		163
Question re rinderpest in Anantapur		49-52
Parasurama Rao, Mr. A.—		
Question re licences under the Arms Act in Cuddapah		19
Patro, Sir A. P.—		
Question re Agricultural College, Coimbatore, admission in —		44-46
Question re agricultural demonstrators in Ganjam and Vizagapatnam		46
Question re agricultural improvement in Telugu districts		46
Pramayya, Mr. G. R.—		
Question re District Munsif of Bapatla, alleged irregular attendance of the —		147
Ramachandra Reddi, Mr. B.—		
Question re assignment of lands to ex-military men in Nellore district		365-367
Question re doctors, transfer of — in rural dispensaries		363
Question re Lady Surgeons in Nellore district		502-503
Question re Medical College, Madras, hostel for the —		286-287
Question re Mattur Project Deputation, report of the —		252-253
Question re Newsam Mr. W. O. (District Judge)		510
Ramasomayajulu, Mr. C.—		
Question re black water irrigation in East Godavari		371
Question re breach irrigation, joint inspection of —		371
Question re breach irrigation, penal rate for —		254-255
Question re breach irrigation in jirayati lands, penalty for —		370
Question re commutation rate in Godavari and Kistna districts		18
Question re gingelly crop in Godavari district		508-509
Question re Godavari, boat traffic on the —		467
Question re Godavari, navigation of the —		467
Question re Godavari, silting of the —		504
Question re Land Revenue Bill		463-466
Question re legal practitioners and village courts		478-479
Question re resettlement of Godavari and Kistna districts, economic enquiries, re —		465
Ramaswami Ayyar, Mr. U.—		
Question re dispute between Nannilam Taluk Board and the Public Works Department re certain roads		490
Ranganatha Mudaliyar, Mr. A.—		
Question re classification of students as rich and poor		499
Question re disbursement of certain grant in East Godavari (agency)		12
Question re forests in Rampa, reservation of additional blocks of —		148-149
Question re Lady Willingdon Training College, land acquisition for —		279
Question re Madras Educational Service, reorganization of —		33-34
Question re maistris in Agricultural Department		46-47
Question re subdivision fees, disbursement of		368

Questions and Answers—cont. Q—cont.

Saldanha, Mr. J. A.—		
Question re Anamalai forests, details of the staff appointed for experiments in —	.. .. .	149
Question re Calicut headquarters hospital —	.. .. .	354-356
Question re cases in courts, delay in the disposal of —	.. .. .	147-148
Question re cattle grazing and penning and compounding fees	.. .. .	57
Question re Darkhast lands to Catholics in Mangalore	.. .. .	15-16
Question re Deputy Inspectors of Schools in South Kanara, etc.	.. .. .	279-280
Question re increase of the limit to the value of stamps sold by stamp-vendors	.. .. .	57
Question re increase of wild animals in South Kanara	.. .. .	28-29
Question re Kadarambam parts, memorial by the ryots of —	.. .. .	253-254
Question re Law Reports, publication of —	.. .. .	25
Question re Legislative Council library, purchase of books for the —	.. .. .	255-256
Question re leprosy, treatment of —	.. .. .	44
Question re malaria in jungle areas	.. .. .	288
Question re motor crash at Trichinopoly	.. .. .	22-24
Question re Port Conservancy Board at Mangalore, establishment of a —	.. .. .	149-150
Question re postal rates, exemption of M.L.C.'s from —	.. .. .	491
Question re quinine, free distribution of —	.. .. .	140-142
Question re Registration offices, clerks in the —	.. .. .	288-289
Question re Training School for girls at Calicut	.. .. .	34
Satyamurti, Mr. S.—		
Question re Hindu Religious Endowments Act, Bill to amend the —	.. .. .	40-41
Question re Kiran Chandra Mukherjee, Sjt., grievances of the detainee	.. .. .	259
Question re Nataraja Mudaliyar, Mr. P. V., Endowments commissioner	.. .. .	32-33
Question re Police firing at Turvorin and Trichinopoly during the railway strike.	.. .. .	264-265
Question re orders under section 144, Criminal Procedure Code, on Messrs. Joshi and Giri	.. .. .	26-27
Question re orders on public men under section 144, Criminal Procedure Code	.. .. .	26
Question re Simon Commission, Government memorandum to the —	.. .. .	257-259
Question re South Indian Railway strike and cost of police aid	.. .. .	24-25
Question re South Indian Railway strike and Labour Commissioner	.. .. .	19-22
Question re Subordinate Judges, recruitment of —	.. .. .	26
Question re syllabuses in South Indian languages for Secondary School-Leaving Certificates course	.. .. .	34
Question re temple committees, nomination to —	.. .. .	286
Shetty, Mr. A. B.—		
Question re constables in South Kanara, revision of the pay of —	.. .. .	265-266
Question re fire tracing in exterior lines of forests	.. .. .	498
Question re L. M. P. candidates, training of —	.. .. .	42-48
Question re market rate of provisions published in the district gazettes	.. .. .	493-494
Question re publicity of information in villages	.. .. .	255
Question re resumed lands in South Kanara for non-payment of assessment	.. .. .	369
Question re Village Courts Act, election rules under the —	.. .. .	277
Question re wild animals in reserved forests (South Kanara)	.. .. .	27-28
Srinivasa Ayyangar, Mr. R.—		
Question re Chidambaram Municipal Chairman, complaints against the —	.. .. .	284-285
Question re nomination to the South Arcot Temple Committee	.. .. .	500-501
Question re shooting by Mr. Bulkley, Railway Police	.. .. .	469-474
Srinivasan, Rao Sahib R.—		
Question re communal fracas at Angambakkam	.. .. .	477-478
Question re District Labour officers	.. .. .	491
Swami, Mr. K. V. R.—		
Question re Carnatic Paper Mills	.. .. .	47-48, 289
Question re Carnatic Paper Mills, inspection of —	.. .. .	489
Question re Carnatic Paper Mills, loan application from —	.. .. .	489
Question re Carnatic Paper Mills, origin of —	.. .. .	489
Question re Carnatic Paper Mills, recommendation of the Tariff Board regarding grant of loan to —	.. .. .	352
Uppi Sahib, Mr. K.—		
Question re banning of two Muslim newspapers	.. .. .	35
Question re education among Mappillas	.. .. .	35
Question re grants to orphanages in this Presidency	.. .. .	145-147
Question re Islam Orphanage, Calicut	.. .. .	40

Questions and Answers—cont.	Q—cont.	PAGES
Uppi Sahib, Mr. K.—cont.		
Question re Malappuram training school		35-36
Question re Malappuram training school at Malappuram, religious instruction in — ..		35
Question re scholarship to Miss Amina in the Queen Mary's College		281
Question re Taliparamba agricultural farm		47
Venkataraman Nayudu, Mr. C.—		
Question re Government Press, alleged receipt of gifts by Mr. Cunnayya of the — ..		161
Question re Government Press, duties and qualifications of the overseer of — ..		160
Question re Government Press, piece-workers in the — ..		158-159
Question re Government Press, reversion of imposers to the frame in the — ..		161-162
Question re Kangundi division, transfer of — ..		248-250
Venkataraman, Mr. B.—		
Question re opium consumption in East Godavari		487
Zamindar of Gollapalli, the —		
Question re adult education through non-official and honorary agency		357
Question re Beggars' Home, Madras		500
Question re Local Boards Act, etc., Bills to amend the —		282-283
Question re proscription of "Bheeshma Prathignya"		474
Question re Scout movement in elementary schools		144-145
Zamindar of Mirzapuram, the —		
Question re defalcations in Bezvada municipality		38-39
Quinine—		
Question re free distribution of —		140-142
R		
Railway strike (South Indian Railway)—		
Question re Police firing during the —		264-265
Railway strike case—		
Question re under-trial accused in the —		263-264, 474-476
Raja of Panagal, the —		
Bills—		
Annamalai University Bill		531-532
Court Fees Act, A Bill further to amend the —		109
Rajampet Taluk Board—		
Question re nomination of the President of		86-87
Rajahmundry Training College—		
Question re specialists for —		33
Ramachandra Reddi, Mr. B.—		
See Questions and Answers.		
Ramalinga Reddi, Mr. C.—		
Bills—		
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju)		294-295
Ramanath Goenka, Mr.—		
Adjournment motion re—		
Bharathi's songs, seizure of —		202-203
Bill—		
Annamalai University Bill		381-382, 423-424
Ramasomayajulu, Mr. C.—		
Bills—		
Andhra University Amendment Bills, postponement of —		292
Annamalai University Bill		396
Court Fees Act, A Bill further to amend the —		106-107
Demand for supplementary grant re —		
Birds of South India, a book on —		67-68
See Questions and Answers.		
Ramaswami Ayyar, Mr. U.—		
See Questions and Answers.		

R—cont.	PAGES
Rampa forests—	
See Forests in Rampa.	
Ramunni Menon, Diwan Bahadur K.—	
Bills—	
Annamalai University Bill	518, 519
Ranganatha Mudaliyar, Mr. A.—	
Bills—	
Annamalai University Bill	411-412, 416, 422, 529
Brothels and Immoral Traffic Suppression Bill	537
See Questions and Answers.	
Record office—	
See Calendar.	
See Madras Record Office.	
Red Bills tank—	
Question re irrigation under —	494-496
Registration—	
Question re — in private residences	59
Registration office—	
Question re accommodation for Gosha ladies in —	59
Question re clerks in the —	288-289
Resettlement—	
Question re economic enquiries re — in Godavari and Kistna	165
Resumed lands—	
Question re — in South Kanara	369
Revenue Department—	
Question re confidential notes against the staff in the —	490-491
Rinderpest—	
Question re — in Anantapur	49-52
Road—	
Question re blocking of certain — by Public Works Department	490
Royapuram Medical School—	
Question re hostel for —	502
Rulings—	
Adjournment motion—	
Mover of an adjournment motion has no right of reply —	292
Adjournment motion must not deal with a matter which is sub judice—	
The policy of the Madras Government in seizing copies of Bharathi's songs in pursuance of an order of the Burma Government may be discussed without touching the question which is <i>sub judice</i> , namely, whether the songs themselves are seditious or not	60-65
Amendment—	
Amendment falls through for want of a seconder	179
If objection is taken to the moving of an amendment on the ground of want of notice the President will use his discretion whether to admit it or not	171, 412, 422
Bills—	
Motion for leave to introduce falls through for want of a seconder	313
Previous sanction—	
Notice of a Bill requiring previous sanction is invalid without that sanction—	
Motion for leave to introduce such a Bill is ruled out of order though the mover consents to delete the clauses requiring sanction and proceed with the rest	314
Debate—	
Commenting on a vote of the House already passed is not in order	305
Member finding fault with the chair for not ruling out a particular speech—	
ruled out of order	305
Decorum.	
As soon as the President stands, all the members ought to resume their seats	143
Open canvassing in the House while the poll is going on is out of order	397
Reading newspaper in the House not allowed	304
Right of reply—	
Mover of adjournment motion has no right of reply	292

R—cont.

Rulings—cont.	
Seconding—	
Amendment falls through for want of a seconder ..	179
Motion for leave to introduce a Bill falls through for want of a seconder ..	313
Rural dispensaries—	
See Doctors.	
Russellkonda Saw Mill—	
See Papers laid on the table.	
Saidapet municipality—	
Question re electoral roll of the — ..	283 284
Saldanha, Mr. J. A.—	
Bills—	
Abkari Act (Amendment) Bill ..	324-326
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju) ..	298-299
Annamalai University Bill ..	392, 393, 394, 405-406, 409, 423, 512-514
Court Fees (Amendment) Bill ..	167
Madras University (Amendment) Bill ..	171-172, 176, 179
Demand for supplementary grant re — ..	70, 72
Birds of South India, a book on — ..	58
See Questions and Answers.	
Salem town—	
Question re construction of a special drain for — ..	64
Sami Venkatachalam Chetti, Mr.—	
Adjournment motion re — ..	322-323
Subrahmanya Bharathi's songs, seizure of, by the Police ..	318
Bills—	
Hindu Religions Endowment's Bill (Dr. S. Mathulakshmi Reddi) ..	511
Madras City Municipal (Amendment) Bill (of Dr. B. S. Mallayya) ..	60-63, 65, 187-194, 200
Lobby system, introduction of — ..	296, 297, 299
Satyamurti, Mr. S.—	
Adjournment motion re Bharathi's songs, seizure of — ..	373-375, 377-379, 400, 402-404, 411, 412, 421, 517, 518, 519, 520, 523-526, 536, 537, 538
Bills—	
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju) ..	167-169
Annamalai University Bill ..	307
Brothels and Immoral Traffic Suppression Bill ..	319
Court Fees Act—A Bill further to amend the ..	170-171, 174-177, 183-184
Local Boards (Amendment) Bill (of Mr. Basheer Ahmed Sayeed Sahib) ..	
Madras City Municipal (Amendment) Bill ..	
Madras University (Amendment) Bill ..	
Demand for supplementary grant re — ..	
Birds of South India, a book on — ..	
Commissioner of Medical qualifications and standards for India ..	
See Questions and Answers.	
Scheme report—	
See Commutation rate.	
School Fees—	
Question re action taken on the resolution about exemption of poor girls from pay-ment of — ..	76-79
See Girls.	
Scout Movement—	
Question re introduction of the — in elementary schools ..	90-92
Secondary School-Leaving Certificate Course—	
Question re syllabuses in South Indian languages for ..	144
Second-class roads—	
Question re grants to Ceded districts for — ..	144-46
Section 144, Criminal Procedure Code—	
Question re issue of orders on public men in Madras under ..	34
Question re order under — on Messrs. Joshi and Giri ..	282
School of Indian Medicine—	
See Government School of Indian Medicine.	
	26
	26-27, 64

S—cont.

PAGES

Settlement—	
Question re Settlement Operations in Parlakimedi ..	507
Shetty, Mr. A. B.—	
Bills—	
Brothels and Immoral Traffic Suppression Bill — ..	535-537
See Questions and Answers.	
Simon Commission—	
See Indian Statutory Commission.	
Siva Raj, Mr. N.—	
Adjournment motion re—	
Bharathi's songs, seizure of — ..	199-200
Bills—	
Annamalai University Bill ..	408, 416
Siva Rao, Mr. P.—	
Bills—	
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju) ..	297
Andhra University Amendment Bills, postponement of — ..	291, 302-303
Smith, Mr. W. E.—	
Bills—	
Madras University (Amendment) Bill— ..	177, 179, 182
South Indian Languages—	
See Secondary School-Leaving Certificate Course.	
South Indian Railway Strike—	
Question re cost of police aid during — ..	24-25
Question re — and Labour Commissioner ..	19-22
Srinivasa Ayyangar, Mr. R.—	
Bills—	
Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raju) ..	298
Court Fees Act—A Bill further to amend the — ..	96-98
Local Boards (Amendment) Bill— ..	312
See Questions and Answers.	
Srinivasa Ayyangar, Mr. T. C.—	
Adjournment Motion re—	
Bharathi's songs, seizure of — ..	200-201
Bill—	
Annamalai University Bill — ..	376, 526-527
Srinivasan, Rao Sahib R.—	
See Questions and Answers.	
Srinivasamurti (Captain)—	
See Government School of Indian Medicine.	
Srinivasan, Rao Sahib R.—	
Demand for supplementary grant re Birds of South India, a book on — ..	71
Stamps—	
Question re increase in the limit to the value of — sold by stamp-vendors ..	57
Students—	
Question re classification of — as rich and poor ..	499
Subbarayan, The hon. Dr. P.—	
Bills—	
Andhra University Amendment Bills—Postponement of the consideration of — ..	291, 305
Annamalai University Bill ..	372-377, 398-407, 411-416, 419-421, 424, 512, 514-523, 532-533.
Local Boards (Amendment) Bill (of Mr. Basheer Ahmed Sayeed Sahib) ..	307, 308-309, 311, 313.
Madras City Municipal (Amendment) Bill (of Mr. Basheer Ahmed Sayeed Sahib) — ..	314
Madras City Municipal (Amendment) Bill (of Dr. B. S. Mallayya)— ..	318

Subbarayan, The hon. Dr. P.—cont.		S—cont.	PAGES
Bills—cont.			
Madras University (Amendment) Bill —	.. .. .	169, 170, 180, 181, 182, 185, 186, 533, 535	
Demand for supplementary grant <i>re</i> Birds of South India, for publishing a book on —	.. .. .	86	
Lady Amphill Government Secondary School for Girls, Masulipatam, building for the —	.. .. .	93	
Subdivision fees—	.. .. .	368	
Question <i>re</i> —	.. .. .	26	
Subordinate Judges—	.. .. .		
Question <i>re</i> recruitment of —	.. .. .		
Superintendent, Government Press—	.. .. .		
See Government Press.	.. .. .		
Subramania Pillai, Mr. Chavadi K.—	.. .. .		
Adjournment motion <i>re</i> Bharathi's songs, seizure of —	.. .. .	198	
Supply channel—	.. .. .		
Question <i>re</i> repairs to—in Kurnool district	.. .. .	13	
Swami, Mr. K. V. R.—	.. .. .		
Bill —	.. .. .		
Annamalai University Bill —	.. .. .	380, 416, 417, 421	
Demand for supplementary grant <i>re</i> —	.. .. .		
Birds of South India, a book on —	.. .. .	74-75	
Commissioner of medical qualifications and standards for India	.. .. .	85-86	
See Questions and Answers.	.. .. .		
Talsildars—			
Question <i>re</i> list of—community war in Ganjam, etc. .. .. .	.. .. .	52, 468	
Takkavi instalments—	.. .. .		
See Penal Interest.	.. .. .		
Taliparamba Agricultural Farm—	.. .. .		
Question <i>re</i> —	.. .. .	47	
Tamaramadugu Tank—	.. .. .		
Question <i>re</i> —in Chingleput district	.. .. .	17	
Question <i>re</i> repairs to—	.. .. .	370	
Tanjore Municipality—	.. .. .		
Question <i>re</i> electric installation in —	.. .. .	37-38	
Tank-bed submersion porambokes—	.. .. .		
Question <i>re</i> —in Velhyur .. .. .	.. .. .	16-17	
Tank Restoration Scheme—	.. .. .		
Question <i>re</i> restoration of Peddinayani tank under —	.. .. .	463	
Question <i>re</i> —	.. .. .	462	
Tariff Board—	.. .. .		
See Carnatic Paper Mills.	.. .. .		
Tasdikis—	.. .. .		
Question <i>re</i> withholding of—to certain temples	.. .. .		
Temple Committees—	.. .. .		
Question <i>re</i> nomination to the South Arcot —	.. .. .	510-11	
Question <i>re</i> nominations to —	.. .. .		
See Electoral-roll.	.. .. .	500-501	
Thomas, Mr. Daniel—	.. .. .	286	
Adjournment motion <i>re</i> Bharathi's songs, seizure of .. .. .	.. .. .	203-204	
Bills—	.. .. .		
Annamalai University Bill —	.. .. .	391-392, 407	
Demand for supplementary grant <i>re</i> Birds of South India, a book on —	.. .. .	69-70	
Thoppiar river—	.. .. .		
Question <i>re</i> construction of a dam for the —	.. .. .	52	

T—cont.		PAGES
Thukapalli project—		
Question <i>re</i> —	.. .. .	462
Tiruvarkadu—	.. .. .	
Question <i>re</i> masonry dam at—	.. .. .	460-461
Tours of Minister for Education and Local Self-Government—	.. .. .	
Question <i>re</i> —	.. .. .	357-358, 426-428
Train services between Dronachalam and Kurnool—	.. .. .	
Question <i>re</i> alleged inconvenience caused by changes in —	.. .. .	166
Training school for girls —	.. .. .	
Question <i>re</i> —, Calicut .. .. .	.. .. .	34
Trichinopoly-Srirangam Electric Supply Corporation —	.. .. .	
Question <i>re</i> completion of compulsory works by —	.. .. .	55-56
Question <i>re</i> half-yearly reports of the —	.. .. .	56
Question <i>re</i> security deposited by —	.. .. .	55
Trichinopoly Railway strike case—	.. .. .	
See Railway strike case.	.. .. .	
Tulasiram, Mr. L. K.—	.. .. .	
Adjournment motion <i>re</i>—	.. .. .	
Bharathi's songs, seizure of —	.. .. .	207-210
Bill—	.. .. .	
Annamalai University Bill —	.. .. .	382
Local Boards (Amendment) Bill (of Mr. Basheer Ahmad Sayeed Sahib) .. .. .	.. .. .	309
Tutionin—	.. .. .	
See Railway strike.	.. .. .	
U		
Uppi Sahib, Mr. K.—	.. .. .	
Bills —	.. .. .	
Madras University Amendment Bill .. .. .	.. .. .	533-534
See Questions and Answers	.. .. .	
Usman Sahib Bahadur, The hon. Khan Bahadur Sir Muhammad—	.. .. .	
Bills—	.. .. .	
Brothels and Immoral Traffic Suppression Bill —	.. .. .	538, 539
V		
Vadathur Kasam—	.. .. .	
Question <i>re</i> —	.. .. .	364
Venkatapathi Raju, Mr. P. C.—	.. .. .	
Bills—	.. .. .	
Andhra University Amendment Bill — taken into consideration	.. .. .	294
Andhra University Amendment Bills, postponement of —	291, 292, 293, 294, 304-305	
Annamalai University Bill .. .. .	.. .. .	386, 407, 408, 409
Demand for supplementary grant <i>re</i> Birds of South India, a book on —	.. .. .	69
Venkataramana Ayyangar, Mr. C. V.—	.. .. .	
Bills—	.. .. .	
Andhra University Amendment Bills, postponement of —	.. .. .	307
Annamalai University Bill	374, 377, 382-383, 401, 421, 422, 414, 518, 519	
Brothels and Immoral Traffic suppression Bill	.. .. .	333-334
Court Fees Act, A Bill further to amend the —	.. .. .	95-96
Demand for supplementary grant <i>re</i> —	.. .. .	
Birds of South India, a book on —	.. .. .	71
Venkatarama Ayyar, Mr. K. R.—	.. .. .	
Bills—	.. .. .	
Annamalai University Bill .. .. .	.. .. .	414
Brothels and Immoral Traffic Suppression Bill —	.. .. .	315-316, 328, 334-337
Madras University (Amendment) Bill .. .. .	.. .. .	179, 180, 185
Venkatarama Nayudu, Mr. C.—	.. .. .	
See Questions and Answers.	.. .. .	

V—cont.

PAGES

Venkataratnam, Mr. B.— See Questions and Answers.	
Vernaculars— Question re — as media of instruction in High Schools	278
Vernon, Mr.— See Madras Record Office.	
Village Courts Act— Question re election rules under the —	277
Village menials of Gudiyattam taluk— Question re jamabandi allowance to — for fasli 1336	162-163

W

Wakf properties— Question re	58
Water-supply— Question re — to fields in the villages of Gollapudi, etc.	250
Wild Animals— Question re increase of — in South Kanara Question re permission to hunt — in reserved forests (South Kanara)	28-29 27-28
Wright, Mr. W. O.— Bill— Annamalai University Bill —	382

Z

Zamindar of Gollapalli, the— Bills— Andhra University Amendment Bills, postponement of — Annamalai University Bill Village Panchayat (Amendment) Bill See Questions and Answers.	292 423 314
Zamindar of Mirzapuram, the— Bills— Andhra University Amendment Bill (of Mr. P. C. Venkatapathi Raja) See Questions and Answers.	300
Zamindar of Singampatti, the— Oath of office	12

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

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

Members of the Executive Council.

1. The hon. Sir NORMAN MARJORIBANKS, K.C.I.E., C.S.I., I.C.S., Member in charge of Revenue. Took his seat on 27th December 1924 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Land Revenue administration as described under the following heads, namely :— <ol style="list-style-type: none"> (a) Assessment and collection of land revenue. (b) Maintenance of land records; survey for revenue purposes; records of rights. (c) Laws regarding land tenures; relations of landlords and tenants; collection of rents. (d) Court of Wards, encumbered and attached estates. (e) Land improvement and agricultural loans. (f) Colonization and disposal of crown lands. (g) Management of Government estates. (h) Panchayat forests. 2. Water-supplies, irrigation and canals, drainage and embankments; water storage and water power. 3. Inland waterways including shipping and navigation thereon. | <ol style="list-style-type: none"> 4. Economic condition including wages and prices and famine-relief. 5. Land acquisition, excepting notifications under subsection (1) of section 4 and declarations under subsection (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said subsections appertains to a transferred subject. 6. Development of mineral resources. 7. Protection of wild birds and animals. 8. Agency tracts. 9. Pounds and prevention of cattle trespass. 10. Elections for Indian and Provincial legislatures. 11. Fortnightly reports and preliminary special reports to the Government of India. 12. General service questions. 13. Provincial Gazetteers. 14. Office procedure. 15. Secretariat. 16. Yeomials, inams and hereditary pensions. 17. Matters of a general nature not allocated elsewhere. |
|---|---|

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 Sir MUHAMMAD USMAN SAHIB Bahadur, Kt., 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. | 13. Stationery and Government Presses. |
| 3. Prevention of cruelty to animals. | 14. Industrial matters included under the following heads :— |
| 4. Control of poisons. | (a) Factories. |
| 5. Control of vehicles. | (b) Settlement of labour disputes. |
| 6. Control of dramatic performances and cinematographs. | (c) Boilers. |
| 7. Control of newspapers, books and printing presses. | (d) Gas. |
| 8. Laccadives. | (e) Smoke nuisances. |
| 9. European vagrancy. | (f) Welfare of labour including depressed classes. |
| 10. European and Anglo-Indian education. | 15. Criminal tribes. |
| 11. Regulation of medical and other professional qualifications and standards. | |

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

4. The hon. Diwan Bahadur M. KRISHNAN NAYAR, Law Member. Took his seat on 25th April 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. | 6. Shipping and navigation. |
| 2. Inventions and designs. | 7. Lighthouses. |
| 3. Copyright. | 8. Port quarantine and marine hospitals. |
| 4. Criminal law. | |
| 5. Major ports. | |

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. ABDUL HAMID KHAN.

Diwan Bahadur S. KUMARASWAMI REDDIYAR.

Mr. T. C. SRINIVASA AYYANGAR.

Mr. V. I. MUNISWAMI PILLAI.

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

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

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

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

SPECIAL MEMBERS.

133. Corley, F. E. NOMINATED for Bills to amend the Madras University Act.
134. Ramalinga Reddi, C. NOMINATED for Bills to amend the Andhra University Act.
135. Ramunni Menon, Diwan Bahadur K. NOMINATED for the Annamalai University Bill.
136. Smith, W. E. NOMINATED for Bills to amend the Madras University Act, the Andhra University Act and the Annamalai University Bill.
137. Cunningham, C. B. NOMINATED for the Bill to suppress Brothels and Immoral Traffic.

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

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

VOLUME XLIV.

Monday, the 8th October 1928.

The House met at 11 o'clock, Mr. 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, Kt., The hon. Khan Bahadur Sir Muhammad.

Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M.

Subbarayan, The hon. Dr. P.

Muthiah Mudaliyar, The hon. Mr. S.

Abdul Hye Sahib Bahadur, K.

Abdul Razack 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 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 Mahasayo, Sriman.

Chidambaramatha Mudaliyar, Mr. T. K.

Cotterell, C.I.E., I.C.S., Mr. C. B.

Cotton, C.I.E., I.C.S., Mr. C. W. E.

Cunningham, Mr. C. B.

Davis, Mr. J. A.

Dorai Raja, Rajkumar S. N.

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.

Harisarvottama Rao, Mr. G.

John, Mr. V. Ch.

Kaleswara Rao, Mr. A.

Kameswara Rao Nayudu, Mr. V.

Karant, Mr. K. R.

Kenneth Kay, Mr.

Kesava Pillai, C.I.E., Diwan Bahadur P.

Khadir Mohidin Sahib Bahadur, Muhammad.

Kalif-ul-lah Sahib Bahadur, Khan Bahadur P.

Koti Reddi, Mr. K.

Krishnan, Mr. K.

Krishnaswami Nayakar, Mr. K. V.

Kumaraswami Reddiyar, Diwan Bahadur S.

Mahmud Sohamnad Sahib Bahadur.

Mallayya, Dr. B. S.

Manikkavelu Nayakar, Mr. M. A.

Marudavanam Pillai, Mr. C.

Meera Ravuttar Bahadur, K. P. V. S. Muhammad.

Muniswami Nayudu, Rao Bahadur B.

Muniswami Pillai, Mr. V. I.

Muppil Nayar of Kavalappara, Mr.

Murugappa Chettiyar, Diwan Bahadur A. M. M.

Muthulakshmi Reddi, Dr. (Mrs.).

Muthuranga Mudaliyar, Mr. C. N.

Nagan Gowda, Mr. R.

Nanjappa Bahadur, Subadar-Major S. A.

Narayana Raju, Mr. D.

Narayana Chettiyar, Mr. Al. Ar.

Narayanan Nambudripad, Rao Bahadur O. M.

Narayanaswami Pillai, 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, K.C.I.E.

Rajan, Mr. P. T.

Ramachandra Padayachi, Mr. K.

Ramachandra Reddi, Mr. B.

Raman Menon, Mr. K. P.

Ramanath Goenka, Mr.

Ramasomayajulu, Mr. C.

Ramjee Rao, Mr. V.

Ranganatha Mudaliyar, Mr. A.

Ratnasabhapati Mudaliyar, Rao Bahadur C. S.

Saldanha, Mr. J. A.

[8th October 1928]

PRESENT—cont.

Sami Venkatachalam Chetti, Mr.
 Sarabha Reddi, Mr. K.
 Satyamurti, Mr. S.
 Shetty, Mr. A. B.
 Siva Raj, Mr. N.
 Siva Rao, Mr. P.
 Slater, C.I.E., I.C.S., Mr. S. H.
 Soundara Pandia Nadar, Mr. W. P. A.
 Souter, I.C.S., Mr. C. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasa Ayyangar, Mr. T. C.
 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. C.

Thomas, Mr. Daniel.
 Tulasiram, Mr. L. K.
 Uppi Sahib Bahadur, K.
 Venkatapati Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarangam 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 Kalikota.
 Zamindar of Mirzapuram.
 Zamindar of Seithur.
 Zamindar of Singampatti.
 Corley, Mr. F. E.
 Smith, Mr. W. E.

I

NEW MEMBERS.

The following Members took their oath or affirmation of allegiance to the Crown :—

Mr. F. E. CORLEY.

M.R.Ry. T. N. SIVASUBRAHMANYA THEVAR Avargal, Thirthapathi,
 Zamindar of Singampatti.

Mr. C. B. CUNNINGHAM.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agency

Disbursement of the sum referred to in the report from the Government Agent, East Godavari.

* 349 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) to whom the sum of Rs. 50,226-6-9 referred to in paragraph 27 of the letter from the Government Agent, East Godavari, Periodicals No. 0252-ment, has been disbursed ; and

(b) the conditions under which the grant was made ?

A.—(a) & (b) The sum referred to is not a Government grant but the total of the wages paid by the mission to the lace-workers.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ May I know, Sir, if the mission is or is not in receipt of Government aid of any kind ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Notice, Sir.”

[8th October 1928]

Irrigation

Reports on the repairs to the supply channel in Kurnool district.

* 350 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state, with reference to the answer given to my question No. 1619 answered on 28th February 1928 regarding repairs to the supply channel in Kurnool district—

(a) whether the further report called for has been received ;

(b) what the report is ;

(c) what the original discrepancy between the reports of the Chief Engineer and the Board of Revenue was ; and

(d) what action the Government have taken or propose to take on these reports ?

A.—(a) Yes.

(b) The reports^a on the subject have been laid on the table.

(c) The Executive Engineer's report, dated 3rd April 1928, explains that there was no real discrepancy.

(d) The Government do not propose to take any action.

Land Assignment

Assignment of lands in Nilgiris district.

* 351 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Revenue be pleased to state—

(a) the number and names of persons or associations who applied for assignment of lands in the Nilgiris district for plantation and other purposes during the last five years ;

(b) the manner in which these applications have been disposed of by the Revenue Department ;

(c) the extent and the value of the land in the Nilgiris district assigned to individuals and associations, the names of persons or individuals to whom these assignments were made, and the grounds and purposes for which they were made ;

(d) the rates, conditions and terms on which each one of these assignments was made ;

(e) the names of all the estate-owners in the Nilgiris district with the extent and value of the lands possessed by each one of them ;

(f) the extent of land in the Nilgiris district still available for assignment to individuals or associations and the localities in which the same is situated ;

(g) the extent and locality of reserve forests in the Nilgiris district still available to be converted into assignable lands ; and

(h) the extent and locality of waste lands in the Nilgiris district ?

A.—(a), (b) & (c) To answer these questions it would be necessary to print and place on the table all the darkhast registers of the district and the correspondence connected therewith. The Government regret they cannot undertake to do this.

(d) Applications for land are disposed of under the provisions of paragraph 41 of Board's Standing Order No. 15, Board's Standing Orders Nos. 16, 17, 18, 19 and 21 according to the

^a Vide communications to the Council in the agenda for 8th October 1928.

[8th October 1928]

circumstances of each case. The terms of assignment of lands^a for plantation purposes in the Nilgiri Upper Plateau are given in the appendix to this answer for ready reference

(e), (f), (g) & (h) The particulars asked for are not available in any existing return or report nor in regard to some items could it be compiled without considerable preliminary enquiry. Whether a piece of land which is now reserve forest may be disforested and assigned is a question to be considered on the merits in each case and may often be a question difficult to answer.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR: "May I know, with reference to (a), if these applications for assignment of lands have been received only from people resident in the Nilgiris or from non-resident people also?"

The hon. Sir NORMAN MARJORIBANKS:—"I could not really say that. I must ask for notice of that."

Mr. A. RANGANATHA MUDALIYAR:—"With reference to clauses (e), (f), (g) and (h) it is stated there 'nor in regard to some items could it be compiled without considerable preliminary enquiry.' What are those items, may I know?"

The hon. Sir NORMAN MARJORIBANKS:—"Take for example clause (e) which wants the value of the lands possessed by each one of the estate-owners. Obviously, Government could not estimate the values without considerable enquiry. Then again, clause (f) wants 'the extent of land available for assignment to individuals or associations and the localities in which the same is situated.' That will need an enquiry made available for assignment. The giving of a complete answer to the whole question will therefore require a preliminary enquiry of considerable magnitude."

Assignment of the tank-bed of the Owk tank in Koilkuntla taluk.

* 352 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether within the tank-bed of the Owk tank in the Koilkuntla taluk of the Kurnool district there is included a large area of land which was originally cultivated by the ryots but was relinquished by them in hard times;

(b) if so, what the area of such lands is;

(c) whether within that area there are not about 65 wells which once were privately owned by the forefathers of the present ryot population and used for agricultural purposes;

(d) whether there are still some small plots privately owned inside this tank poramboke area;

(e) whether the ryots have petitioned for grant of parts of this poramboke land on patta; and

(f) why the Government have declined to convert parts of this land into ayan and grant them on patta?

^a Printed as Appendix I on page 110 infra.

[8th October 1928]

A.—(a) to (d) The Government are not aware whether or no the facts are as suggested.

(e) & (f) No record has been traced of any order of the Government on the subject; nor of any representation made to Government. The transfer of poramboke land to ayan for assignment on darkhast is ordinarily within the discretion of the Collector.

Alleged disabilities of the Catholics in Mangalore in acquiring darkhast lands.

* 353 Q.—Mr. J. A. SALDANHA: With reference to questions Nos. 1740 and 1741 answered on 14th March 1928, will the hon. the Member for Revenue be pleased to state—

(a) whether Government have received any further representation from anybody in South Kanara or elsewhere as to the disabilities of the Catholic diocese of Mangalore or the Bishop of Mangalore or the Catholic churches in the diocese in acquiring Government lands by way of darkhast or kumki;

(b) whether lands are held in *inam* by the following churches in South Kanara:—

(1) Cathedral-Rosario, Mangalore, (2) Milagres, Mangalore, (3) Holy Trinity at Mermazal or Umzur, (4) Infant-Jesus (Mordunkul), (5) Saviour (Agrar, Mangalore taluk), (6) Mater Dei or Mother of God (Mogarnad), (7) Lady of Mercy (Ullal), (8) Remedies (Kirm) in Mangalore taluk, (9) Rosario (Coondapoor taluk), (10) Milagres (Killianpur, Udipi taluk) and (11) Holy Cross (Hospet, Karkal taluk), and if so, under what circumstances and orders; and

(c) whether any of these churches have been refused applications for the grant of lands by way of darkhast or kumki on the ground that they are alien or foreign bodies?

A.—(a) A representation from the hon. Member was received in May last. The point was also mentioned by the Administrator Apostolic of the Diocese of Mangalore in two appeals relating to assignment of land in Beltangadi village, South Kanara district.

(b) Under the Bednore or Ikkri Princes, only the Church at Coondapoor had been enjoying the assessment on the lands in its possession. The other churches had no inams. On the rebuilding of the churches which had been destroyed prior to the British regime the Government on the recommendation of Mr. Harris sanctioned the remission of the assessment on the lands newly purchased by the Christian inhabitants for the churches.

(c) The Government have no reason to think that applications have been rejected on the ground alleged. The rules only lay down that the previous sanction of the Government is required to the assignment of land to persons who are not British subjects nor subjects of Indian States.

Mr. J. A. SALDANHA:—"With reference to clause (c), it is stated: 'The Government have no reason to think that applications have been rejected on the ground alleged.' May I enquire, Sir, whether the applications

[8th October 1928]

have been rejected on the ground that these churches are not British subjects in the sense that they are legal, moral, or juristic persons?"

The hon. Sir NORMAN MARJORIBANKS :—"The hon. Member will see that in the second sentence in the same clause (c) it is stated: 'The rules lay down that the previous sanction of the Government is required to the assignment of land to persons who are not British subjects nor subjects of Indian States.' No case has come to the notice of Government where such previous sanction has been refused."

Mr. J. A. SALDANHA :—"I ask, Sir, whether the Government and the Collector have been treating these churches as foreign bodies and as such not entitled to any assignment of land?"

The hon. Sir NORMAN MARJORIBANKS :—"I think it was answered on a previous occasion that the Government were advised that the property of the Catholic church vested in His Holiness the Pope."

Mr. J. A. SALDANHA :—"I am not speaking of all the Catholic churches; I am speaking of the particular churches mentioned here which are in British India and which were formerly treated as entitled to free land assignments. I want to know whether these churches are treated as foreign bodies?"

The hon. Sir NORMAN MARJORIBANKS :—"I assumed, Sir, that these churches were part of the Catholic church. I must make enquiries whether if the hon. Members suggest that they are separate bodies."

Mr. J. A. SALDANHA :—"I am only speaking of the churches built in South Kanara, i.e., in British India, by British-Indian subjects; I am not speaking of Catholic churches all over the world. I want to know whether these churches in South Kanara are treated as foreign bodies."

The hon. Sir NORMAN MARJORIBANKS :—"I can only say that the Government are advised that the property of all Roman Catholic churches is vested in His Holiness the Pope."

Land Revenue

Cultivation of tank-bed submersion porambores in Velliyur village.

* 354 Q.—Mr. P. BHAKTAVATSULU NAYUDU : Will the hon. the Member for Revenue be pleased to state—

(a) whether survey Nos. 230, 231 and 232 of Velliyur village, No. 109 of Tiruvallur taluk, Chingleput district, were classed as "Tank-bed submersion porambores" in the settlements of 1871 and 1911 and have continued to be the same up to date;

(b) whether it is a fact that these survey numbers are allowed for cultivation by the Revenue Department in spite of the opposition of the Public Works Department;

(c) if so, whether it is not contrary to the existing rules for the preservation of tank-bed submersion fields;

(d) whether it is a fact that the villagers of the said village have issued a notice to the Government of a contemplated suit for prohibiting the said cultivation; and

(e) whether the Government will be pleased to prohibit the cultivation of about 20 acres of the abovesaid survey numbers which are tank-bed submersion porambores?

[8th October 1928]

4.—(a) The survey numbers were classed as "Government, dry" at the settlement of 1878 and as "Tank-bed poramboke" at the resettlement of 1911. The Government are not aware whether the survey numbers continue to be classed as poramboke.

(b) & (c) The Government are not aware whether the facts are as stated in clause (b).

(d) No such notice has been received by the Government.

(e) The Government are not aware of any reasons for making such an order. The question is one for the decision of the Collector in the first instance.

Loans

Reduction of the rate of interest on agricultural loans.

* 355 Q.—Mr. R. NAGAN GOWDA : Will the hon. the Member for Revenue be pleased to state what action has been taken on the resolution passed by this House on 24th January 1928 to reduce the interest on Government loans to ryots from 7½ per cent to 5 per cent?

4.—The hon. Member is referred to item 7 of the statement showing the action taken on resolutions passed by the Legislative Council during the second session 1927-28 laid on the table on 3rd September 1928.

Mr. R. NAGAN GOWDA :—"If I remember aright, the Government on the last occasion said that the matter was being considered. The resolution was passed about ten months ago. May I know, Sir, what stage of consideration has been reached now?"

The hon. Sir NORMAN MARJORIBANKS :—"I am glad to be able to tell the hon. Member that the report of the Board of Revenue on the subject was received on Saturday and that we hope to be able to deal with it shortly."

Minor Irrigation

Relief in respect of the Tamarai-madugu.

* 356 Q.—Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state with reference to question No. 889 answered on the 22nd October 1927 regarding relief in respect of Tamarai-madugu tank in the Chingleput district—

(a) whether the Government have received the report they have called for;

(b) if answer to (a) is in the affirmative, whether the Government will place the report on the Council table; and

(c) whether the Government will be pleased to direct the local officers to attend immediately to the silt-clearance work in the tank?

4.—(a) Yes.

(b) Copies* of the Board's Proceedings and the Supervisor's note are placed on the table of the House.

(c) The Government understand that the work has been completed.

Public Service

[8th October 1928]

Representation from the Andhra University regarding the amendment of the Public Service Notification.

* 357 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received any representation from the authorities of the Andhra University regarding the amendment of G.O. Mis. No. 122, Public, by G.O. No. 541, Public, dated 15th June 1928; and

(b) whether in view of such representation they have decided to treat all holders of Secondary School-Leaving Certificates holding a certificate of eligibility for admission to the courses of study of the Andhra University on an equal footing.

A.—(a) & (b) The answer to clause (a) is in the negative.

MR. G. HARISARVOTTAMA RAO:—“May I know, Sir, from the hon. the Minister for Education whether he is aware of the fact that the representation is contained in the annual report of the Andhra University? Has he perused the annual report of the Andhra University?”

The hon. Sir NORMAN MARJORIBANKS:—“I am responsible for the answer, Sir, and I am afraid I have not.”

Settlement

Fixing of the commutation rate in regard to the resettlement of Godavari and Kistna districts.

* 358 Q.—MR. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the principle of fixing the commutation rate laid down by G.O. No. 881, Revenue, dated 30th July 1885, was adopted in the case of proposals contained in the Scheme Report for resettlement in East and West Godavari and Kistna districts; and

(b) if not, whether the principle contained in the above Government Order has been superseded subsequently and, if so, when?

A.—(a) No.

(b) The rate of calculation laid down in G.O. No. 881, Revenue, dated 30th July 1885, was altered in 1888 with the approval of the Secretary of State.

MR. C. RAMASOMAYAJULU:—“May I know, Sir, if the alterations mentioned in the answer have been embodied in a Government Order or in any circular issued by the Government?”

The hon. Sir NORMAN MARJORIBANKS:—“Oh, yes, they are in the Settlement Manual.”

MR. C. RAMASOMAYAJULU:—“I understand, Sir, that the Manual does not contain the Government Order of 1885 or any subsequent order issued thereafter referring to the same. Would the hon. the Revenue Member be kind enough to refer me to the particular portion where the alterations have been made and the reasons for such alterations have been given?”

The hon. Sir NORMAN MARJORIBANKS:—“I did not say that the reasons have been given there. I only said that the rule as laid down in the Government Order of 1888 has been included in the Manual.”

[8th October 1928]

Arms and Explosives

Number of licences granted in Cuddapah district from 1910—20.

* 359 Q.—MR. A. PARASURAMA RAO: Will the hon. the Home Member be pleased to state—

(a) the number of licences granted under the Arms Act in the Cuddapah district in the last decade (1910—20) and subsequently till 1928; and

(b) the reasons for the decrease, if any?

A.—(a) The number is as shown below:—

Year.	Number of licences in force.	Year.	Number of licences in force.
1910 ...	2,710	1919 ...	1,279
1911 ...	1,337	1920 ...	1,421
1912 ...	1,292	1921 ...	1,404
1913 ...	1,267	1922 ...	1,589
1914 ...	1,224	1923 ...	1,562
1915 ...	1,230	1924 ...	1,674
1916 ...	1,285	1925 ...	1,702
1917 ...	1,211	1926 ...	1,726
1918 ...	1,271	1927 ...	1,802

(b) The decrease in 1911 and 1912 was due partly to the transfer of Madanapalle and Vayalpad taluks to Chittoor district and partly to the cancellation in 1912 of many licences owing to a number of riots in which the licensees were concerned. The variations in other years do not seem to call for any special explanation.

European Education

Exemption of European and Anglo-Indian girls from payment of school fees.

* 360 Q.—MR. V. I. MUNISWAMI PILLAI: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that he called for a list of poor girls studying in European and Anglo-Indian girls' schools in some of the districts and exempted them from payment of school-fees; and

(b) if so, what is the amount involved thereby?

A.—(a) The answer is in the negative.

(b) Does not arise

Labour

Intervention of Government in the settlement of the South Indian Railway strike.

* 361 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) why the Labour Commissioner did not do anything during the whole period of the Railway strike to settle the dispute and why he did not go even to Trichinopoly;

[8th October 1928]

(b) why the hon. the Home Member himself as Member in charge of the portfolio did not take any part in settling the strike or even visit Trichinopoly;

(c) why the Chief Secretary and the Military Secretary went there;

(d) the extent and the nature of the work done by them there, and whether they submitted any report to the Government;

(e) whether their reports will be placed on the table of the House; and if not, why not; and

(f) whether the Government propose to take any action to settle the points of dispute between the railway authorities and the railway workmen, and if not, why not?

A.—(a), (b) & (f) The hon. Member is referred to the Press Communiqué dated the 31st August 1928, which has been placed on the table.

(c) Postal communication being delayed by the strike, and it being difficult to obtain details by telegram, the Chief Secretary went to Trichinopoly by motor car on 23rd July 1928 and the Military Secretary went with him to bring back to His Excellency the Governor at once such details as were immediately available in case the Chief Secretary found it advisable to stay at Trichinopoly for a day or two longer.

(d) The Military Secretary returned by motor car on 25th July 1928 with a summary of events drawn up by the Deputy Inspector-General of Railway Police. The Chief Secretary returned by motor car on 26th July 1928 with information as to the measures proposed by the Inspector-General of Police for safeguarding the running of trains and the prevention of offences and prosecution of offenders. These reports placed the Government in possession of the facts relating to the situation earlier than it would have been possible had they depended on the postal service alone.

(e) The two officers made no reports of their own.

MR. S. SATYAMURTI:—"Sir, may I know the specific reason why the Labour Commissioner did not take any steps with regard to the settling of the railway strike?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"On account of the fact that both the parties were not agreeable to it."

MR. S. SATYAMURTI:—"In that case, Sir, may I know why the Chief Secretary and the Military Secretary went to Trichinopoly, if there was no possibility of settling the strike?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"In order to find out the exact nature of the situation."

MR. S. SATYAMURTI:—"For the information of the Government or with a view to settle the dispute?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"For the information of the Government."

MR. S. SATYAMURTI:—"Did the Government intend to take any action on that information, Sir, or was it merely to be kept in their own archives?"

[8th October 1928]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"To take action with regard to acts of violence and sabotage."

MR. S. SATYAMURTI:—"Therefore the enquiry by the Chief Secretary and the Military Secretary was for the purpose of enabling the Government to enforce law and order?"

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

MR. S. SATYAMURTI:—"And not to interfere in the settlement of the labour dispute?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As a result we were able to find out that both the parties were not agreeable to allow the Labour Commissioner's interference."

MR. S. SATYAMURTI:—"The answer to clause (d) is that both the Chief Secretary and the Military Secretary 'returned with information as to the measures proposed . . . for safeguarding the running of trains, etc.' These reports placed the Government in possession of the facts relating to the situation earlier than it would have been possible had they depended on the postal service alone.' My question is in clause (e) 'whether their reports will be placed on the table of the House' and the answer to that is 'The two officers made no reports of their own.' But it is said in answer to clause (d) 'these reports placed the Government in possession of the facts.' May I know what is the explanation for this inconsistency?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"There were no reports submitted by either the Chief Secretary or the Military Secretary; but there were certain informal conferences that took place between the Railway authorities and the Chief Secretary and the minutes of these conferences were placed before the Government."

MR. S. SATYAMURTI:—"Therefore they have placed the written minutes of those conferences before the Government?"

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

MR. S. SATYAMURTI:—"May I know then why the Government do not want to place their reports on the table of the House, such as they are?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"They were of a confidential nature and so the Government do not want to place them on the table of the House."

MR. A. RANGANATHA MUDALIYAR:—"The hon. the Home Member said that the Labour Commissioner did not take any part in the settlement of the strike because the two parties were not agreeable to that. I want to know on what basis he says that. Did the Labour Commissioner approach the two parties, did he make any efforts to bring about a reconciliation, or did he do anything else?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"All those circumstances are mentioned in the communiqué that was issued."

[8th October 1928]

11-15
a.m.

Mr. ABDUL HAMID KHAN :—"From the answer given by the hon. the Home Member, one has to understand that the Labour Commissioner is not to interfere in cases where either the labour or the company is wrong. May I know from the hon. the Home Member if such an occasion arose, is it not the duty of the Labour Commissioner to interfere on behalf of either of the parties?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I am afraid it is a hypothetical question."

Mr. S. SATYAMURTI :—"In answer to the supplementary question by my hon. Friend from Bellary, the Government referred him to this communiqué. Referring to that communiqué issued by the Government on the 31st August 1928, may I know whether the facts related in paragraph 6 of that communiqué were ascertained by the Government over the head of the Labour Commissioner or whether the Labour Commissioner wrote or put himself in communication with the Railway authorities or the Labour authorities?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I want notice, Sir."

Mr. G. HARISARVOTTAMA RAO :—"May I know whether the Labour Commissioner did not attempt to do anything more than attempt at arbitration and whether he moved no further than that? May I know if that is what the Labour Commissioner did in this matter?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"The Labour Commissioner was ready to intervene if both the parties agreed, but there was not agreement between the parties."

Police

Alleged motor crash near Trichinopoly.

* 362 Q.—Mr. J. A. SALDANHA : Will the hon. the Home Member be pleased to place before the Council a full report about the crash near Trichinopoly between a railway train engine and a bus, showing the circumstances under which the crash took place, the number of the injured and killed, the part taken by the police, the circumstances under which and the reasons for which the Police are alleged to have attacked and fired on the mob that had gathered, and the number killed and injured as a result of such firing?

A.—On the 20th July 1928, the general strike of the menials of the South Indian Railway began. As a result of it, keepers of railway gates between Trichinopoly Junction and Trichinopoly Fort and Trichinopoly Junction and Golden Rock stations deserted their posts. Some Anglo-Indians were temporarily put to man these gates but the mob interfered with them. The Railway Administration could not find any one to work the gates and therefore had to remove them. One of these gates so removed was at Comerford level crossing between Trichinopoly Junction and Palakarai stations.

[8th October 1928]

On 25th July 1928 at about 2-30 p.m., a light engine going from Trichinopoly Junction to Trichinopoly Fort collided with a motor bus at the above level crossing. As a result of the accident, all the occupants of the bus (five passengers, the conductor, the driver and the booking clerk of the bus) died, four on the spot and four in the hospital. The bus was burnt.

The Railway Administration had given notice of the removal of gates to all the engine-drivers concerned and had told them to approach level crossing gates cautiously and to be prepared to stop in the event of an obstruction. At the time of the accident, the light engine was running at only ten miles an hour. The position of this particular level crossing was such that the engine crew could not see whether a vehicle was coming from the road to the level crossing until the engine was about fifty yards from it. The engine crew were actually looking out of the engine when it approached the level crossing but did not see any motor bus.

The District Magistrate of Trichinopoly held an enquiry into this collision under rule 20 of the rules framed under section 84 of the Indian Railways Act, 1890. At that enquiry the proprietor of the motor bus in question deposed that his driver was aware of the removal of the gate. Other witnesses examined stated that the bus was travelling very fast, that one of them did caution the bus to stop but that the driver did not heed his caution. The conclusion arrived at by the District Magistrate was that the driver of the light engine was not responsible for the accident, that the driver of the bus was to blame and that he could have averted the accident if he had taken ordinary precautions.

Soon after the accident, a large mob collected and immediately began to demonstrate its hostility towards the driver and the firemen of the engine. Both of them were assaulted by the mob whose expressed intention was to burn the driver alive in the fire of the engine which he had dared to drive during strike time, thus, according to the judgment of the mob, causing the fatality. Some members of the mob actually carried the driver to the fire box of the engine—meaning to burn him alive. It was only the pluck of a railway constable, the help rendered by Mr. Muhammad Mian Ravuttar, a merchant and a municipal councillor, and his men and the timely arrival of a party (30 men) of police under the District Superintendent of Police which prevented the mob from carrying out this design. The mob also heavily stoned the engine and removed rails to prevent its returning to Trichinopoly Junction.

The number of the mob was variously estimated between 2 and 10 thousand. The mere sight of the small body of police trying to clear their way through the crowd towards the engine infuriated the mob still more. The police party was completely surrounded and pelted with stones. An attempt was made to snatch a carbine from the hands of one of the constables. The District Superintendent of Police tried to keep back the crowd by using his fists but this was of no avail. The situation was critical and the District Superintendent of Police ordered his men to open fire and he himself had to use his pistol. Altogether eleven shots were

[8th October 1928]

fired. So far as is known, two persons (according to one witness three) were injured by the police firing but none were killed or seriously injured. The District Superintendent of Police ordered the fire to cease as soon as his party was safe from immediate attack by the crowd. The police had succeeded in checking the crowd and preventing them from lynching the engine crew; their force, however, was insufficient to disperse the crowd which was essential if the peace was to be preserved and the line restored and wreckage removed. The attitude of the crowd continued menacing, and the District Superintendent of Police found it necessary to fetch reinforcements. While leaving for this purpose, his car was surrounded and pelted with stones. On his return with additional men, the number of the crowd had increased and several charges had to be made before the mob was dispersed and the situation brought under control. The District Magistrate of Trichinopoly held a magisterial enquiry into the shooting. The conclusions arrived at were that the mob was intent on murder, that the police handled the situation with great promptness and without undue severity in the most judicious manner possible under the circumstances, that the firing on the mob was fully justified, that it was done with discrimination and was stopped as soon as it became unnecessary.

Mr. J. A. SALDANHA :—" May I know whether in regard to what is stated in their reply, viz., 'so far as is known, two persons (according to one witness three) were injured by the police firing but none were killed or seriously injured', is it a fact that as reported at that time, the Government have ascertained since then that at least one man was killed and many were injured?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No, Sir, it is not a fact."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" In paragraph 3 of the answer it is stated that 'the position of this particular level crossing was such that the engine crew could not see whether a vehicle was coming from the road to the level crossing until the engine was about fifty yards from it'. May I know, Sir, whether the engine crew whistled the engine?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I do not know, Sir."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" May I know if any constable was posted at that spot to regulate traffic, knowing that the position of the level crossing was difficult and that the gates had already been removed?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I want notice, Sir."

Cost of the Police aid to the South Indian Railway Company during the strike.

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

(a) the extent and cost to the provincial exchequer of the services rendered by the police to the South Indian Railway Company during the recent railway strike;

[8th October 1928]

(b) whether this help was rendered on requisition by the Railway authorities and whether they paid anything towards the cost thereof, if so, how much, and if not, why not; and

(c) whether one of the objects of this display of police force was to strike terror into the strikers and force them into submission?

A.—(a) The services of the police were employed in preventing illegal acts on the railway, in enforcing the law and preserving the public peace and in protecting as far as possible the travelling public. An estimate of the cost has been called for.

(b) The railway company did not requisition the services of the police.

(c) No.

Mr. S. SATYAMURTI :—" In regard to the answer to clause (a) of this question, may I know whether the firing by the police in Tuticorin and Trichinopoly without any magisterial order was also to enforce law and preserve public peace?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have not heard the question, so I would request that it may be repeated."

Mr. S. SATYAMURTI :—" I am asking whether, in the many services which the Police rendered to the Railway, the firing on unarmed crowds without the order of any magistrate at all both at Tuticorin and Trichinopoly was also for the purpose of enforcing law and preserving public peace?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" They had to preserve law and order."

Mr. S. SATYAMURTI :—" May I know whether the Government have enquired that firing was done without any magisterial order, and whether they satisfied themselves that it was in pursuance of their duty to enforce law?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government have examined the question and have come to the conclusion that everything was done all right."

Civil Justice

Publication of the Law Reports.

* 364 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state what steps are taken (i) to avoid delays in the publication of the authorized law reports, (ii) to reduce the number of private publications of law reports and (iii) to standardize the reports?

A.—(i) The matter is under correspondence between the Government and the Council of Law Reporting.

(ii) & (iii) These are matters which are now engaging the attention of the Government of India and this Government are not in a position to make any definite statement at this stage.

[8th October 1928]

Direct recruitment of subordinate judges.

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

(a) whether there is any proposal now under consideration by the Government for the direct recruitment of subordinate judges from the Bar;

(b) if so, the nature of the proposal and the stage at which it stands now; and

(c) whether one of the reasons for the proposal or one of the proposals is to exclude one community from the field of such recruitment and if so, on what grounds?

A.—(a), (b) & (c) The answer to clause (a) is in the negative.

Criminal Justice*Issue of orders under Section 144, Criminal Procedure Code, on public men in Madras.*

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

(a) whether his attention has been drawn to the large number of orders under section 144 of the Criminal Procedure Code passed upon public men and upon South Indian Railway workmen in Madras and in several parts of the province;

(b) whether his attention has been drawn to the criticisms on the platform and in the press that these orders were unjustified and unnecessary; and

(c) what action he proposes to take to prevent a recurrence of this?

A.—(a) & (b) The answers are in the affirmative.

(c) The Government have no intention of interfering with the discretion of magistracy when they take such action as in their opinion is necessary to prevent breaches of peace.

Alleged issue of orders under Section 144, Criminal Procedure Code, on Messrs. Joshi and Giri during their visit to Negapatam.

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

(a) the reasons why orders under section 144, Criminal Procedure Code, were passed on Messrs. N. M. Joshi, M.L.A., and V. V. Giri during their recent visit to Negapatam;

(b) whether the attention of Government has been drawn to their statement in the press regarding these orders; and

(c) whether it is the policy of the Government to help the South Indian Railway Company to crush the labour movement in that company?

A.—(a) The hon. Member is referred to the answer to question No. 290.

(b) Yes.

(c) No.

[8th October 1928]

Mr. S. SATYAMURTI:—"With reference to the answer to clauses (b) and (c) of the question, I am asking the Government to state the reasons on which they say that it is not their policy to help the South Indian Railway Company to crush the labour movement in that company, when distinguished leaders and responsible leaders of the movement like Messrs. Joshi and Giri have stated in their statement that these orders under section 144 could be justified only on the assumption that the labour movement has to be crushed?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is their opinion."

Mr. S. SATYAMURTI:—"May I know whether the Government have examined the matter and can give any reasons in their opinion for controverting their statements?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes. Government have examined the question thoroughly and have come to the deliberate conclusion that they should not in any way interfere in disputes between the company and the workers; but so far as this order against these gentlemen is concerned, it was issued by the magistrate for the express and sole purpose of preventing the possibility of a breach of the peace."

Forests*Permission to villagers to hunt wild animals in the forests in South Kanara.*

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

(a) whether a notification has been recently published permitting villagers to hunt wild animals in reserved forests in the South Kanara district after obtaining the Collector's permission on every occasion;

(b) whether hunting had so far been allowed with the permission of the officers of the Forest department; and

(c) if so, why it is now further restricted by making it obligatory to get the Collector's previous permission on every occasion?

A.—(a) Yes.

(b) Yes.

(c) The object was to prevent the indiscriminate killing of wild animals. The question of removing this restriction is under consideration.

Mr. A. B. SHETTY:—"In answer to clause (c) of the question, it is stated that the object was to prevent the indiscriminate killing of wild animals. May I know whether any instances of such indiscriminate killing of wild animals have come to the notice of Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The Government understand it from the reports of the Collector."

Mr. J. A. SALDANHA:—"As to that answer, viz., to prevent indiscriminate killing of wild animals, is there such a thing as discriminate killing of wild animals? (Laughter.)"

[8th October 1928]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Yes. The notification is directed solely to discriminate killing.”

Mr. MAHMUD SCHAMNAD :—“ In the answer to clause (c) it is stated that the question of removing the restriction is under consideration. May I know how long this question has been under the consideration of Government ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It has been under the consideration of Government for the last two or three weeks.”

Increase of wild animals in South Kanara district.

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

(a) whether there has been an enormous increase of wild animals, especially tigers, panthers, elephants and bears on account of the extension and increase of reserved forests in this Presidency, especially in South Kanara ;

(b) whether registers are kept of the number of cattle destroyed by wild animals in the villages adjoining forests in the several districts of this Presidency, and if so, what is the number of cattle so destroyed during the year ending 30th June 1928 in the several districts ; and

(c) what action Government have taken or propose to take to check the increase of wild animals that are likely to destroy cattle and cultivation ?

A.—(a) The hon. Member's attention is invited to the report of the Collector of South Kanara placed on the Council table in connection with Legislative Council Question No. 1424 answered on 25th January 1928.

(b) The attention of the hon. Member is invited to Register No. 19 III at page 122 of the Revised Forms of village accounts. The Government have no information concerning the number of cattle destroyed by wild animals during the year ending 30th June 1928 in the villages adjoining forests.

(c) The hon. Member's attention is invited to the answer given to Legislative Council Question No. 854 asked by Mr. D. Manjappa Heggade on 2nd November 1925 and to the report of the Collector of South Kanara referred to in clause (a) above. The Government have recently issued orders allowing the villagers to hunt wild animals in certain portions of reserved forests in South Kanara during the period July to January of the year.

Mr. J. A. SALDANHA :—“ As to clause (b), it is stated that the Government have no information concerning the number of cattle destroyed by wild animals during the year. May I enquire whether Government think that this destruction of cattle by wild animals is such a small thing, and that they cannot get the information on this subject ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The benefit likely to be derived from the enquiry is not proportionate to the trouble required for the enquiry.”

[8th October 1928]

Mr. J. A. SALDANHA :—“ May I point out, Sir. . . . ”

The hon. the PRESIDENT :—“ The hon. Member will have to take another opportunity to point out. Now the occasion can be used only for putting supplementary questions.”

Mr. J. A. SALDANHA :—“ I want to enquire after finding out that there has been a reduction of at least 50 per cent in ten years by the destruction of wild animals, whether Government will make a careful enquiry in to the subject ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not admit the correctness of the premises of my friend and so I am not prepared to make any enquiry.”

Jails

Alleged conversion to Christianity of the accused in the Villivakkam murder case.

* 370 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the two accused in what is known as the Villivakkam murder case who had been condemned to be hanged were lodged in the Central Jail, Vellore, prior to their execution ;

(b) whether it is a fact that the two accused were converted to Christianity prior to their execution ;

(c) whether it is a fact that Mr. Kadirvelu Nainar, a retired Tahsildar and a religious lecturer in the jail, induced these two condemned men to change their religion ;

(d) whether it is a fact that this Mr. Nainar promised the two condemned men a specially grand funeral and decent burial ;

(e) whether it is a fact that these condemned men embraced Christianity on the strength of that promise ;

(f) whether it is a fact that these two men actually received only the ordinary paupers' burial near Vellore town toll-gate ; and

(g) whether preachers of Hindu religion had equal access to the two condemned men prior to their conversion to Christianity ?

A.—(a) Yes.

(b) Yes.

(c) No.

(d) No.

(e) No.

(f) Government have no information.

(g) Hindu moral lecturers have as much free access as the lecturers of other religions, but in this particular instance no Hindu lecturer visited the jail between the date of admission of these men to the jail and date of execution, viz., 2nd May 1927 to 15th September 1927.

Mr. T. ADINARAYANA CHETTIYAR :—“ May I know whether the Christian missionaries are prevented by rules from preaching to Hindu prisoners ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I want notice.”

[8th October 1928]

Mr. T. ADINARAYANA CHETTIYAR :—" Sir, is it a fact that this Mr. Kadirvelu Nayanar, a Christian paid Missionary propagandist, was allowed to preach to Hindu prisoners including those condemned to death, in the Vellore Jail?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Mr. T. ADINARAYANA CHETTIYAR :—" In view of the fact that I have got positive information to the contrary, will the hon. the Law Member make enquiries into the matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not think that public interests will be served by such an enquiry."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know from the hon. the Law Member whether it is a matter of absolute indifference to him whether the unfortunate Hindus who go to jail and are condemned to death should be converted to Christianity in their last moments in the jails in the interests of the missionaries who are anxious no doubt to add more to the number of converts?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, it is not a matter of indifference to Government."

Mr. T. ADINARAYANA CHETTIYAR :—" Then why not the hon. the Law Member make an enquiry into the circumstances under which two unfortunate Brahmans condemned to death and counting their last moments should be exploited by Christian preachers to convert them?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because Government know as a matter of fact that they sent of their own accord for missionaries."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know if Government would enquire why people who have lived up to their 60th or 65th year as Hindus should have become suddenly anxious to send for Christian missionaries unless they were induced and tempted by zealous missionary paid canvassers?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is not possible for Government to say why they came to such a conclusion."

Mr. DANIEL THOMAS :—" May I know if condemned prisoners wish to change their religion, the Government can prevent them from doing so?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Certainly not."

Mr. T. ADINARAYANA CHETTIYAR :—" In view of the allegation that has been made that these people were really converted by the efforts of these missionary paid men, will Government undertake an enquiry?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, the allegation is unfounded."

Remuneration to Mr. Kadirvelu Nainar, moral lecturer in Vellore Jail.

* 371 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Law Member be pleased to state whether Mr. Nainar, moral lecturer in the Vellore Jail, is a paid employee of the Local Arcot American or some other Christian missionary body?

A.—Mr. Nainar, moral lecturer, the Central Jail, Vellore, was a paid employee of the Local Arcot Mission until a few months ago.

[8th October 1928]

Marine

Admission into the Madras Harbour.

* 372 Q.—Mr. P. BHAKTAVATSULU NAYUDU : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the public of Madras are not allowed to have access to the Madras Harbour and that entry to the harbour is restricted by passports;

(b) if so, what are the reasons for such restrictions;

(c) whether it is a fact that such restrictions do not obtain either in Bombay or Karachi ports;

(d) if so, why such restrictions should be enforced in Madras;

(e) whether it is a fact that one police station is entirely devoted to the Madras Port Trust; and

(f) whether the Government will consider the desirability of giving free access to the citizens of Madras into the harbour as in the case of the Bombay and Karachi ports?

A.—(a) A copy of by-law No. 2^a made by the Madras Port Trust and approved by Government is laid on the table.

(b) & (d) The by-law has been framed for the following purposes, laid down in section 95 of the Madras Port Trust Act, 1905 :—

(1) For the safe and convenient use of the docks, wharves, quays, jetties, sheds, warehouses, railways, tramways and other works constructed by the Board or vested in the Board under this Act;

(2) for the use of the public landing places constructed by or vested in the Board;

(3) for the exclusion from the premises of disorderly or other undesirable persons and of trespassers; and

(4) generally for carrying out the purposes of this Act.

(c) The Government have no information.

(e) One police station is entirely devoted to the work of the Madras harbour.

(f) The Government do not consider it desirable to alter the existing regulations.

Central Record Office

Change of the designation of the Assistant Superintendent of the Record Office as 'Manager'.

* 373 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) when and why the post of the Superintendent of the Madras Record Office was abolished;

(b) why the post of Assistant Superintendent of the Record Office was continued under the same designation; and

(c) whether the Government contemplate changing the designation of the Assistant Superintendent of the Record Office into one of "Manager" of the Record Office on the same scale of pay?

[8th October 1928]

- A.—(a) The post of Superintendent, Madras Record Office, was abolished with effect from 27th August 1925 as there was no necessity to continue the post.
 (b) Government have decided to change the designation to 'Senior Assistant'.
 (c) No.

Mr. A. RANGANATHA MUDALIYAR :—“ May I know, after the abolition of the post of Superintendent of the Record Office, who has been discharging the duties hitherto done by him ? ”

The hon. Mr. T. E. MOIR :—“ I think it was after Mr. Dodwell relinquished his post, that the Superintendent was for a short time in charge of the routine duties but it was recognized that that was not a quite suitable arrangement and the services of Mr. Sekhara Menon, a more senior officer, who had, I think, just retired, were secured for some time. After some other vicissitudes, the post of Curator was restored and it is filled by the present incumbent.”

Corporation of Madras

Permission to Mr. P. V. Nataraja Mudaliyar for holding both the offices of the Commissioner of Religious Endowments and that of a Municipal Councillor.

- * 374 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education and Local Self-Government be pleased to state—
 (a) whether his attention has been drawn to the fact of Mr. P. V. Nataraja Mudaliyar, a Commissioner of the Hindu Religious Endowments Board, being a municipal councillor ;
 (b) whether he proposes to continue the 'permission' granted to him to hold both the offices ; and
 (c) if so, on what grounds ?

A.—(a) Yes.

(b) & (c) The Government permitted M.R.Ry. P. V. Nataraja Mudaliyar to stand for election to the Madras Corporation, in August 1928 as in their opinion he could serve as a Councillor if elected without prejudice to his duties as Commissioner of the Hindu Religious Endowments Board.

Diwan Bahadur S. KUMARASWAMI REDDIYAR :—“ May I know whether the President of the Religious Endowments Board reported that Mr. Nataraja Mudaliyar can be a municipal councillor without prejudice to his duties as a Commissioner ? ”

The hon. Dr. P. SUBBARAYAN :—“ The hon. Member is correct in his presumption.”

Mr. S. SATYAMURTI :—“ I did not hear the question properly, Sir. (After a pause) May I know specifically what are the reasons which helped Government to come to the opinion that a paid officer of the Government can also be a Councillor of the Madras Corporation ? ”

The hon. Dr. P. SUBBARAYAN :—“ For the simple reason that his being a Councillor of the Corporation of Madras did not in any way interfere with his duties as Commissioner of Religious Endowments Board.”

[8th October 1928]

Mr. S. SATYAMURTI :—“ Assuming that the hon. Minister is familiar with the Madras City Municipal Act that no paid servant of Government can be an elected councillor of the Corporation of Madras, may I know what are the special reasons, apart from the opinion of the Government, that the two duties would not conflict, in the case of Mr. Nataraja Mudaliyar ? The inconsistent policy of the whole thing is that he is a Municipal Councillor and at the same time a paid servant of the Government.”

The hon. Dr. P. SUBBARAYAN :—“ The hon. Member is wrong in his presumption, that Mr. Nataraja Mudaliyar is a paid servant of the Government of Madras.”

Education

Organization of a cadre of specialists for the staffing of the Government Training College, Rajahmundry.

* 375 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Director of Public Instruction has submitted any proposals to Government for organizing a cadre of specialists for the staffing of the Government Training College, Rajahmundry ; and
 (b) if so, whether the Government have sanctioned such proposals ?

A.—No such proposals have been submitted to Government.

Combination of the cadres of Deputy Inspectors and School Assistants into one.

* 376 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government are considering the question of combining the cadres of Deputy Inspectors and School Assistants including women officers into one cadre and, if so, the conclusions arrived at by them thereon ;
 (b) whether any and, if so, what percentage of the Madras Educational Service is reserved for promotion from the cadres of Deputy Inspectors and School Assistants and, if not, why not ;

(c) whether Government propose to combine the cadres of junior Deputy Inspectors and of Secondary grade teachers into one, and, if so, on what scale of pay ; and

(d) the different grades into which Munshis and Pandits are divided with their respective scales of pay and the proposals, if any, for their reorganization under consideration by the Government ?

A.—(a) Proposals for the reorganization of the cadres of Deputy Inspectors of Schools and of School Assistants, both men's and women's branches are under the consideration of Government.

(b) At present, no percentage of posts in the Madras Educational Service is reserved for promotion from the cadres of Deputy Inspectors and School Assistants. The question whether it is desirable to fix any such percentage will be considered in connexion with the impending reorganization of the Madras Educational Service.

(c) No such proposal is under consideration.

[8th October 1928]

(d) The present scales of pay for Pandits and Munshis are as follow :—

First-grade colleges	...	...	rs.	75—4—95
			and	
Second-grade colleges	...	...	100—5—125	
Secondary schools	...	...	50—3—65	
No proposals have yet been received from the Director of Public Instruction for the revision of the scales of pay of Pandits and Munshis.			40—2—50	

Boarding accommodation for pupils of the training schools for girls at Calicut.

* 377 Q.—MR. J. A. SALDANHA : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the number of pupils attending the training school for girls at Calicut ;
 (b) the number of them accommodated in the boarding house hostel ;
 and
 (c) whether it is a fact that the accommodation is very inadequate in proportion to the number ?

A.—(a) 173.

(b) 124.

(c) A second hostel has been opened with effect from the 10th August 1928 and the accommodation now provided is adequate.

Introduction of the second language as compulsory subject for Intermediate and B A. courses.

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

- (a) whether it is a fact that while the University has made the study of a second language including its literature and grammar compulsory for the Intermediate and the B.A. courses, corresponding changes have not yet been made in the S.S.L.C. course and that thereby students in college classes are considerably handicapped ; and

(b) whether he will invite the attention of the Director of Public Instruction to the need for suitable action in this matter ?

A.—(a) & (b) The Board for the award of Secondary School-Leaving Certificates has recently appointed a sub-committee to draw up syllabuses in South Indian languages, inclusive of literature and grammar for the Secondary School-Leaving Certificate course.

MR. S. SATYAMURTI :—“ May I know, with regard to the answer to the question that the Government have appointed a sub-committee to draw up syllabuses in South Indian languages, whether Sanskrit is provided for in the new University curricula, and if it is not, may I know the reason why ? ”

The hon. Dr. P. SUBBARAYAN :—“ I am not aware whether Sanskrit is included in South Indian languages.”

[8th October 1928]

Promotion of education among Mappillas.

* 379 Q.—MR. K. UPPI SAHIB : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government have done anything special for promoting the education of Mappillas especially those of Mappilla-nad, viz., Ernad, Walluvanad and Ponnani after the rebellion of 1921 ; and
 (b) if so, what they are and how much money has been spent ?

A.—The attention of the hon. Member is invited to paragraph 107 and to statement No. 84 in Volumes I and II respectively of the Report on Public Instruction in the Madras Presidency for the year 1926-27 and for the quinquennium 1921-22 to 1926-27. Separate figures as to expenditure on Mappilla education are not available.

Religious instruction in Mappilla Training School at Malappuram.

* 380 Q.—MR. K. UPPI SAHIB : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether it is a fact that the present Headmaster of the Government Mappilla Training School at Malappuram has cut short the number of periods for teaching religious subjects in that institution ;

(b) if so, why ; and

(c) what was the time allotted for teaching religious subjects in the institution before and after the advent of the present Headmaster ?

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

Alleged ban on two Muslim newspapers of Malabar.

* 381 Q.—MR. K. UPPI SAHIB : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the reasons for the banning of the two Muslim newspapers of Malabar, viz., the *Al-Ameen* and the *Aykiam* from the students' reading room of the Government Training School for Mappillas at Malappuram by the Headmaster ;

(b) whether it was done at the instance of Government ; and
 (c) what are the newspapers that the students are permitted to read ?

A.—The Government have not issued any orders on the subject ; nor have they any information regarding it.

Number of Mappilla teachers trained at Malappuram Government Training School.

* 382 Q.—MR. K. UPPI SAHIB : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether complaints have been received by Government that the number of Mappilla teachers trained at Malappuram Government Mappilla Training School is quite inadequate to supply the demand ; and

(b) whether they will be pleased to open another training school for Mappillas in North Malabar ?

[8th October 1928]

A.—(a) No.

- (b) In order to provide greater facilities for the training of Mappilla teachers the Government have sanctioned in the current year the opening of an additional lower elementary training section in the Government Training School at Malappuram and also the admission of students into the higher elementary training class in the school annually instead of in alternate years as was the case hitherto. They do not consider that another training school is required at present.

Local Boards

Nomination of the President, Rajampet Taluk Board.

* 383 Q.—Mr. K. KOTI REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the reasons for nominating a President for the Taluk Board of Rajampet, Cuddapah district, and for depriving the Board for the third time of the right of electing its President;
- (b) the reasons for nominating the same person for the third time; and
- (c) whether there are now any other taluk boards in the Presidency on whom the right of electing their presidents has not been conferred and, if so, which they are and for how long such right has not been conferred on them?

A.—(a) The Government were of opinion that local conditions did not justify the grant to the Rajampet Taluk Board of the privilege of electing its President.

(b) The Government considered it in the best interests of the taluk board to nominate as President one who had acquitted himself well in that capacity in previous terms.

(c) Yes. The Hospet and Harpanahalli Taluk Boards have nominated Presidents since 1st April 1925.

Mr. K. KOTI REDDI:—“May I know with reference to answer (a), what are the local conditions that existed in the Rajampet taluk, Cuddapah district, which induced the hon. Minister for Local Self-Government to deprive the taluk board for three terms of the privilege of electing its President?”

The hon. Dr. P. SUBBARAYAN:—“Because it was brought to the notice of the Government that factious spirit was prevalent in the taluk.”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“May I know if the taluk board in question passed any resolution asking for the office of the president being thrown open to election?”

The hon. Dr. P. SUBBARAYAN:—“That is so, Sir.”

Mr. G. HARISARVOTTAMA RAO:—“May I know what exactly are the conditions under which the Government was satisfied that it was factious?”

The hon. Dr. P. SUBBARAYAN:—“On a report made by the Collector of the district.”

[8th October 1928]

Mr. B. RAMACHANDRA REDDI:—“May I know, Sir, whether the Government are aware of the fact that there are inter-communal factions there?”

The hon. Dr. P. SUBBARAYAN:—“The hon. Member is correct in his presumption and that is one of the reasons why the Government have nominated the president.”

Mr. J. A. SALDANHA:—“May I know, Sir, whether there is any municipality in the Presidency where there is no factious spirit?”

The hon. the PRESIDENT:—“We are now on the taluk boards.”

Mr. J. A. SALDANHA:—“I mean taluk boards?”

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

Mr. G. HARISARVOTTAMA RAO:—“May I know when the taluk board asked for election of its president, whether the Collector's report was examined in the light of that request?”

The hon. Dr. P. SUBBARAYAN:—“The Collector's report was sent in connexion with the resolution of the taluk board.”

Mr. K. KOTI REDDI:—“May I know whether there is any taluk board in the Madras Presidency where there is no inter-communal factious spirit?”

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

Mr. R. NAGAN GOWDA:—“May I know the reasons why the taluk boards of Hospet and Harpanahalli have been deprived of the privilege of electing their presidents?”

The hon. the PRESIDENT:—“The hon. Member has to give notice of that question. It is not connected with this.”

Mr. K. R. KARANT:—“May I know, if there is so much factious spirit, why the Government should not order the dissolution of the board and throw it open for fresh election?”

The hon. Dr. P. SUBBARAYAN:—“If the Government thought that course would have been better, they would have taken that course. But they thought that that is not the thing to do at present.”

Mr. G. HARISARVOTTAMA RAO:—“May I know from the hon. the Minister on what facts the Collector came to the conclusion that there was factious spirit in that particular taluk?”

The hon. Dr. P. SUBBARAYAN:—“The Collector's communication is confidential.”

Mr. R. SRINIVASA AYYANGAR:—“I want to know from the hon. the Chief Minister whether it is the policy of the Government, wherever inter-communal spirit prevails, to disenfranchise the concerned local boards?”

The hon. Dr. P. SUBBARAYAN:—“The hon. Member is not correct in his presumption.”

Municipal Councils

Electric installation in Tanjore municipality.

* 384 Q.—Rajkumar S. N. DORAI RAJA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Tanjore municipality has had any experience of carrying out electric schemes;

[8th October 1928]

(b) whether its finances are sufficiently satisfactory to undertake electric lighting;

(c) whether the Government have considered the question of undertaking the electric installation themselves and then handing over the same to the municipality; and

(d) if not, whether they will be pleased to do so?

- A.—(a) No.
(b) Yes.
(c) No.
(d) No.

Rajkumar S. N. DORAI RAJA :—“With reference to clause (b), may I know what is the basis of the Government for the assurance that the finances are sufficiently satisfactory?”

The hon. Dr. P. SUBBARAYAN :—“The Government have formed the opinion after seeing the financial condition of the municipality.”

Rajkumar S. N. DORAI RAJA :—“May I ask whether it is not a fact that the collections of the municipality have fallen into considerable arrears?”

The hon. Dr. P. SUBBARAYAN :—“They are making all attempts to make speedy collections.”

Rajkumar S. N. DORAI RAJA :—“Will Government publish a statement of the financial position of this municipality which I, as a Councillor till very recently, know to be unsound?”

The hon. Dr. P. SUBBARAYAN :—“I do not think that course is necessary.”

Defalcations in Bezwada municipality.

* 385 Q.—The ZAMINDAR OF MIRZAPURAM: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that there are defalcations to the extent of about Rs. 12,000 in the Bezwada Municipality, Rs. 5,000 by issuing false and forged municipal receipts and the balance by not crediting the receipts in the municipal accounts;

(b) whether it is a fact that they commenced in 1926 and continued up to March 1928 and who is responsible for this state of things;

(c) what is the income of the Bezwada Municipality and what is the arrear balance for 1927-28 and what is the cause for so much balance;

(d) whether the accounts of the Bezwada Municipality have been audited during the last three years; if so, at what periods;

(e) whether it is a fact that the Vice-Chairman has submitted a report to the Government about these defalcations in March last and what action the Government have taken thereon; and

(f) whether the Government will be pleased to institute a thorough and complete enquiry into the affairs of the Bezwada Municipality?

- A.—(a) The total defalcations are reported to amount to Rs. 7,821-13-6 and, after adjusting pay, provident fund subscriptions, bonus and securities and the amounts paid by the bill collectors, the net amount to be recovered from the bill collectors and others concerned is Rs. 4,975-1-8. In addition, Rs. 3,257-7-9 was

[8th October 1928]

collected and misappropriated by the same parties on forged receipts. Another sum of Rs. 36-14-0 was also misappropriated by the irregular issue of manuscript receipts.

(b) The Government presume that the defalcations began in July 1927, but they have no precise information on this point. The question of responsibility has not yet been finally disposed of.

(c) The actual collections under taxes and other leased-out revenues were Rs. 2,10,312 and the total arrear balance outstanding on 31st March 1928 amounted to Rs. 1,13,785-7-0. The reason for the accumulation of such heavy arrears is attributed by the Chairman to the fact that just at the close of the year the bill books were with the Police and the auditors.

(d) The accounts are audited quarterly and also annually. The annual audit for the three years ending 1927-28 took place during the following periods:—

Year.	Period of audit.
1925-26 ...	From 28th May 1926 to 8th June 1926.
1926-27 ...	From 19th May 1927 to 4th June 1927.
1927-28 ...	From 4th July 1928 to 4th August 1928.

(e) Yes. The Government called for the remarks of the Chairman and upon their receipt recorded the papers, as criminal cases had been launched against some of those alleged to be concerned in the defalcations and were still *sub judice*. The Government have since received copies of the judgments in five cases, in all of which the subordinates have been convicted and fined. The Courts have ordered that out of the fines, when collected, a sum of Rs. 2,000 in all may be paid to the Municipal Council.

(f) The Chairman has already taken steps to prevent, as far as possible, misappropriation of municipal money in future. The Government have under consideration the question of ordering an enquiry into the financial transactions of the municipality for the last two or three years and are being kept informed of the progress made in recovery of the amounts misappropriated and the reduction of the heavy arrears of tax collections. They see no need to institute any general inquiry into the municipal administration of Bezwada.

Sriman BISWANATH DAS Mahasayo :—“With reference to clause (e), may I know whether the Municipal Chairman himself has reported the fact of these defalcations to the Examiner of Local Fund Accounts and to the Police long before the Vice-Chairman brought them to the notice of the Government and whether it is not laid down in the rules that the Local Fund auditors are to be informed and not the Government?”

The hon. Dr. P. SUBBARAYAN :—“Action was taken on the report by the Chairman, Municipal Council, Bezwada.”

Orphanages

[8th October 1928]

Annual expenditure of the I.D.T. Islam Orphanage at Calicut.

* 356 Q.—Mr. K. UPPI SAHIB: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government receive the accounts relating to the annual expenditure of I.D.T. Islam Orphanage at Calicut;
- (b) if so, what is the cost of boarding and lodging per orphan in that institution; and
- (c) what is the rate of Government grant per orphan?

A.—(a) No.

(b) The Government have no information.

(c) The Government have not laid down any rates of boarding grants to Indian orphanages. The usual procedure is to distribute the budget provision available each year *pro rata* among the eligible children, subject to a maximum of half the net cost to the management. The grants paid in 1926–27 worked out to Rs. 8–9–2 per head for a year.

Mr. K. UPPI SAHIB:—“With regard to the answer to (a), may I know whether any other orphanages to which Government give aid submit their accounts of expenditure?”

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

Religious and Charitable Endowments

Introduction of a Bill to amend the Madras Hindu Religious Endowments Act.

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

- (a) whether he has any intention of introducing a Bill to amend the Madras Hindu Religious Endowments Act;
- (b) if so, when and on what lines; and
- (c) if not, why not?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer to clause (a) of question No. 87. The more important amendments in view are indicated below:—

- (1) Application of the Act to all temples irrespective of income.
- (2) Separation of the judicial and administrative functions of the Board and the constitution of two boards, viz., an Administrative Board of three and a Judicial Board of two Commissioners.
- (3) Placing of excepted temples on a par with non-excepted temples.
- (4) Levy of contribution due to the committee at two per cent of the income of temples instead of at $1\frac{1}{2}$ per cent as at present and exemption of temples with an income of less than Rs. 500 from payment of contribution.
- (5) Provision for removal or suspension of members of temple committees for corruption or misconduct.

[8th October 1928]

Mr. A. RANGANATHA MUDALIYAR:—“May I know if it is in contemplation to see that the cost of working the Act is debited to Provincial revenues either in whole or in part?”

The hon. Dr. P. SUBBARAYAN:—“That matter is under the consideration of Government.”

Mr. S. SATYAMURTI:—“May I know with regard to one part of clause (b), when the Government propose to bring in the Bill?”

The hon. Dr. P. SUBBARAYAN:—“The Bill is now being examined by the Law Department, and as soon as that examination is over, I hope to place it before the very committee which considered the Bill when my hon. Friend, Mr. Ranganatha Mudaliyar, was in charge, and when that course is done and when the Bill is finally drafted and ready, I hope to introduce it in the Council.”

Sriman BISWANATH DAS MAHASAYO:—“May I know from the hon. Minister in charge of Religious Endowments how long it will take to bring in the amending Bill?”

The hon. Dr. P. SUBBARAYAN:—“I cannot exactly say what time it will take.”

Sriman BISWANATH DAS MAHASAYO:—“Roughly?”

Mr. G. HARISARVOTTAMA RAO:—“May I know if the removal of the Kanyakaparameswari temples from the operation of the Act will be one of the questions that will be considered in this amending Bill?”

The hon. Dr. P. SUBBARAYAN:—“I do not think so, Sir.”

Mr. SAMI VENKATACHALAM CHETTI:—“Why not, Sir?”

Excise

Location of arrack shops in certain villages in Tiruvallur taluk.

* 388 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is any rule that toddy or arrack shops should not be located within a distance of four to five miles from one another;

(b) whether it is a fact that toddy shops in the villages of Perathur, Z. 77, Tirukanancheri, V. N. 114, Valliyur, V. N. 109, Meyur, V. N. 113, Kathervedu, V. N. 105, Vengal, Z. 107, in Tiruvallur taluk, Chingleput district, are located within a distance of one or two miles from each other;

(c) whether it is a fact that arrack shops in the villages of Valliyur, Garaganpundi, Kilanur and Meyur, in Tiruvallur taluk, Chingleput district, are located within a distance of about a mile or so from each other;

(d) whether it is a fact that there is a toddy shop in the village of Thirukananjeri (114), consisting of 41 houses with a total population of only 292 persons;

(e) whether it is a fact that there is an arrack shop in the village of Garaganpundi (112) in Tiruvallur taluk, Chingleput district, consisting of 22 houses with a total population of only 106 persons; and

(f) if the answers to (a) and (b) are in the affirmative, why the rule has been disregarded in the instances mentioned above?

[8th October 1928]

A.—(a) The hon. Member presumably refers to the rule that rural shops must not be located without the special permission of the Collector within a furlong of a metalled road and that the minimum distance between shops on a road side in rural areas should ordinarily be five miles.

(b) to (f) The Government have no information. A report has been called for.

Mr. P. BHAKTAVATSULU NAYUDU :—"The answer says that the minimum distance between shops on a road side in rural areas should ordinarily be five miles. What is the distance the Government consider necessary in extraordinary cases like this, Sir?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"No extraordinary cases have so far arisen to my knowledge. It is that these should be located at distances of 5 miles from each other. If it is less than that, the matter will have to be examined. With reference to clauses (b) to (f) I have already stated that the Government have no information and that a report has been called for. If that information is received, we will examine the question in the light of that."

Medical

Amendment of the rules for the admission and training of L.M.P. candidates.

* 389 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) whether rule 33 (c) of the rules for admission and training of pupils for the Diploma of Licensed Medical Practitioner was amended last year;

(b) whether the amendment gives full discretion to the Board of Examiners to remand any candidate, even though he has obtained the required number of marks in the Board Examination, if after a scrutiny of the results of class examination they consider such a course necessary;

(c) whether this new rule was given effect to in the last April examination;

(d) if so, how many candidates who got the required percentage of marks in that examination were remanded as the result of this new rule;

(e) whether the President of the Board of Examiners protested against the unfairness of this new amendment at the time it was made; and

(f) whether the Government propose to withdraw the new amendment or at least to modify it so as to give power to the Board to pass or fail students on the basis of their school record?

A.—(a) Yes.

(b) Yes.

(c) Yes.

(d) Fifteen candidates; eleven in the first year class, one in the second year, two in the third year and one in the final year.

(e) Yes.

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

[8th October 1928]

Mr. A. B. SHETTY :—"May I know what led the Government to make the amendment referred to in clause (a)?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"They thought it would be better in the interests of medical education."

Mr. A. B. SHETTY :—"May I know whether such a discretion is given to the Board of Examiners with regard to any other public or University examination?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am not aware of any such discretion in other cases."

Mr. A. B. SHETTY :—"May I know on what grounds the President of the Board of Examiners protested against the unfairness of this new arrangement?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"On the ground that it works hardship on the students."

Dr. B. S. MALLAYYA :—"May I know where is the necessity for a Board if the students show better work in the classes?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Generally it is considered better that the two should be taken together."

Dr. B. S. MALLAYYA :—"May I know whether the examiners that constitute the Board are the same that examine them in the classes?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Not all of them, I think."

Dr. B. S. MALLAYYA :—"Sir, if all of them are teachers, where is the advantage of this Board Examination over the class examination?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The hon. Member may be aware that there is a system called moderation in regard to S.S.L.C. examination. For instance, if a student fails in the Board examination, his class examination will be taken into account and *vice versa*. Even if they fail in the Board examination, owing to sickness or other causes, the class marks may help them."

Dr. B. S. MALLAYYA :—"May I know what is the advantage of these Board examinations? Is it to take money from the students and pay it to the examiners?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"That may be one of the advantages, which the hon. Member recognizes. The advantage of having the Board examination is they take the results of two examinations into account. Even if the student fails in the Board examination, if he has done satisfactorily in the class, the examiners may give credit to it."

Dr. B. S. MALLAYYA :—"Is the hon. Minister aware that those who have failed in the Board examination are not given credit for their good work in the class; on the other hand, if they pass in the Board examination, bad work in the class is taken into account against them?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"In that particular instance, the Board of Examiners and the Surgeon-General thought that cramming at the last stage was not a satisfactory feature."

Public Health

[8th October 1928]

Efficacious treatment of leprosy in its various stages.

* 390 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased—

(i) to place before the House a statement showing the various medical treatments found most efficacious in curing or controlling the disease of leprosy in its various stages in the several Leper Settlements, hospitals, and asylums either under Government control or aided by Government, and

(ii) to state—

(a) what steps Government are taking for special research in tracing the most efficacious treatment of leprosy;

(b) whether they have received information or read about the effective treatment of leprosy by means of the juice of the eaju fruit or the liquor or essence extracted from eaju juice in Goa and Ceylon; and

(c) if so, whether Government have taken steps or are taking steps to try the efficiency of this treatment?

A.—(i) At present the drug which has been found most efficacious in the treatment of leprosy is Hydnocarpus oil. Its derivatives are also extensively used in the several leper settlements, hospitals and asylums in this Presidency.

(ii) (a) Several other drugs are at present being tested by medical officers in charge of leper asylums and the results are reported to be promising.

(b) The Government have no information.

(c) So far as information is available, it has not been tried in any of the leper institutions in this Presidency.

MR. J. A. SALDANHA :—“With reference to (ii) (a), may I enquire what are the other drugs that are used by the medical officers?”

THE HON. DR. P. SUBBARAYAN :—“Notice, Sir.”

DR. B. S. MALLAYYA :—“Are there any drugs which are used at all here?”

THE HON. DR. P. SUBBARAYAN :—“The answer is given that they are using one drug.”

DR. B. S. MALLAYYA :—“What are the drugs that are being tested?”

THE HON. DR. P. SUBBARAYAN :—“Notice.”

Agriculture

Selection of students for admission in the Agricultural College at Coimbatore.

* 391 Q.—RAO BAHADUR SIR A. P. PATRO: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are aware of the fact that the affiliation of the Agricultural College at Coimbatore with the University has debarred the real agricultural and cultivating classes from sending their boys for agricultural study;

(b) the names and profession of the families of the students selected for admission into the college for the last three years 1925--1928;

[8th October 1928]

(c) whether it is a fact that within the last three years the selection of students has been more from among those who are B.A.'s and B.A. (Honours) the exception being intermediate pass students;

(d) whether the Government are aware that the ordinary graduates from the Agricultural College are not in most cases suitable for higher scientific and research work in the demonstration farms without a further course of practical work in an agricultural station; and

(e) how many agricultural demonstration stations there are in the Telugu districts (including Ceded districts) and how many there are in the Tamil districts?

A.—(a) Government are aware that the higher educational qualifications prescribed for admission to the College cause a little hardship to the boys of the cultivating classes. But only such candidates as have an agricultural bias and are connected with land are invariably selected for admission to the College.

(b) A statement ^a is appended.

(c) Apart from intermediate pass students only persons with a B.A. Pass degree were admitted as per the table below :—

			1926.	1927.	1928.
B.A. (Hons.)	...	...	Nil.	Nil.	Nil.
B.A. Pass	...	...	3	2	1
Intermediate	...	...	36	39	40

(d) The answer is in the affirmative, and persons appointed to the Agricultural Department are always given training either in Research Sections or Experimental stations.

(e) If the hon. Member means demonstration areas run by the Agricultural department they are the following :—

- (1) A demonstration area on the Samalkot Experimental station.
- (2) A demonstration area at Vizagapatnam in the Kaikalur taluk.
- (3) A demonstration area near Chayoragiri in Chittoor district.
- (4) Six demonstration farms run by Agricultural Co-operative Societies in Tanjore and Trichinopoly districts.
- (5) A small area at Madura.
- (6) A number of coconut demonstration areas on the West Coast.

If on the other hand the hon. Member means demonstration plots on ryots' lands there are more than 600 of them in the Presidency.

MR. R. NAGAN GOWDA :—“In answer to clause (a) the Government referred to ‘agricultural bias.’ May I know what the Government mean by agricultural bias?”

THE HON. DR. P. SUBBARAYAN :—“People who have some connexion with land-owning families.”

[8th October 1928]

Mr. R. NAGAN GOWDA :—" May I know what kind of connexion they are speaking of ? "

The hon. Dr. P. SUBBARAYAN :—" Relationship."

Mr. R. NAGAN GOWDA :—" May I know if these students are expected to have worked on any farms before they are admitted into the college ? "

The hon. Dr. P. SUBBARAYAN :—" That is not possible."

Mr. J. A. SALDANHA :—" May I enquire if in addition to the course requiring University degree, the Government think of providing another course in regard to agricultural classes which does not require University degrees ? "

The hon. Dr. P. SUBBARAYAN :—" No, Sir."

Steps taken for agricultural improvement in Telugu districts.

* 392 Q.—Rao Bahadur Sir A. P. PATRO : Will the hon. the Minister for Development be pleased to state whether any steps were taken for (1) seed improvement, and (2) cultural improvement and manures in the Telugu districts and particularly in the Ganjam and Vizagapatam districts ?

A.—The answer is in the affirmative.

Number of demonstrators in Ganjam and Vizagapatam districts.

* 393 Q.—Rao Bahadur Sir A. P. PATRO : Will the hon. the Minister for Development be pleased to state—

(a) how many demonstrators there are in the Ganjam and Vizagapatam districts and whether any demonstration plots are selected by them in the ryots' fields; and

(b) if so, what are the villages where the demonstration plots have been opened ?

A.—(a) There are four demonstrators in the Ganjam district and six in the Vizagapatam district. These officers are conducting demonstrations of improved agricultural methods on the ryots' lands in their respective jurisdictions.

(b) A list of villages^a with the nature of the demonstrations conducted during the years 1926-27 and 1927-28 is appended.

Number of maistris in the Agricultural department.

* 394 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Development be pleased to state—

(a) the total number of agricultural maistris now working in the department ;

(b) where they are working ; and

(c) the nature of work on which they are employed respectively ?

^a Printed as Appendix V on pages 117-118 infra.

[8th October 1928]

A.—(a) & (b) There are at present 80 maistris employed by the department and these are distributed as follows :—

I Circle	...	...	...	...	...	...	13
II "	...	...	...	...	...	...	6
III "	...	...	...	...	...	...	10
IV "	...	...	...	...	...	...	12
V "	...	...	...	...	...	...	7
VI "	...	...	...	...	...	...	13
VII "	...	...	...	...	...	...	9
VIII "	...	...	...	...	...	...	10
							80

The Government have no information about the exact places where these maistris are now working.

(c) These maistris are attached to Agricultural Demonstrators and aid them in demonstrating improved methods of agriculture and the use of improved implements. They are used to construct Sindwaha furnaces, to give demonstration with iron ploughs, roll-easy whote wheels, the drill sowing of cotton, the wrapping and propping of sugarcanes, the thin sowing of paddy nurseries, the economic transplanting of paddy, etc.

Cost of running the Taliparamba agricultural farm.

* 395 Q.—Mr. K. UPPI SAHIB : Will the hon. the Minister for Development be pleased to state—

(a) the annual cost of running the Taliparamba agricultural farm ;

(b) whether it is an experimental farm ; and

(c) if so, what experiments were till now done in the farm and with what result ?

A.—(a) The hon. Member's attention is invited to page 17 of the annual report of the Taliparamba Experiment Station for 1927-28.

(b) It is an experimental station.

(c) The hon. Member's attention is invited to the annual reports of this station.

Industries

Liabilities of the Carnatic Paper Mills Company, Limited.

* 396 Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

(a) what the total liabilities of the Carnatic Paper Mills were when the first loan was made ; and

(b) whether the Government gave that loan on the condition that the firm should utilize the amount for paying up its liabilities and for no other purpose ?

A.—(a) Rupees 5,81,202.

(b) Yes.

[8th October 1928]

Mr. K. V. R. SWAMI :—“ In answer to question (b), i.e., whether Government gave the loan on condition that the firm should utilize the amount for paying up its liabilities and for no other purpose, the Government say ‘ Yes.’ May I know the object of this stipulation ? ”

The hon. Dr. P. SUBBARAYAN :—“ So that the Government mortgage may be safeguarded.”

Mr. K. V. R. SWAMI :—“ Do the Government think of realizing the amount at any time, and in what way ? By selling up the mill ? ”

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

Mr. P. C. VENKATAPATHI RAJU :—“ May I know whether the Carnatic Paper Mills definitely asked for some sums to be devoted to working expenses of the factory along with the amount needed for paying liabilities ? ”

The hon. Dr. P. SUBBARAYAN :—“ That could not be done because it would not cover the sum that the Government have advanced.”

Mr. K. V. R. SWAMI :—“ May I know if this demand for a further sum for working capital was made along with the demand for a sum for paying liabilities ? ”

The hon. Dr. P. SUBBARAYAN :—“ Yes, and the Government refused to grant any sum for working the mill, because they did not think the security was sufficient.”

Mr. K. V. R. SWAMI :—“ Are the management made to understand that they are not going to be given any loans for working capital ? ”

The hon. Dr. P. SUBBARAYAN :—“ I believe so, Sir.”

Mr. P. C. VENKATAPATHI RAJU :—“ Did not the Government pay large sums of money time after time for being paid to the establishments ? ”

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

Mr. K. V. R. SWAMI :—“ May I know in what way they wanted to realize the amount when they knew that there was no working capital for them and they mortgaged their whole assets ? ”

The hon. Dr. P. SUBBARAYAN :—“ The shareholders were saying that they would pay up the capital.”

Mr. P. C. VENKATAPATHI RAJU :—“ Cannot the Government give us an idea of the amount of the loan that was actually paid by the Company for discharging its liabilities ? ”

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

Veterinary

Improvement of cattle-breeding in Kurnool district.

* 397 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Development be pleased to state, with reference to the statement made by the Special Officer for Cottage Industries, at page 19 of his report regarding Kurnool district that very little care is being taken in the selection of stud-bulls for breeding purposes by the Lambadis who keep herds of cows, what steps have been taken or proposed to be taken to improve cattle-breeding in the district ?

[8th October 1928]

A.—A survey of the cattle of the Kurnool district will be started on completion of the survey of cattle in the Ongole tract now in progress.

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. Minister when the survey of cattle in the Ongole tract is likely to be finished—the possible period of time ? ”

The hon. Dr. P. SUBBARAYAN :—“ I am not yet in a position to say when it will be finished.”

Mr. R. NAGAN GOWDA :—“ May I know if this survey which is contemplated for the Kurnool district and is now being carried on in the Ongole tract is part of a large survey that will be made for the whole Presidency ? ”

The hon. Dr. P. SUBBARAYAN :—“ It depends on the results of this survey.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if the survey of the whole Ongole tract may be finished in six months approximately ? ”

The hon. Dr. P. SUBBARAYAN :—“ The hon. Member may be correct.”

Mr. B. RAMACHANDRA REDDI :—“ May I know the nature of the survey that is now undertaken in the Ongole tract, and the progress so far made ? ”

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

Mr. R. NAGAN GOWDA :—“ With what object are they carrying on the survey in the Ongole area ? ”

The hon. Dr. P. SUBBARAYAN :—“ To know something about the cattle existing in this area.”

Mr. R. NAGAN GOWDA :—“ May I know if, even in spite of the cattle breeding farm on which many lakhs are spent, the Government have not an idea of the kind of cattle existing in this area ? ”

The hon. Dr. P. SUBBARAYAN :—“ They have an idea, but they want to get a better one.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if this survey includes an enquiry into the census of cattle ? ”

The hon. Dr. P. SUBBARAYAN :—“ The hon. Member is correct in his presumption.”

Alleged prevalence of rinderpest in Anantapur district.

* 398 Q.—Mr. C. OBI REDDI : Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are aware that rinderpest of a virulent type has been prevailing in the district of Anantapur;

(b) if so, the taluks in which the epidemic has been prevailing;

(c) the length of the time, talukwar the epidemic has been so prevailing;

(d) the number of cattle that have up till now fallen a prey to it;

(e) the strength of the veterinary staff distributed in the district and whether it is a fact that it is not adequate to cope with the ravages of the epidemic; and

(f) whether the Government would be pleased to reinforce the staff at an early date to stamp out the epidemic ?

[8th October 1928]

A.—(a) Yes.

(b)—(d) A statement giving the information asked for, is placed on the table.

(e) There are four permanent touring men in the district and during this outbreak three additional hands were employed to cope with the situation.

(f) Further reinforcement at present is not possible owing to the severity of rinderpest in many other parts of the Presidency.

11-45 a.m. Mr. C. OBI REDDI :—“Will the hon. the Minister for Development be pleased to state whether the three additional hands are still working?”

The hon. Dr. P. SUBBARAYAN :—“I think the hon. Member is right.”

Mr. C. OBI REDDI :—“In what taluk are they working?”

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

Mr. C. OBI REDDI :—“Does not the Government see that there is need for further reinforcement at present?”

The hon. Dr. P. SUBBARAYAN :—“As stated in the answer, there is need but there are no hands available for strengthening the staff.”

Mr. R. NAGAN GOWDA :—“In view of the fact that the loss of animals is so very great, will the Government be pleased to authorize all the veterinary assistants to do serum simultaneous inoculation work?”

The hon. Dr. P. SUBBARAYAN :—“The hon. Member evidently does not know that all veterinary assistants are not competent to do this work?”

Mr. R. NAGAN GOWDA :—“May I know if they cannot be given the training to do that work?”

The hon. Dr. P. SUBBARAYAN :—“Then it will be too late. If the hon. Member's suggestion is carried out, it will be closing the doors after the horse has been stolen from the stable.”

Mr. R. NAGAN GOWDA :—“Does the hon. Member know that it does not take a very long time to give that training?”

The hon. Dr. P. SUBBARAYAN :—“The hon. Member's opinion evidently differs from the opinion I hold.”

Mr. B. RAMACHANDRA REDDI :—“May I know whether the Government have taken any serious steps to give this training?”

The hon. Dr. P. SUBBARAYAN :—“Yes, it is being done.”

Mr. C. OBI REDDI :—“In view of the statement just now made that reinforcement is necessary, will the Government be pleased to take the suggestion that the available veterinary force in the district is concentrated in the area where the disease is most prevalent?”

The hon. Dr. P. SUBBARAYAN :—“I believe that is being done at present.”

Mr. G. HARISARVOTTAMA RAO :—“In view of the answer given by the hon. Minister, may I know that in future at least he will take steps to get larger number of men trained so that there may be speedier inoculation?”

a Printed as Appendix VI on page 119 infra.

[8th October 1928]

The hon. Dr. P. SUBBARAYAN :—“The experience gained now will of course be utilized to get more men to do this work.”

Mr. R. NAGAN GOWDA :—“May I know whether the hon. Minister is aware that one circle officer in the Presidency is given the privilege of training his veterinary assistants in this work?”

The hon. Dr. P. SUBBARAYAN :—“Quite possible.”

Mr. R. NAGAN GOWDA :—“Why should not the same thing be done in other circles?”

The hon. Dr. P. SUBBARAYAN :—“If there were competent men to give training, that course will be taken. Probably the hon. Member is not aware that competent men are not available.”

Mr. J. A. SALDANHA :—“May I know if the hon. Member is aware of the recommendation of the Agricultural Commission that serum simultaneous should be introduced immediately and that the other serum is useless?”

The hon. Dr. P. SUBBARAYAN :—“I am glad that the hon. Member has read the report to good purpose.” (Laughter.)

Mr. J. A. SALDANHA :—“Is that an answer, Sir?”

Mr. B. RAMACHANDRA REDDI :—“From the answers to the supplementary questions am I right in understanding that no special training is given in the Veterinary college for learning this serum simultaneous method of inoculation?”

The hon. Dr. P. SUBBARAYAN :—“The hon. Member is not correct in his presumption because such training is being given.”

Mr. G. HARISARVOTTAMA RAO :—“As the hon. Minister has read the Agricultural Commission Report equally well as the hon. Member Mr. Saldanha, may I know whether he is taking that recommendation seriously and carrying it out as readily as possible?”

The hon. Dr. P. SUBBARAYAN :—“That is being done.”

Dr. B. S. MALLAYYA :—“If the hon. Minister knows or is in a position to answer, may I know whether the serum that they are getting from Muktesar is sufficient for the adoption of the method for the whole of the Presidency?”

The hon. Dr. P. SUBBARAYAN :—“I am not so well acquainted with medical science as the hon. Member is.”

Dr. B. S. MALLAYYA :—“May I know whether the hon. Minister is aware that they have controlled the disease in Mysore by preparing the serum themselves on the spot as well as utilizing the virus and the virus required now is got from Mysore? May I also know, Sir, whether the Government are prepared to start a factory at Coonoor so that considerable saving may be effected in the amount now being spent in buying the serum and the virus from Muktesar?”

The hon. Dr. P. SUBBARAYAN :—“I am obliged to the hon. Member for the interesting information and I shall see what could be done in the matter.”

[8th October 1928]

Mr. G. HARISARVOTTAMA RAO :—“ May I know what additional steps the hon. Minister has taken to carry out the recommendation of the Agricultural Commission in this respect ? ”

The hon. Dr. P. SUBBARAYAN :—“ The report is being considered at a conference in Simla. ”

UNSTARRED QUESTIONS

Irrigation

Construction of a dam for Thoppiar river.

399 Q.—Subadar-Major S. A. NANJAPPA Bahadur : With reference to my speech on 2nd March 1928, Volume XL, page 257, Proceedings of the Madras Legislative Council, will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have undertaken the work of putting up a dam for Thoppiar river near Omalur taluk, Salem district ; and
(b) if so, at what stage the work is at present ?

A.—The Thoppiar scheme has been investigated and the plans and estimates for the project are under examination by the local officers. The scheme will be considered by the Government on receipt of the Chief Engineer's report.

Revenue Establishments

Acting and permanent tahsildars in Ganjam and other districts

400 Q.—Munshi MUHAMMAD ABDUL WAHAB SAHIB Bahadur : Will the hon. the Member for Revenue be pleased to state—

(a) the number of acting or permanent deputy tahsildars and tahsildars in the districts of Ganjam, Vizagapatam, Godavari East and West, Kistna, Guntur and Nellore who are either Christians or Muhammadans ; and
(b) how many of them are fully qualified for appointment as deputy tahsildars and tahsildars.

A.—(a) The hon. Member is referred to the District Revenue Establishment lists corrected up to 1st April 1928 which are available in the Secretariat Library.

(b) The Government have no reason to suppose that any of them lack the prescribed technical qualifications. If the hon. Member uses the words “ fully qualified ” in a broader sense then the matter is one of opinion.

Civil Justice

Returns showing the disposal of civil suits by District and Sub-Judges.

401 Q.—Mr. V. KAMESWARA RAO NAYUDU : Will the hon. the Law Member be pleased to state the comparative figures showing the period of delay in the disposal of civil suits by European District Judges and by Sub-Judges and the number of adjournments allowed by them in each suit in any two districts where District Judges are Europeans ?

A.—The Government have not got the information.

[8th October 1928]

Disposal of suits by district munsifs.

402 Q.—Mr. V. KAMESWARA RAO NAYUDU : Will the hon. the Law Member be pleased to ascertain and state—

(a) whether it is a fact that many district munsifs dispose of very few suits in the first two months of each quarter and show hurried and large disposal of suits in the last month of the quarter ; and

(b) if so, whether the Government propose to take any and, if so, what measures to remedy the same ?

A.—(a) The Government have no information. If the hon. Member will mention specific instances, the Government will address the High Court.

(b) Does not arise.

Adoption of the recommendations of the Civil Justice Committee.

403 Q.—Mr. V. KAMESWARA RAO NAYUDU : Will the hon. the Law Member be pleased to state whether there has been any appreciable improvement in delays in civil courts by the adoption of the recommendations of the Civil Justice Committee ?

A.—A number of new enactments, e.g., the Civil Procedure Amendment Acts, the Limitation Amendment Act, have come into force as a result of the recommendations of the Civil Justice Committee. The object of these amendments is to expedite the hearing of cases and to obviate delays whenever possible. The Government have therefore every reason to believe that these measures have the desired effect.

Quarterly statement of civil suits disposed by judicial officers.

404 Q.—Mr. V. KAMESWARA RAO NAYUDU : Will the hon. the Law Member be pleased to state—

(a) whether in the quarterly statements of disposal of civil suits furnished to the High Court by judicial officers the numbers of adjournments allowed in each suit are noted ; and

(b) if not, whether the Government will consider the advisability of having this information noted in the quarterly return for all suits of over a year pending from date of institution for the purpose of checking delays ?

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

(b) Under section 107 (a) of the Government of India Act, the power to call for returns from subordinate courts is vested in the High Court. The matter is therefore entirely within the discretion of the hon. the Judges.

Number of adjournments granted by district munsifs.

405 Q.—Mr. V. KAMESWARA RAO NAYUDU : Will the hon. the Law Member be pleased to ascertain and state—

(a) whether it is a fact that in many suits in District Munsifs' and Sub-Judges' courts the number of adjournments exceeds even twenty ; and

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

[8th October 1928]

A.—(a) The Government have no information. If the hon. Member will mention specific instances, the Government will address the High Court.

(b) Does not arise.

Daily allowances to jurors and assessors.

406 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Law Member be pleased to state—

(a) the daily allowance paid to the European jurors and assessors in the district courts;

(b) the daily allowance paid to the Indian and European jurors and assessors in the High Court;

(c) whether it is a fact that the Indian jurors and assessors are paid only 8 annas; and

(d) whether the majority of jurors and assessors are unwilling to receive the summons and if so, whether that is purely due to the existing rates of allowance?

A.—(a) One rupee per diem.

(b) No batta is paid to jurors attending the High Court. There are no assessors in the High Court.

(c) Yes. They are paid a batta of 8 annas per diem in the mufassal.

(d) The Government have no information.

Criminal Justice

Issue of orders under section 144, Criminal Procedure Code, on Messrs. Joshi and Giri.

407 Q.—MR. V. KAMESWARA RAO NAYUDU: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that orders under section 144, Criminal Procedure Code, were issued against Messrs. N. M. Joshi and V. V. Giri at Negapatam and whether it is a fact that they were also asked to quit the place immediately;

(b) whether these orders were issued under the directions of the Government of Madras;

(c) if not, whether any enquiry was made into the circumstances which led to the promulgation of these orders; and

(d) whether they propose to direct the District Magistrate to withdraw these orders?

A.—(a) Yes.

(b) No.

(c) Yes.

(d) They have already been withdrawn.

Electricity

Financial position of the Trichinopoly-Srirangam Electric Supply Corporation, Limited.

408 Q.—MR. S. ARPUDASWAMI UDAYAR: Will the hon. the Law Member be pleased to state—

(a) whether in respect of "The Trichinopoly-Srirangam Electric Licence, 1925" the Government had called upon the Trichinopoly-Srirangam Electric Supply Corporation, Limited, Trichinopoly, to show that

[8th October 1928]

they were in a position fully and efficiently to discharge the duties and obligations imposed upon them throughout the area of supply within the period of one year from the commencement under clause 4 (a) of their licence, dated the 7th July 1925;

(b) whether an affidavit stating "the capital subscribed and paid up" within the 7th July 1926 and such other facts necessary to explain fully the financial position of the said Corporation was ever demanded by the Government and complied with by the said Corporation;

(c) whether Government will place the affidavit or documents connected therewith on the table of the House; and

(d) whether any reference was made to the said Corporation calling upon them to satisfy the Government in regard to their financial position within the time stipulated therefor in clause 4 (a) of their licence?

A.—The Government obtained the necessary reports from the Trichinopoly-Srirangam Electric Supply Corporation, Limited, with reference to clause 4 (a) of the licence granted to them. The papers cannot be placed on the table of the House.

Security deposited by the Trichinopoly-Srirangam Electric Supply Corporation, Limited.

409 Q.—MR. S. ARPUDASWAMI UDAYAR: Will the hon. the Law Member be pleased to state—

(a) whether, in respect of the deposit of security, the Trichinopoly-Srirangam Electric Supply Corporation, Limited, deposited the sum of Rs. 10,000 in cash or in Government paper, as required by clause 4 (b) of their licence; and

(b) whether, in case of the latter, the Government promissory notes were accepted only, on their face value or otherwise and for what amount the Government have passed a receipt in acknowledgment of the security amount?

A.—(a) In 5 per cent war loan bonds 1929—47.

(b) They were accepted at their face value for the full amount of the security.

Completion of compulsory works by the Trichinopoly-Srirangam Electric Supply Corporation, Limited.

410 Q.—MR. S. ARPUDASWAMI UDAYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Trichinopoly-Srirangam Electric Supply Corporation, Limited, had completed within the three years time-limit prescribed under clause 8 (a) of their licence all the compulsory works "of laying down suitable and sufficient transmission lines and distributing mains and the execution of works for the purpose of supply of electrical energy throughout such streets or parts of streets" as are mentioned in the first annexure to their licence dated the 7th July 1925; and

(b) whether steps were taken by Government under clauses 8 (b) and 15 of the Corporation's licence for revocation, as the period for the completion of all works had actually expired by the 6th July 1928?

[8th October 1928]

A.—The Corporation were unable to complete some of the compulsory works within the time limit prescribed and under the provisions of section 4 (3) (b) of the Indian Electricity Act, clause 8 (a) of the licence has been amended extending the time-limit by seven months

Submission of half-yearly reports by the Trichinopoly-Srirangam Electric Supply Corporation, Limited.

411 Q.—MR. S. ARPUDASWAMI UDAYAR: Will the hon. the Law Member be pleased to state—

(a) whether in regard to the due fulfilment of obligations under clause 8 (c) of the licence given to the Trichinopoly-Srirangam Electric Supply Corporation, Limited, the Corporation submitted reports every six months from the date of commencement of their licence to the date fixed for the completion of all the compulsory works mentioned in the first annexure thereof, specifying all the steps taken and the progress made by the above Corporation in carrying out the works in terms of the licence; and

(b) whether Government will place the connected documents and the half-yearly progress reports on the table of the House?

A.—(a) Yes.

(b) No.

Forests

Exemption to officers in the Forest department from licences for firearms.

412 Q.—MR. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether at present the officers of the Forest department on active service in forest areas are required to obtain in their personal capacity licences for possessing arms;

(b) whether it is a fact that the Madras Forest Rangers' Association have been requesting the Government to grant exemptions to the officers of the Forest department from the statutory requirement for taking out licences in their personal capacity even while on public duty; and

(c) whether the Government will consider the desirability of exempting such officers from the operation of licensing provisions and also supplying them with suitable firearms?

A.—(a) & (c) The Government of India have sanctioned the supply of about 260 muskets for the use of such of the Forest subordinates (including Rangers) as the Local Government considered require them for self-protection against wild animals. These subordinates are exempted from taking out licences for the possession of these arms and from paying any fees for them. The Government do not consider that any general exemption as is suggested should be recommended.

(b) The Madras Forest Rangers' Association petitioned the Chief Conservator of Forests in December 1923 that the licence fees should be remitted in the case of all arms in the possession of Forest Rangers.

8th October 1928]

Alleged comparative shortness of the period of active service put in by Forest officers.

413 Q.—MR. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Law Member be pleased to state whether it is a fact that officers in active forest service do not put in the same length of service as officers in other departments, and if so, whether it is due to the serious risks to health to which service in the Forest department is liable?

A.—The answer to the first part of the question is that comparison regarding the length of service of officers serving in the various departments of Government is not possible unless elaborate tables of figures relating to all of them on a common basis are prepared. The second part does not arise.

Abolition of confidential reports about forest rangers.

414 Q.—MR. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether Government have received complaints against the system of treating as confidential the half-yearly conduct reports on the work and conduct of forest rangers; and

(b) whether the system of confidential reports will be abolished in all departments in which it may exist?

A.—(a) No.

(b) No.

Reduction of penning fees and compounding fees in connexion with cattle-grazing in forests.

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

(a) what steps, if any, have been taken to reduce the penning fees and compounding fees in connexion with cattle-grazing in forests; and

(b) if so, to what extent?

A.—(a) & (b) The Government have not recently taken any steps in the matter.

Stamps

Increase in the limit to the value of stamps sold by stamp-vendors.

416 Q.—MR. J. A. SALDANHA: Will the hon. the Law Member be pleased to state what action has been taken on the suggestion made during the Budget debates on 15th March 1928 regarding the increase of the limit to the value of stamps sold by stamp-vendors?

A.—The hon. Member is referred to the answer to question No 246 put at the meeting of the Legislative Council on 8th September 1928.

Education

Educational facilities for Parsi boys on the Nilgiris.

417 Q.—MR. J. A. DAVIS: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what steps are being taken to provide education for Parsi boys on the Nilgiris;

[8th October 1928]

(b) whether the Government have received a memorial pointing out the difficulties which the Parsi community on the Nilgiris is being put to in consequence of the absence of suitable means of education for boys of the community;

(c) whether it is a fact that many Parsis are considering the question of leaving the Hills in consequence of the absence of facilities for the education of their children; and

(d) whether the Government are aware that all the schools on the Nilgiris, other than the European schools, have, as medium of education, Tamil and that therefore Parsi children, who do not understand Tamil, are unable to attend schools other than European schools?

A.—(a) No special steps are being taken

(b) No.

(c) The Government have no information.

(d) The fact may be as stated.

Religious and Charitable Endowments

Working of the Wakf properties in this Presidency.

418 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have any and, if so, what information regarding the working of the Wakf properties with a list of properties, the places they are situated, the names of the persons in possession of the properties and of cases in which the properties are being mismanaged?

A.—The Government have obtained detailed information regarding Wakf properties from Collectors. An abstract of these replies with remarks in the case of properties said not to be managed properly was furnished in July last to the hon. Member and all other Muslim members of this Council.

Public Health

Construction of a special drain for Salem town.

419 Q.—Subadar-Major S. A. NANJAPPA Bahadur: With reference to the answer to my question No. 1319 regarding the construction of a special drain for Salem town answered on 23rd January 1928, will the hon. the Minister for Public Health be pleased to state whether Government have allotted any amount in the Civil Budget Estimates for 1928-29 for the construction of intercepting sewers on both sides of the Tirumanimattar river in Salem and, if not, why?

A.—Yes. A grant and a loan of Rs. 75,750 each have been provided in the Civil Budget Estimate for 1928-29.

Registration

Reduction of the Ammamani fees for registering documents.

420 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the Registration Department collects Rs. 3 as Ammamani fees for identifying gosha ladies in registering documents and pay only Re. 1 to the Ammamani for identification work;

[8th October 1928]

(b) the reason why the excess amount of Rs. 2 is collected more than what is required;

(c) how the balance of Rs. 2 is utilized; and

(d) whether the Government will be pleased to reduce the fee to Re. 1, the actual expenditure incurred?

A.—(a) A fee of Rs. 3 is levied from gosha ladies in cases where they wish to be examined by a Ammamani. The Ammamani is paid one rupee in the mufassal and one rupee eight annas in the City of Madras.

(b), (c) & (d) The Ammamani fee was Rs. 5 in 1866. The Government reduced the fee to Rs. 3 in 1911. They do not consider that any further reduction is necessary, as the main object of fixing the fee at this rate is to restrict the instances in which the agency is employed to cases of real necessity and as under the note to article 8 of the Table of Fees a Registrar has discretion to remit even the entire fee if, in his opinion, the exaction would be productive of hardship. The balance of fee is credited to Government.

Allowances to sub-registrars for attendance for registration in private residences.

421 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government pay any allowance to the sub-registrars for attendance for registration in private residences in addition to the usual travelling allowance; and

(b) if not, whether they will pay to the sub-registrars in future portion of the fee collected?

A.—(a) No.

(b) The Government regret they are not able to do so.

Accommodation for gosha ladies in Registration offices.

422 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the offices of the sub-registrars have any separate accommodation for gosha ladies when they appear before the sub-registrars for registering documents; and

(b) if not, whether the Government will make the necessary arrangements by providing suitable partitions?

A.—(a) & (b) A report has been called for.

III

COMMUNICATIONS TO THE COUNCIL.

(1) With reference to the answers given to questions Nos. 397, 938 and 1619 at the meetings of the Legislative Council held on 27th August and 31st October 1927 and 28th February 1928 respectively, the Secretary laid on the table copies^a of reports regarding the repairs to the supply channel to certain tanks in the Kurnool district.

(2) The Secretary laid on the table copies of the list^b of posts on Rs. 500 and above created during the quarter ending 30th June 1928.

^a Printed as Appendix VII on pages 119-135 infra.
^b Printed as Appendix VIII on pages 136-138 infra.

[8th October 1928]

(3) The Secretary laid on the table copies of the following Government Orders :—

(a) G.O. No. 815,^a Development, dated 3rd May 1928, recording the audit report and accounts on the Cinchona department, Madras, for the year ending 31st March 1927.

(b) G.O. No. 846,^a Development, dated 7th May 1928, passing orders on the audit report and accounts of the Russellkonda Saw Mill for the quarter ending 30th September 1927.

IV

ADJOURNMENT MOTION *IN RE* THE SEIZURE OF SUBRAHMANYA BHARATHI'S SONGS BY THE POLICE.

* Mr. S. SATYAMURTI :—“ Sir, I ask for leave to move the adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, to wit, the recent action of the City Police in entering upon and searching the premises of the Hindi Prachar Sabha on the High Road, Triplicane, for copies of Subrahmanya Bharathi's songs and seizing nearly two thousand copies of the same.”

* The hon. the PRESIDENT :—“ I understand that there is an application in the High Court and whether this motion will not be barred by the principle of *sub judice* is a matter for consideration.”

* Mr. S. SATYAMURTI :—“ May I make my submission, Sir? Sir, this is an order made under the new section of the Criminal Procedure Code, No. 99-A, which authorizes any Local Government to declare every copy or issue of a book or newspaper containing such matter to be forfeited to His Majesty. Then, Sir, 99-B says, any person having any interest, in any newspaper, book or other document, in respect of which an order of forfeiture has been made under section 99-A, may within two months from the date of such order, apply to the High Court to set aside such order on the ground that the order was made did not contain any seditious or other matter of such a nature as is referred to in sub-section (1) of section 99-A.” Then, Sir, there is another section to which I would invite your attention, section 99-G. No order passed or action taken under section 99-A shall be called in question in any court, otherwise than in accordance with the provisions of section 99-B. Therefore this order is appealable to the High Court only under the restriction contained in 99-G. That is to say no action taken in connexion therewith is appealable. These are the copies of the application which has now been filed in the High Court and that application prays the High Court to revise the order of forfeiture, i.e., the order passed by the Burma Government under section 99-A. So far as this order is concerned under which these copies are seized, and which I seek your leave and the leave of the House to bring forward before this House by means of this adjournment motion, it is passed by the Chief Presidency Magistrate here and on a warrant issued by him in pursuance of the republication of the order of the Burma Government in the issue of the *Fort St. George Gazette*, dated the 11th September 1928. I further want to submit to you that once that order is passed there it is not compulsory on the part of the Madras Government

^a Printed separately.

ADJOURNMENT MOTION *in re* THE SEIZURE OF SUBRAHMANYA BHARATHI'S 61 SONGS BY THE POLICE

8th October 1928]

[Mr. S. Satyamurti]

to seize all these copies. The section you will notice, Sir, confers an optional jurisdiction as it were. It is a case where any police officer can seize the same and any magistrate may by warrant authorize, etc., to search and seize copies. The small narrow point which I seek to bring before the House for discussion and expression of opinion is the policy of the Government of Madras in having given effect to this order of forfeiture of the Burma Government by means of this Magistrate issuing this order and by means of the police seizing these copies. This has nothing to do with the order of forfeiture which alone is appealable to the High Court. If action in pursuance of this order in section 99-G cannot be brought before the High Court, I submit this particular matter is not before the High Court and therefore not *sub judice*. It may be open to argument that the Madras High Court has no jurisdiction at all, because, this is an order of the Burma Government. It is not relevant for the present purpose to discuss that. I am confining myself to the order of the Madras Government or rather its servants both magisterial and police in having taken action.”

* The hon. the PRESIDENT :—“ So the hon. Member will confine himself to the action of the police?”

* Mr. S. SATYAMURTI :—“ Yes.”

* The hon. the PRESIDENT :—“ Or of the policy of the Government?”

* Mr. S. SATYAMURTI :—“ Except in this implied way that the police are supposed to have acted under the orders of the Government. I have not the Police Commissioner in this Council. I can only deal with my hon. Friend here.”

* The hon. the PRESIDENT :—“ The hon. Member can deal with the Home Member regarding the conduct of the police.”

* Mr. S. SATYAMURTI :—“ The question here is not the policy of the Government but the giving effect to a forfeiture order of the Burma Government.”

* The hon. the PRESIDENT :—“ I do not think the hon. Member can discuss both.”

* Mr. S. SATYAMURTI :—“ Except in an implied way I do not want to discuss the larger question, but I wish to take the decision of the House on this order which I say is not before the High Court.”

* The hon. the PRESIDENT :—“ Then the question whether those songs contain seditious matter, etc., will form the subject matter.”

* Mr. S. SATYAMURTI :—“ Otherwise there is no point in this discussion.”

* The hon. the PRESIDENT :—“ The moment the hon. Member travels into the realm of the seditious nature of Bharathi's songs he would be trespassing on the subject matter of the petition before the High Court and I cannot allow a discussion on that aspect of the question because the High Court has to settle whether the subject matter of the songs is seditious or not.”

* Mr. S. SATYAMURTI :—“ The question whether those songs are seditious or not is relevant for that purpose. No doubt the order of the Burma Government can be justified only on the ground that those passages or songs contained seditious matter. It is also relevant for the purpose as to why the

[Mr. S. Satyamurti]

[8th October 1928]

police in Madras seized these songs. I take it that it will not be put forward on behalf of the Madras Government that they seized them merely because the Burma Government passed this order. My answer is this Government are not bound by the orders of the Burma Government. It is not the order of the Government of India. If, on the other hand, Government, having the option, now choose to exercise that option, I submit it must be for certain reasons. My line of argument will depend upon the position Government take. If the Government say they did it without applying their mind merely because another Local Government did it, then I respectfully agree with you that the question of the seditious nature of the songs is not relevant. If, on the other hand, Government take the line that the Government also felt that these songs deserve to be treated in the manner in which they have treated them, I submit that the Government are not justified in ordering the seizure of the copies on the ground that they contained seditious matter. I may have to convince the House by my argument that they had no seditious matter for that purpose and that purpose only."

12 noon. * The hon. the PRESIDENT:—"I am afraid the hon. Member has not understood my difficulty. That matter may be relevant for the discussion. But how can I allow a motion which raises that question, namely, whether the songs are seditious or not? Because, that is the matter before the High Court."

* Mr. S. SATYAMURTI:—"On that matter, Sir, our rules and standing orders are only clear to this extent, namely, that a resolution could not deal with a matter which is *sub judice*."

* The hon. the PRESIDENT:—"The High Court will have to decide whether the songs are seditious or not."

* Mr. S. SATYAMURTI:—"For the purpose of deciding whether the order of forfeiture of the Burma Government is legal or not. But, Sir, there is of the Madras Government."

* The hon. the PRESIDENT:—"What is the action of the Madras Government?"

* Mr. S. SATYAMURTI:—"The action of the Madras Government in seizing the songs, not in passing the order."

* The hon. the PRESIDENT:—"The thing is this: the question may be discussed from various standpoints. But if the hon. Member proposes to go into the question whether the songs are seditious or not, I am afraid I cannot allow it."

* Mr. S. SATYAMURTI:—"May I make one submission, Sir?"

* The hon. the PRESIDENT:—"That question has to be decided by the High Court."

* Mr. S. SATYAMURTI:—"The rules contemplate only that a resolution should not deal with a matter which is before a court of law or which is *sub judice*. The matter before the High Court is the order of forfeiture of the Burma Government. There is no rule—I speak subject to correction—which says that in the course of the discussion you ought not to raise matters which are *sub judice*, while on a discussion on a matter which is not *sub judice*

8th October 1928]

[Mr. S. Satyamurti]

There is nothing in our rules or standing orders which prevents a reference to matters which may be *sub judice* in the course of that discussion."

The hon. the PRESIDENT:—"Section 99-B is clear, I think. The words are 'apply to the High Court to set aside such order on the ground that . . . the book . . . in respect of which the order was made, did not contain any seditious or other matter.' So, I take it that the only issue before the High Court is whether the books contain seditious matter. I do not think under rule 23 (1) (iii) that matter can be discussed. If the hon. Member proposes to discuss the motion without referring to the question whether the songs do contain seditious matter or not, he may be in order."

* Mr. S. SATYAMURTI:—"On that matter, Sir, I really want to make only one more submission, that with regard to the prohibition contained in our rules and standing orders about subject matters which may form the subject matter of resolutions, you will notice that . . ."

* The hon. the PRESIDENT:—"Any matter which is under adjudication by a Court of Law."

* Mr. S. SATYAMURTI:—"Yes, Sir. The rule says 'no resolution shall be moved in regard to any of the following subjects, namely, . . . any matter which is under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.' Therefore, I cannot move any motion before this House in respect of a matter which is now before the High Court, the matter being the order of the Burma Government forfeiting copies of Bharathi's songs to His Majesty. No doubt the argument on section 99-B, to which you now referred, will have to confine itself to the question whether these songs contain or do not contain seditious matter."

* The hon. the PRESIDENT:—"My point is this: section 99-B declares that the only question which may be raised before the High Court is whether the songs are seditious or not. Now, I understand that matter is before the High Court. Therefore, the hon. Member cannot discuss that matter under rule 23 (1) (iii), because the spirit of the rule is that once the High Court has got jurisdiction to dispose of a matter, the Council shall not pronounce its opinion on the matter."

* Mr. S. SATYAMURTI:—"I will base my argument on this ground; even assuming that the songs are seditious, they are not so seditious as to require action on the part of the Government of Madras in forfeiting them."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It seems to me, if I may say so respectfully, that the position which, we understand, you were referring to, is quite correct. Now, under section 99-B, the only question which the High Court will have to consider is whether these songs are seditious or not. In fact the High Court is precluded from considering any other question. So, that is the whole question under adjudication. And what is it that this motion seeks to discuss except the same question, namely, whether the songs are seditious or not?"

* The hon. the PRESIDENT:—"He may draw the attention of the Council to the action of the Police without going into the merits of the seditious nature of the songs."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"But, is it possible to discuss the action of the Police without referring to it? Police action was taken because the songs are seditious. I assume for the moment that the

[Mr. M. Krishnan Nayar]

[8th October 1928]

songs are seditious, for the purpose of the present discussion. The Police seized them only on that ground. If the songs are not seditious, if the order is not correct, it would be a different matter. The Police performed their duty on the sole ground, namely, on the order of the Burma Government that the songs are seditious. That is the sole question for adjudication before the High Court. I cannot understand how we can discuss this adjournment motion without going into the question whether the songs are seditious or not. It seems to me, Sir, subject to your ruling, that the point is quite clear, namely, that the point for adjudication by the High Court is the question that we shall have to discuss here, and it is not a matter which can be discussed in the face of Standing Order 12 and rule 23 (1)."

Mr. SAMI VENKATACHALAM CHETTI:—"We are at present concerned not with the seditious or non-seditious nature of those songs. As a matter of fact, what we are now concerned with is the action of the Local Government either in permitting themselves to be dictated by the other Local Government or in permitting their Police officers to take any action in pursuance of an order issued by another Government, i.e., whether they are authorized to do so or whether they are compelled to do so. It is for this Government to justify their action by saying that they are bound down by law. Therefore, that matter will come out in defence. We are not going to discuss a matter which is *sub judice*, i.e., whether the subject matter is seditious or not. We are solely concerned with the action of the Local Government in asking the Police to take action because another Local Government has ordered them to do so."

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR:—"Mr. President, Sir, the question strikes me in this manner. Just as you have a decree of a order passed by the Rangoon Government. Under section 99, there is this provision made that when once an order of forfeiture has been made by a Local Government, the Police may seize such condemned copies wherever they are found in British India provided they get an order from the Magistrate. It is a duty imposed upon the police wherever copies might be found, whichever might be the Local Government that have originally passed the order. Section 99 makes it clear . . ."

Mr. ABDUL HAMID KHAN:—"On a point of order, Sir. The hon. Member is going into the merits of the question."

* The hon. the PRESIDENT:—"The Advocate-General will go on."

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR:—"Section 99 is specific, that when once an order of forfeiture has been passed by a Local Government, the duty of the Police is to seize such copies wherever found in British India, having applied to a magistrate and having obtained a warrant. Here a warrant has been obtained by the Police. Now, section 99 makes it absolutely clear, that from such an order there is the right to move the High Court, and the only point that would be considered by the High Court in such a matter is whether as a matter of fact the condemned publication contains seditious matter. And section 99 (g) makes it also clear that no other point could be raised when impugning order passed under that particular section. If the question sought to be discussed here is whether these songs contain seditious matter I submit rules 12 and 23 make it absolutely

8th October 1928]

[Mr. C. V. Anantakrishna Ayyar]

clear that no matter which is under adjudication by a Court of Law could be discussed, and the only matter under section 99 which could be brought before the court is whether the condemned publication does, as a matter of fact, contain seditious matter. So that, reading section 99 and its sub-clauses together with Legislative Council Rules 12 and 23, it seems to me that any question which raises a discussion whether any particular condemned publication does or does not as a matter of fact contain seditious matter would offend the rule of *sub judice*."

* Mr. S. SATYAMURTI:—"In view of what has fallen from your lips, Sir, I may say that my purpose in raising this motion is merely to question the action of the Police. In discussing the matter, I will not refer to the question as to whether those songs are seditious or not. I will assume they are seditious, and yet question the policy of the Government whether they are justified in not using their discretion in the matter and whether they are not wrong in acting in pursuance of an order of another Government."

* The hon. the PRESIDENT:—"In view of the undertaking by the hon. Member, Mr. Satyamurti, that he would not refer to the matter whether the songs are seditious or not, I think the Council will be in order to discuss the conduct of the Police in using their discretion. So far as that aspect of the question is concerned, I think the motion is in order. Does the Government object?"

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Where is the urgency, Sir?"

* Mr. S. SATYAMURTI:—"On a point of order. You have ruled, Sir, that the motion is in order. The hon. Member is out of order in raising the question of urgency now."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"You have given a ruling on this point, namely, whether in this discussion . . ."

* Mr. S. SATYAMURTI:—"On a point of order. You have already ruled that the motion is in order."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"On the question whether it is urgent or not . . ." (Cries of 'No, no', 'Too late', and 'Order), order'.

* The hon. the PRESIDENT:—"Hon. Members will allow the hon. the Law Member to continue his speech." 12-15 p.m.

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The only point on which you gave us a ruling was whether the matter that is to be considered by the High Court is identical with the matter that this Council has to consider. The other point that I now raise is whether there is any urgency with reference to this motion. The action has been taken; the Police have seized copies . . ."

* The hon. the PRESIDENT:—"To-morrow they may seize some other books in some other places; I don't think they have exhausted all the books."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I believe they have exhausted all these books. (Voices: 'No, no'.) I speak with reference to the particular books that are mentioned to have been in particular premises . . ."

[8th October 1928]

* The hon. the PRESIDENT :—" The hon. Member's library may contain it or my library may contain it ? "

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" But the notification does not refer to other places ; the notification refers to a particular place in Triplicane. The Bharathi Asram at Triplicane is the only place mentioned in the notification, and the police are not authorized to seize these books from any other premises."

* The hon. the PRESIDENT :—" The songs are composed and published by Subrahmanya Bharathi ; the published books may be in some of the libraries."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Does the notification refer to it ? "

* The hon. the PRESIDENT :—" It is stated ' all copies wherever found '. Wherever they are found they are to be confiscated."

" Does any Member object ? (After a pause.) Since there is no objection, I wish to know whether the Government would like to proceed with it to-morrow. (After a pause.) It will be taken up to-morrow after 2-30 p.m."

V

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1928-29.

GRANT XIX—EDUCATION—TRANSFERRED.

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, on the recommendation of His Excellency the Governor, I move

' that the Government be granted a further sum not exceeding Rs. 4,000 under Grant XIX—Education—Transferred,'

for the purpose of publishing a book on Birds of South India. Sir, as has been shown in the explanatory memorandum placed before the hon. Members, there are no books now dealing with birds in South India. (A voice : question.) I do not know whether the hon. Members of this House are interested in birds (Voices : No.). If any hon. Member has devoted his attention to the study of birds, he would understand why this motion is being made. That is one of the recreations which hon. Members of this House can undertake with profit. (Voices : Oh!) The songs of birds have a great attraction for those who are tired of work ; and they can amuse themselves early in the mornings if they really know something about the way in which these birds live. I may mention a case in point. I do not know whether hon. Members are aware that one of the greatest Foreign Secretaries of State in England, Lord Grey of Falloden, has as his amusement birds. His recent book on Birds is well worth perusal by hon. Members, if they really want to know how this recreation can be carried on. As I have said, Mr. President, this sum of Rs. 4,000 is worth paying. Besides, as is shown in the explanatory memorandum the Government stand to get a profit out of this publication ; because even though there may not be many persons interested in Birds, I know there are enough people in this province who will buy this book when it is published. I hope hon. Members will see their way to grant this amount."

8th October 1928]

* Mr. R. NAGAN GOWDA :—" I move—

' To reduce the allotment of Rs. 4,000 for honorarium to the authors of a book on " Birds of South India " by Rs. 100, to discuss the necessity for this grant.'

" Sir, I do not believe I am any less a lover of birds than the hon. the Chief Minister, living as I do in the villages, working as I do in the fields, and enjoying the songs of birds early in the morning and late in the evening. Yet I want to oppose the grant for honorarium for the publication of this book. It is stated that this book is absolutely necessary. There is as a matter of fact a book which contains all about birds now being brought out under the authority of the Secretary of State. It is claimed that that book is too detailed. Then there is another book by Devar which the Government consider as too elementary. Between these two books there is needed another book as is stated by the hon. the Chief Minister. It is claimed that this book on birds is rather a very fascinating study. I do not deny that it is, but then there are great many more books needed which not only would be fascinating but necessary for the sustenance of the ryots of this country. I would just only mention the fact that some of the bulletins and pamphlets of the Agricultural department are sold, and we do not have money to give them free. Money is more urgently needed for other purposes which are certainly much more fascinating and useful. I certainly think that the hon. Members of this House can easily afford to pay more and purchase themselves such costly books. I can also mention that if we want to encourage authors to write books for the good of this country and not merely for the fascination of the people, there is need for books on history, geography, and mathematics in the vernaculars. There is at present not enough of books in the vernaculars of the country for the students in the secondary and lower secondary schools. It is stated that the reputation of these authors is so great that there would be no difficulty in selling these books. I ask, then why not they make money by private enterprise ? (Voices : Hear, hear.)

" Again, Sir, there is another factor which is not to be forgotten here. When these men are employed by Government, are they not paid for the work they have done ? If they have done this as extra work, their profit will depend on the ability they have shown in their work. Again, it is stated that this book is of great educational value. Then I think high schools and secondary schools may willingly purchase these books and the authors can well make a great profit. It is said at the end of this memorandum that the Government could easily make the money that is now being spent for the publication of this book and also for the payment of the honorarium. Sir, at one part of the memorandum, it is said that this book would be too expensive, and at another it is said they could easily make the amount that is incurred in the publication of this book. I do not believe that both these statements could be right at the same time. So, I feel that there is no necessity for the payment of this honorarium."

* Mr. C. RAMASOMAYAJULU :—" Sir, I second this amendment. I am extremely sorry that a responsible minister in charge of the most important factors of the nation-building department should have thought it desirable to inflict on this House a motion of this sort. Purposes there are, vital and important, for which money is urgently needed, and to spend money upon

[Mr. C. Ramasomayajulu]

[8th October 1928]

purposes of this sort is, I submit, simply trifling with the money of the people. It appears somewhat ludicrous that while a few minutes ago we were discussing a very serious matter such as Bharathi's songs, we have come down now to discuss such a trifling thing as the songs of birds. My point is this: let us not attach undue importance to mere items of luxuries—I call this an intellectual luxury. It is not pretended that even for instruction in schools this book is needed, nor for departmental officers to carry on the Government. It is only those, as was mentioned by the Chief Minister—the foreign Ministers of the British Government—who can afford to buy the books. We in this country are not in a position to go in for intellectual luxuries of this kind. Therefore I strongly oppose this grant. I also request the Chief Minister not to come in with this sort of grant before this House in future."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, there is one point which has been lost sight of in this connexion. I am sorry the hon. the Chief Minister gave only poetic reasons for the publication of this book. I beg to submit that this book will contain articles which appear in the agricultural review; I have read the articles. I think the book will be most useful and valuable to the agriculturists."

"(Mr. Satyamurti: songs on birds!): I am an agriculturist myself, and in this book which will contain in book form all the articles referred to above in addition to other information regarding south Indian birds special, detailed information is given about the good or harm done by the birds to the agriculturist. As regards birds which are useful to the agriculturists their utility consists in that they destroy the agricultural pests, worms, insects. . . . When this book is published in English then you will have people coming forward to translate it for the benefit of a larger number. (Mr. S. Satyamurti: And for more grants!) Therefore, I think that in the interests of the agriculturists and for their sake, this grant may be made."

12-30
p.m.

Mr. P. ANJANEYULU :—" Sir, as usual, my hon. Friend from Trichinopoly came to the rescue of the Government. Dr. Subbarayan, the Chief Minister, he says, has not properly presented his case and he assures us that the agriculturists will be immensely profited by the use of this book. He says that if the agriculturists sing the songs of the birds dealt with in this book the pests which infest them now will possibly disappear. I do not think that the birds themselves are capable of doing it, and much less, the singing of these songs by the agriculturists will be a panacea for their ills. I have myself had the pleasure of reading some of the songs which this book deals with and I agree that it is really a pleasant reading. I do agree that for a moody man or a man enjoying his holidays a perusal of these things will be pleasant. But the question is whether we are to give Rs. 4,000 as honorarium for the author. If the Chief Minister or the Foreign Minister can afford to pay for the book and can afford to find time for reading it, no one will quarrel. But the proposition assumes very great importance when we are told that for tank repairs or for minor irrigation works small sums of Rs. 4,000 or 5,000 cannot be found. I am sure that with this sum of Rs. 4,000 in the upland taluks of my district at least four tanks could be repaired. If this money could be diverted to this end it would improve the lot of the agriculturists. In these circumstances I oppose the demand."

8th October 1928]

Mr. V. I. MUNISWAMI PILLAI :—" I rise to support the grant and oppose the amendment for the reason that birds play a very important part in the agricultural operations especially in eradicating the insect pest. I know that some 15 years ago in the Anamalai Hills Tea estates a kind of insect appeared and the planters tried their level best to find a way to eradicate it. They did not succeed. At last an Assam planter who came there found that it was due to the absence of a particular kind of bird that that insect thrived. The name of the bird is Bul-bul. The planters then introduced this kind of bird and thus exterminated the insect. This will show that to have a book dealing with the birds of South India is very necessary to the agriculturists and to those who are interested in growing fruit trees. These books do a lot of good in helping to destroy the insects which injure the fruit trees. Apart from that the grant of an honorarium of this kind to the author of this book will encourage people to come forward with many more volumes of this sort of useful books. In these circumstances I support the grant."

Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, a gentleman who has been taking great interest in agriculture and horticulture has come forward to support the grant. I am also a person taking interest both in horticulture and agriculture, but I do not think that it is necessary to sanction this grant. There are any number of books dealing with birds that are harmful to the agriculturists and birds that are not harmful. Apart from its value to the agriculturists a book dealing generally with birds is quite interesting. As a naturalist I am very much interested in these books and I have bought some of them. But I cannot agree that public funds should be invested in their publication. The hon. the Chief Minister has been saying that the book is very popular and that by making this grant to the publishers the Government would be making a profit. If that be the case I for one would not rob the publishers of their well-earned profit. Why should the Government step in now and deprive them of their profit? If the argument is that it is of use to naturalists or people taking interest in things of that kind, then I can understand. I do not see any special reason shown why the Government should come forward and give the authors some bonus."

* The hon. the PRESIDENT :—" The amendment is wrongly worded. There is no mention of bonus in the grant."

Mr. C. V. VENKATARAMANA AYYANGAR :—" The memorandum says that something has to be given to the authors."

Mr. P. C. VENKATAPATI RAJU :—" The mover of the grant said that it is an honorarium."

The hon. Dr. P. SUBBARAYAN :—" Only an honorarium to the authors."

Mr. P. C. VENKATAPATI RAJU :—" I see no reason why the Council should make this grant."

* Mr. DANIEL THOMAS :—" I wish to support the motion and oppose the amendment for the poetic reason given by the Chief Minister. Some of my hon. Friends have assumed that poetic reasons are useless reasons. On the other hand, I submit that poetic reasons are more precious than other reasons. It would not do to reduce all life to terms of bread and butter. There are certain branches of study which although they are not commercially attractive, at the same time are necessary and essential for the higher cultural

[Mr. Daniel Thomas]

[8th October 1928]

life of the nation. It appears to me that a study of the Indian birds is one of such studies and as such calls for the encouragement and support it deserves. We find that in modern English literature some of the great classics proceed from the pen of men who are specialists in bird study. Such writers and such literature are not yet to be found in the Indian vernaculars. We are anxious and hopeful that the time will come when our own vernacular languages will possess books worthy of their name and reputation not only in matters of moral and religious studies but also in natural study subjects. Our educated men speak with admiration and delight about the natural scenery in foreign lands, but do not know what our land contains. If they want to refer to a beautiful river they refer to some river in Cumberland and if they want to refer to a sweet singing bird they speak of the our definite aim to create a literature in which India and things Indian are brought to prominence and to improve our knowledge of things such as these. To serve such a purpose it is necessary that encouragement should be given at the early stages for the publication of books of the sort now under consideration. For these reasons I support the motion."

Mr. J. A. SALDANHA :—"Mr. President, I would support the motion of our Chief Minister if a certain principle is established by Government in the matter of the encouragement of publication of books of this sort.

"I want to know on what principle this demand is moved. I wonder how the hon. Finance Member sanctioned it without laying down the principle. It may be that this book contains useful information for the agriculturists and it may be useful from the political point of view also. Perhaps Members on the other side of the House have taken a practical view of the book. We will assume that this sort of book would be useful to the agriculturists. Once I prepared a book for the elevation of the depressed classes for it? I have now got a book in view—a book for the guidance of our Ministers. (Loud laughter.) An idea struck me to-day to publish a book on the discrimination of killing wild animals. Such a book would be very useful. Are the Government going to give me a grant? Unless the Government enunciate a principle that they will in future give grants or honorarium to the publishers of useful books, I think this grant should be opposed."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"I rise to support the motion of my hon. Friend Mr. Nagan Gowda. I feel, Sir, that the Government have hardly made out a case. It is said that the total cost to the Government will be Rs. 10,625 and that against this sum, sale-proceeds to the extent of nearly Rs. 15,000 are anticipated. I do not know why when it is expected to make so much profit, the authors themselves do not want to publish it. It is not even stated that the Government are going to get the copyright for the book.

12-45 P.M. "I do not see why when it is possible to make a profit out of the book the authors should be given a honorarium.

"There is another point also. Government have come forward with a demand for only Rs. 4,000 in order to pay the honorarium to the authors; they have also stated that the expenditure on printing would be met from the provision already made in the budget. I am not sure whether this is

8th October 1928] [Mr. R. N. Arogyaswami Mudaliyar]

regular. The money already sanctioned by the Council is not for this specific purpose. I think this is an irregularity. I therefore support the motion of my hon. Friend Mr. Nagan Gowda."

* Rao Sahib R. SRINIVASAN :—"Sir, in South India as elsewhere birds are an asset to the country. There are many other assets in India which are neglected by the people. As other speakers have pointed out these birds are of great value to the people. Ten or fifteen years ago, there were many species but now not so many to be seen; all of them have been destroyed. The plumage of these birds are, in other countries, very valuable. In order to teach the people the value of this great asset a book like this is very necessary."

* The hon. Mr. T. E. MOIR :—"Mr. President, Sir, I have been asked by the hon. Member from South Kanara, Mr. Saldanha, to state on what grounds I justify my assent to this particular grant being placed before this House. But before I deal with that point, I might perhaps make clear one or two financial points which have been raised by previous speakers. The reason why we put forward a demand for a grant of only Rs. 4,000 is that that is the only item of expenditure for which provision cannot be found from the existing budget. If the House sanctions the grant for the payment of the honorarium, then of course it sanctions the production of the book. The cost of printing the book including the cost of the plates can be met from the existing budget of the Government Press. It will be unnecessary to ask the House for an additional grant on that ground."

Mr. C. V. VENKATARAMANA AYYANGAR :—"How much?"

The hon. Mr. T. E. MOIR :—"It is stated in the note that the total cost to Government including the proposed honorarium of Rs. 4,000 would be Rs. 10,625. The cost of printing including the cost of procuring and reproducing the plates will be over Rs. 6,000. It is estimated, that if the book is sold at a net price of Rs. 15 each volume, Government may make a small profit. Perhaps, while I am dealing with the financial question, I might add that these officers are not officers of this Government and we have no right to expect them to place the past results of the labours of a life time at our disposal free of cost.

"Then to turn to the question which has been asked why this grant should in my opinion be given, I do not propose to reiterate the suggestion that it might be useful to members of this House. A certain amount of hilarity seemed to be thus imparted to the discussion of this question. Whereas if its real implications were realized, it would seem to come nearer to tragedy . . .

"I have no doubt that there are some agriculturists of education in this country who will be very willing to have a book of this nature if they could secure it at a reasonable price. But the publication that is now being brought out under the authority of the Secretary of State for India in five volumes, each costing Rs. 26-4-0 and it covers the whole of India and Burma. It is, I believe, under joint authorship of experts. At any rate the editor is Mr. Barker. If I might explain why I urge this grant upon the House, perhaps they will allow me to read two small quotations which I came across quite recently. The first is this, and I forget the source :

'How many of the greatest charms of life are lost . . . through lack of observation . . .'

[Mr. T. E. Moir]

[8th October 1928]

"The second is this:

"Where are those wonderful books for children we find in England? The Education department propose to bring to children of the Punjab to a feast . . . but the table is almost bare.

"And it is not only to children that it applies."

"Now, Sir, I myself may claim to be one of the victims of the lack of power of observation. In my case, I am afraid that an interest in birds, and insects and animals developed after the period of life in which the powers of observation, if they are to be trained, must be trained. Since I came out to this country, as far as time permitted, I have taken an interest in the fauna and in the Natural History of this country. But at every turn I have been hampered by the fact, that I could not get any of those books on these subjects at a reasonable price, say, from five shillings to fifteen shillings or a guinea, which you can pick up on any bookseller's shelf at home beautifully illustrated and based on the latest scientific knowledge.

"We in this Presidency are spending very large sums in our attempt to induce our students to turn their attention from mere literary to scientific study, more especially the study of chemistry, biology and zoology. Can our students, at least the majority of them, afford to buy a book on birds consisting of five volumes each costing Rs 26-4-0? No wonder that in the old days again and again I came across students who were supposed to have taken their degrees in geology and botany and when asked to distinguish between a state and a sand stone were not able to do so. If I took two plants in my hands, they could not distinguish between the two plants. In order that our students also should be able to attain the same standard of education as the students of other countries we ought to make books of this kind available to them not mere dry text or cram books. I urge this grant upon the House. A very modest grant and beginning it is. The hon. Member from South Kanara asked if I can lay down any principle. Yes, I think I can and that is this. This is a kind of book that is really needed in this Presidency and of which there is a great lack. I am sure a large number of students will be only too glad to purchase it if it is placed within their reach. The principle is one of helping to produce books of this kind on this and on other scientific subjects books which are sadly wanting in this country."

Mr. J. A. SALDANHA :—"Is there any precedent?"

The hon. Mr. T. E. MOIR :—"Sir, I am unable to say whether there has been any precedent. But if it is the case that this is the first time that the Government of this Presidency has proposed to spend any money on a subject of this kind, I should really be sorry to hear it. It is only a petty sum of Rs. 4,000. It would possibly help agriculturists and it may also result in the possible development of a hobby among some Members of this House. But ask this House to consider the question with the seriousness which the much larger aspect to which I have called attention deserves."

Dr. B. S. MALLAYYA :—"Sir, I have been listening to the speech of the hon. the Chief Minister. He said that this would provide a hobby for the well-to-do people to listen to the birds and to make a collection of them. The hon. the Finance Member said that this book was absolutely essential

8th October 1928]

[Dr. B. S. Mallayya]

for the improvement of the economic condition of Southern India. The birds are useful and there are several varieties of them. How are they going to help us? The book costs Rs. 15 and only a thousand copies are to be printed. They are not enough for half of Georgetown and how are they going to help the whole Presidency? Recently while the Home Secretary was informed of an indecent publication in England, he said that the book was priced at five shillings and that they need not worry about it since the book would not be within the reach of the masses at such a high price. He said that they need concern themselves only if such things were done in six-penny publications. I wish to know from the hon. Minister and from Messrs. Arpudawami Udayar and Muniswami Pillai who made a reference to this matter, how many of these poor agriculturists are going to read this book? Of course, Mr. Muniswami Pillai wanted the bull-bull at Ootacamund; he can have plenty of them.

"What is the necessity to give a sum of Rs. 4,000 to the authors? 1 p.m. There are books already of five volumes costing Rs. 25 each. There are some books which are much cheaper. Still there are other books. Why are you interested in these particular authors? Why are you interested to give Rs. 4,000? Why not the Government ask Macmillan & Co. to publish a cheaper volume? Why should they not hand over the whole thing to that Company? The Government say: 'We will try to make business out of this.' How are they going to sell this book? They will be eaten by white ants; that is all; you cannot sell the books for Rs. 15 unless you present them or unless every Government office purchases a copy out of contingent money. The public will not buy. It is not fair that the Government should come forward and ask this House to give this sum of money to particular individuals who are compiling, after all, second-hand copies; it is not original. The book is published under the orders of the Secretary of State for India. Certain pictures have to be made in Bombay. Send them to Germany; they will make them cheaper; ask some German Company to print the book who will do so at a very much cheaper cost; or ask Macmillan & Co. to publish the book. If the hon. the Chief Minister is interested in birds and if he thinks that a study of birds will make a fine contribution to the education of this Presidency, it is for him to order a book not costing more than 14 annas or 12 annas to be printed by Macmillan & Co. and sell copies to schools. In that case the Government will not be incurring any expenditure; there will also be a much larger sale. Sir, it is not fair to waste—actually it is a waste—Rs. 10,000 on a book for the pleasure of the rich—that is all, and not of the poor. The poor are not going to be benefited by the book. The hon. Member from Ootacamund Mr. Muniswami Pillai said that insects were the greatest enemies to agriculturists. It is the Government who is the greatest enemy. How much do the Government take by way of land tax, etc.?"

"Just now the hon. the Minister told us that he would try to make some arrangements to have cattle inoculated for rinderpest. How many thousands of cattle die on account of that disease? Is any book on that subject available for the agriculturists? The agriculturists do not know anything of the disease of the cattle; they do not know anything about their own disease. I wish the House will vote down the demand."

[8th October 1928]

* Mr. K. V. R. SWAMI :—"Sir, this subject is of unusual importance because it involves a principle which, I think, has not hitherto been enunciated. The whole secret of the matter is that two Government officers of a different province have produced this book; that Government cannot give any honorarium because they are public servants of that province. Therefore this province wants to help those Government servants by giving honorarium to them. If you want books on birds, we have got enough of them. The hon. the Finance Member said that they were small books. This book is not within the reach of the poor agriculturists. According to the statistics prepared by the Government, the income of the agriculturist in India is only Rs. 27 per annum. The book in English costs Rs. 15. How many are there among the agriculturists who know English and who can buy this book.

"With regard to the question of the commercial undertaking, I thought that this Government was against commercial undertakings. The hon. the Finance Member has said on many an occasion when a subject of this sort was mooted in this House that the Government could not agree to it as it entailed commercial undertaking. Now, he says 'I will print this book, pay Rs. 4,000 to two Government servants of a different province because they cannot be paid there. I want to make a profit out of this.' That is the undertaking that is given from those benches opposite.

"The hon. the Chief Minister has got—I sympathise with him—a very poor case to argue. He said that the Foreign Minister in England was taking very great interest in this matter. He had not as much enthusiasm as the hon. the Finance Member. He does not feel as the hon. the Finance Member feels with regard to this book. It pained me to see hon. Members Messrs. Muniswami Pillai and Srinivasan supporting the Government in a matter like this. This undertaking entails a cost of Rs. 10,000, to benefit whom, not to benefit the poor, but to benefit Ministers, like the Chief Minister of this Government or the Foreign Minister of England or our Finance Member. The book cannot be purchased in this country by any ordinary man.

"If you look at the commercial side of the undertaking, Messrs. Macmillan & Co., or some other Company would have undertaken it, if it will be a successful undertaking. In that case there will be no necessity for the Government to spend this sum of money. The Government want to print the books and to sell them. All the information that is given to us is that this Government require 35 copies of this book. If they want to encourage the authors, they can purchase 100 copies. They want to stock the books for sale. They want to print this book, and to give Rs. 4,000 to the authors without even purchasing the copyright. The hon. the Finance Member thinks that a sum of Rs. 4,000 is a trifling matter. It is not a trifling sum to the ratepayers. He does not ask for a sum of Rs. 10,000 because there is provision in the budget for this sum. There is no sanction to pay the amount as honorarium to the authors. It is for that, he has come before us; otherwise he would have arranged the matter himself. My appeal to hon. Members is not to give their support to this undertaking at all. It is not done in the interests of the ratepayers, much less in the interests of the

8th October 1928]

[Mr. K. V. R. Swami]

agriculturists. Nobody will be profited except two English gentlemen. They are going to be profited by this sum of Rs. 4,000. That is the whole secret of the matter and I request hon. Members through you, Mr. President, not to vote for this grant."

Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I am surprised at the Government basing their arguments upon poetry, culture, science, agricultural interests and business. Let us examine each on its own merits. If my hon. Friend the Chief Minister wants poetry, he has very much larger poetry, in those five volumes which are produced at the instance of the Secretary of State for India. With regard to culture which was made very much of by the hon. the Finance Member, it is the province of schools and universities in a poor country like ours. So far as this publication is concerned, it is priced at Rs. 15. Surely the hon. the Finance Member is not going to tell us that this publication of Rs. 15 is required for pupils in the lower classes. This production might be useful for students in colleges. There are the Madras and the Andhra Universities which are both trying to have a publication department. It is their duty to recommend publications like this and to ask for grants. It is their business and not the business of either the hon. the Finance Member or of this House to take up this question as experts. We are not experts on this question.

"On the question of science, the hon. the Finance Member was very eloquent and said that we would be acting tragically if we throw out this demand. I may very frankly tell him that there will be no tragic importance in throwing out this particular demand. There are circumstances under which the very best of things may not be to the advantage of the people as a whole. The hon. the Finance Member laid much stress upon the scientific aspect of the subject. We must have a programme of culture for the country. No such programme is before us. The Government have never thought of such programmes. They have always been thinking of distributing the patronage they have in their hands. Beyond that, nothing else has been done in this matter. There is an elementary book on this subject; there is the larger book being published under the authority of the Secretary of State for India. It is stated that this publication has a great deal to say about the birds in Southern India. In a book of five volumes that is being produced, the birds of southern India must occupy at least one-fifth of the whole book. I am sure one volume will be devoted to birds in southern India.

"Some of the hon. Members on the other side were very enthusiastic over the question of the agricultural interests. There is a book regarding insect pests and it has been published by the Government. The book has been there for a large number of years, and yet the agriculturists know very little about the insect pests of southern India. It has not come to the notice of the agriculturists at all. The agriculturists do not derive any benefit from that publication. The Government are not doing anything in a systematic manner to educate the agriculturists on matters of vital interests affecting them; when it suits the Government to distribute patronage, they come and tell us that this book will be very helpful to the agriculturists. In this poor country of ours a book priced at Rs. 15 will not be helpful to the agriculturists. It will be within the reach of the hon. the Finance Member and other people who draw fat salaries.

[Mr. G. Harisarvottama Rao]

[8th October 1928]

"A great deal has been made of the business aspect of the question. The note makes mention of an anticipated sale-proceeds of Rs. 14,490 and of the purchase of 34 copies for the use of Government officers and for presentation to libraries. Government officers are not, therefore, going to pay for the book; they will get it gratis. Libraries which will be in a position to purchase the book will purchase it. How are the Government going to sell one thousand copies which they are going to print? The Government think that all the remaining copies would be sold. It is wonderful business which I have never heard of. There must be depreciation; there must be some loss in dealing with a thousand copies. Here you see a serious Government coming forward and taking credit for the sale-proceeds of all the remaining copies except those that are required for presentation and for Government offices. So far as the arguments of the other side are concerned, there is absolutely no point in them. We are not against culture; we are not against poetry; we are not against science; we are not against agriculture. We do not want to discredit the Government if they come forward with better business methods. But here is a proposition which is evidently intended to patronise somebody who has produced this book. The authors could have gone to some eminent publishers and got the book published. If the Government think that the copies deserve encouragement, they can purchase a large number of copies for their own use. Without doing anything of that kind, they come forward and tell us, without even taking a copyright for the book, that we must give away Rs. 10,000 of the poor ryots of this province. I am not prepared to allow such a grant to be made. I therefore oppose it wholeheartedly."

1-15
p.m.

* Mr. S. SATYAMURTI:—"Sir, I shall in the first place refer to the remark of the hon. the Finance Member who said that this demand was only for Rs. 4,000; but I think, Sir, this raises the large question of policy as to how far a Government, which certainly is not an expert in literature or science, is entitled to subsidise literary and scientific publications, and if so, on what principles; secondly, whether it is right that the realm of letters should be invaded by the secular arm of the Government; and thirdly, if the unfortunate birds themselves may not get better treatment on a more scientific basis if the Government do not come forward to help particular men of science. I believe, Sir, that it is not good for this Government, it is not good for the birds of South India, and it is not good for those authors, that their publication should be helped not by a discriminating public, but by a Government which merely wants, on the advice of the Director of Public Instruction, to subsidise a publication of this kind."

"Now, Sir, what is the information on which the Government have acted? They have acted merely on the information given to them, I believe, by the Director of Public Instruction in his note printed at page 1 of the explanatory memorandum furnished to us, in support of the supplementary demand. I think time was when Governments in other parts of the world tried to influence public opinion by subsidising publications and telling the world, 'these are publications which go with the imprimatur of the Government and therefore they must command high value in the intellectual world'. I put it to my hon. Friend the Minister for Education, who has made himself responsible for this demand, whether as an educated University man, he can say that he considers it right and proper that he as a member of this Government should give his approval to this publication without having

8th October 1928]

[Mr. S. Satyamurti]

expert opinion before him, as to whether this is a publication worthy of being encouraged by the Government. And what will be the value of this publication if it is not helped by the Government?

"As my hon. friend from Kurnool pointed out, there are university bodies in this province—the Madras University and the Andhra University—who have got experts on whose advice the Government can act. The Director of Public Instruction can as well ask the Madras University, and if the Madras University after going into the matter thinks that this publication deserves encouragement, the Government may help such publication, if the University applies for such help. On the other hand, the Government come forward to help a particular publication. What is there, I ask, to prevent other people coming forward with requests for similar grants for their publications?"

"There is also another point, Mr. President. A great deal was said of the unfortunate agriculturists who seem to be very near the heart of my hon. Friend from Trichinopoly. He is an educationist, he is an agriculturist and many other things; but he is, above all, a consistent supporter of whatever the Government say and whatever proposition may be brought forward by them. Let it be anything, he will support it and he will freely draw from his fertile imagination any amount of arguments for anything. He is an educationist to-day, he is an agriculturist to-morrow and a gardener a third day and the day after that God alone knows what he will be. His position is that Governments may come and Governments may go, but he will be there constantly voting with them. It seems to me that my Friend might have thought awhile before he began to use the position of the unfortunate agriculturist as an argument in defence of his own position; if he did so, he would have realized that 99·999 per cent of those agriculturists who are so near his heart would never have a chance of looking at this book, studying it or learning anything out of it. One thousand copies of the book are to be sold at Rs. 15 each! Does he seriously suggest—unless he thinks that we have a great charm for his eloquence—that these thousand copies in English will change the outlook of the millions of agriculturists in this country?"

"Then, Sir, it seems to me that the Government should consider the whole question of their publication policy. If they want to encourage publication, I put it to my Friend, the only thing you could do to-day is the popularization of scientific literature in the Indian languages of this country. If the Government really want to do anything in this direction—I put it to my Friend who, I am sure, agrees with me, and if he does not, let him say so—they should realize what the country most needs to-day. I am sure my Friend agrees with me when I say that what our country needs more than anything else to-day is the bringing to the doors of our poor people the latest results of scientific research and scientific knowledge by means of popular publications in Tamil, Telugu, Malayalam, Kanarese and so on and so forth. Instead of doing that, Sir, what do we find? Two adventurers apply to our Government for aid. Why should these two gentlemen apply to our Government? Why should they come to the Madras Government, I ask? Evidently, their book would not sell in their own provinces; they wanted to dump the book on the hon. Minister and I think the hon. Minister in turn referred it to the Director of Public Instruction, Mr. Grieve. I am yet to know what are his qualifications; I think he is a graduate in Geography, perhaps knowing the fauna and flora under a particular section of it. If that is the basis on which the Government are going to act, God save the Madras

[Mr. S. Satyamurti]

[8th October 1928]

Government. Therefore, I suggest, Mr. President, that it is not right on the part of this Government to encourage publications of this kind.

"We were told, Sir, that this book is a good book and will sell well. If it is a good book and will sell well, why should the authors come to the Madras Government for help? They are commercial people, and Englishmen at that, and if they ever thought they could make any profit out of this book, I am sure they would never have come here and offered to give the profit to my hon. Friend there. Their book will not sell as quickly as my Friend's imagination goes. Therefore, they have thought it best to approach Mr. Grieve and my Friend Dr. Subbarayan who can get through the whole thing with no party majority, but by the neutrality of the party just below the gangway. So, these two gentlemen will take Rs. 4,000 because of the weakness of my Friend Dr. Subbarayan who can add to the votes on that side, the votes of some of the gentlemen below the gangway. The result will be that without any question of the merits of this book being raised, these gentlemen will have this book published and this book will go forward as if there was nothing wrong with it. If afterwards somebody puts some question about it, as to why it does not sell well, somebody will or will not answer the question and there it will end.

"As for the Government's touching faith in the book being a financial success, I ask my Friend to look at the tragic history of the commercial transactions of the Madras Government, at least since the Reforms began to work in this Province. The Russellkonda saw mills, the Glue factory, the Olavakkot saw mills, the Jam factory, etc., and everything else excepting of course the business of running the Ministry in this province, have been miserable failures; Dr. Subbarayan's one successful business has been to sit tight in his office. Apart from that, Sir, I say all the commercial undertakings have been proved to be grievous failures. Does he seriously ask this Council to take him seriously when he says to this Council that it is a profitable business? Why should not the birds of South India be treated by experts on the only principle of the survival of the fittest? Why should these two gentlemen get a decided advantage over other people by getting substantial aid from the Government?

"Taking now the other question of finance, my hon. Friend the Finance Member, whenever he has no argument, always jumps to sudden conclusions, takes on the pose of the tragic queen, and says the whole world will go to dogs unless his motion is supported and carried. And to-day, Sir, he provoked himself to such fury that he told us that unless this book was encouraged, there would be no education among the people, that the poor students for whom he shed copious tears would go without knowledge, and my Friend is going to help the unfortunate students of this Presidency by publishing one thousand copies of book in English, fixing the price at Rs. 15! Sir, I do not understand my hon. Friend's purpose in saying so; it seems to me that he does not believe what he himself says. If really the Government here are going to supply books for the purpose of enlarging the scientific knowledge of our students, I ask him to have a programme before him. Has he a programme now? So long as a supple Minister is there and a party below the gangway to help the Government in whatever they do and an equally neutral party below the gangway, I am afraid there cannot be any policy behind the publication of this book. I say therefore that it is not good for the Government, it is not good for the authors and it is not good

[8th October 1928]

[Mr. S. Satyamurti]

for the birds of South India to force this publication on our people. That they have no arguments to advance has been conclusively proved by my Friend from Kurnool who pointed out that the very fact that from the hon. the Minister who began romantically—with Shelly Ode to a Shylock in his mind—to tell us the romantic effect of birds' songs, etc., and down to my hon. Friend below the gangway who was all tears for the sufferings of the agriculturists but yet wanted that we should spend Rs. 10,000 of their hard-earned money for subsidising a publication worth Rs. 15 per copy, and down to the hon. the Finance Member whose enthusiasm for education is so unbounded that he must help these two authors in order to provide for all scientific books being published for the benefit of our poor students who can afford anything else but to buy these books at Rs. 15 a copy, seems to show that the Government have failed to produce a simple argument in favour of this publication.

"I oppose this grant, Mr. President, on a question of policy. Let the Government have a clear policy and come forward and say 'we want these books and here is an estimate, I can tell you, Mr. President, that this estimate is only an under-estimate.' We have experience of a book called the 'Tamil Lexicon' in another place which was estimated to cost about a lakh, but on which we have spent more than Rs. 3 lakhs, and we want some 2 lakhs more for finishing it, and I shall not be surprised if this estimate of Rs. 2 lakhs also is exceeded. This amount of Rs. 10,000 and odd is a deliberate under-estimate; I am sure the final cost would come to Rs. 20,000 or Rs. 30,000. Wherever the Finance Member and the Chief Minister can manage to reappropriate the balance, they will do so quietly. Whenever they want a small sum, they won't come to the Council—now they know that the Council is trying to kick—they would try to reappropriate it. And with an accommodating Finance Member whose conscience is roused only when Indian industries are considered but which becomes very enthusiastic when English publications are concerned, my Friend will have no difficulty in increasing the amount to more than Rs. 20,000. As regards the sale profits, I should not be surprised if the very fact that the Government have subsidised the publication made every decent man to turn away from this book and say 'why should these people come to the Government for help if they wanted to set high standards of literary or scientific thoughts in our young men, instead of relying on the discriminating voice of the intellectual world?' For these reasons, Mr. President, I oppose this demand."

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

to reduce the allotment of Rs. 4,000 for honorarium to the authors of a book on 'Birds of South India' by Rs. 100."

The motion 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. Mr. T. Adinarayana Chettiyar.
6. " P. Anjaneyulu.
7. " P. C. Venkatapathi Raju.
8. " J. A. Saldanha.

1-30
p.m.

[8th October 1928]

Ayes—cont.

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| 9. Mr. Abdul Hamid Khan. | 27. Mr. R. Srinivasa Ayyangar. |
| 10. „ C. S. Govindaraja Mudaliyar. | 28. „ K. Koti Reddi. |
| 11. „ G. Harisarvottama Rao. | 29. „ V. Kameswara Rao Nayudu. |
| 12. „ C. N. Muthuranga Mudaliyar. | 30. „ L. K. Tulasiram. |
| 13. „ K. V. R. Swami. | 31. „ K. V. Krishnaswami Nayakar. |
| 14. „ Muhammad Meera Ravuttar. | 32. „ C. Venkatarangam Nayudu. |
| 15. „ D. Narayana Raju. | 33. „ A. Ranganatha Mudaliyar. |
| 16. Dr. B. S. Mallayya. | 34. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 17. Mr. K. Uppi Sahib. | 35. Mr. Ramanath Goenka. |
| 18. „ K. R. Karant. | 36. „ R. Nagan Gowda. |
| 19. „ B. Venkataratnam. | 37. The Zamindar of Gollapalli. |
| 20. „ C. Obi Reddi. | 38. Mr. C. R. Parthasarathi Ayyangar. |
| 21. „ A. Parasarama Rao Pantulu. | 39. „ T. C. Srinivasa Ayyangar. |
| 22. „ C. Ramasomayajulu. | 40. „ K. R. Venkatarama Ayyar. |
| 23. „ Basheer Ahmed Sayeed. | 41. „ K. P. Raman Menon. |
| 24. „ P. Bhaktavatsula Nayudu. | 42. Rao Bahadur B. Muniswami Nayudu. |
| 25. Sriman Biswanath Das Mahasayo. | |
| 26. Mr. A. Kaleswara Rao. | |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 23. Subadar-Major S. A. Nanjappa. |
| 2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 24. Mr. Al. Ar. Narayanan Chettiyar. |
| 3. „ Mr. T. E. Moir. | 25. Rao Bahadur O. M. Narayana Nambudripad. |
| 4. „ Diwan Bahadur M. Krishnan Nayar. | 26. Mr. T. M. Narayanaswami Pillai. |
| 5. „ Mr. S. Muthiah Mudaliyar. | 27. „ K. Krishnan. |
| 6. „ Dr. P. Subbarayan. | 28. „ N. Siva Raj. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 29. „ M. V. Gangadhara Siva. |
| 8. Mr. C. B. Cotterell. | 30. „ V. I. Muniswami Pillai. |
| 9. „ H. A. Watson. | 31. „ W. P. A. Soundarapandia Nadar. |
| 10. „ C. A. Souter. | 32. „ S. Subramania Moopanar. |
| 11. „ S. H. Slater. | 33. „ Daniel Thomas. |
| 12. „ A. McGr. C. Tampoe. | 34. „ Syed Ibrahim Sahib. |
| 13. „ C. W. E. Cotton. | 35. Rai Sahib M. Hampayya. |
| 14. „ V. Ch. John. | 36. The Zamindar of Singampatti. |
| 15. „ M. A. Manikkavelu Nayakar. | 37. Mr. Kenneth Kay. |
| 16. „ Syed Tajuddin Sahib. | 38. The Zamindar of Kallikota. |
| 17. „ A. B. Shetty. | 39. Mr. S. Arpadaswami Udayar. |
| 18. „ J. Bheemayya. | 40. Rajkumar S. N. Dorai Raja. |
| 19. „ J. A. Davis. | 41. Rao Sahib R. Srinivasan. |
| 20. „ R. Foulkes. | 42. Mr. K. Ramachandra Padayachi. |
| 21. „ P. J. Gnanavaram Pillai. | 43. „ G. R. Premayya. |
| 22. „ Muppil Nayar of Kavalappara alias Kumaran Raman. | 44. „ Abdul Razaack Sahib. |
| | 45. „ Muhammad Kadir Mohidin Sahib. |

Neutral.

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| 1. Mr. V. Ramjee Rao. | 5. Mr. P. Siva Rao. |
| 2. Rao Bahadur Sir A. P. Patro. | 6. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 3. Mr. T. K. Chidambaranatha Mudaliyar. | |
| 4. The Zamindar of Seithur. | |

Ayes 42. Noes 45. Neutral 6.

The amendment was lost.

The hon. the PRESIDENT:—"I shall now put the demand to the vote of the House. The question is that Government be granted a further sum not exceeding Rs. 4,000 under "Grant XIX—Education—Transferred."

The demand was put and declared carried.

8th October 1928]

A poll was demanded and the House divided thus:—

Ayes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 23. Subadar-Major S. A. Nanjappa. |
| 2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 24. Mr. Al. Ar. Narayanan Chettiyar. |
| 3. „ Mr. T. E. Moir. | 25. Rao Bahadur O. M. Narayana Nambudripad. |
| 4. „ Diwan Bahadur M. Krishnan Nayar. | 26. Mr. T. M. Narayanaswami Pillai. |
| 5. „ Mr. S. Muthiah Mudaliyar. | 27. „ K. Krishnan. |
| 6. „ Dr. P. Subbarayan. | 28. „ N. Siva Raj. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 29. „ M. V. Gangadhara Siva. |
| 8. Mr. C. B. Cotterell. | 30. „ V. I. Muniswami Pillai. |
| 9. „ H. A. Watson. | 31. „ W. P. A. Soundarapandia Nadar. |
| 10. „ C. A. Souter. | 32. „ S. Subramania Moopanar. |
| 11. „ S. H. Slater. | 33. „ Daniel Thomas. |
| 12. „ A. McGr. C. Tampoe. | 34. „ Syed Ibrahim Sahib. |
| 13. „ C. W. E. Cotton. | 35. Rai Sahib M. Hampayya. |
| 14. „ V. Ch. John. | 36. The Zamindar of Singampatti. |
| 15. „ M. A. Manikkavelu Nayakar. | 37. Mr. Kenneth Kay. |
| 16. „ Tajuddin Sahib. | 38. Rajkumar S. N. Dorai Raja. |
| 17. „ A. B. Shetty. | 39. Mr. S. Arpadaswami Udayar. |
| 18. „ J. Bheemayya. | 40. The Zamindar of Kallikota. |
| 19. „ J. A. Davis. | 41. Mr. K. Ramachandra Padayachi. |
| 20. „ R. Foulkes. | 42. Rao Sahib R. Srinivasan. |
| 21. „ P. J. Gnanavaram Pillai. | 43. Khan Bahadur P. Khalifullah Sahib. |
| 22. „ Muppil Nayar of Kanallappara alias Kumaran Raman. | 44. Mr. G. R. Premayya. |
| | 45. „ V. Ramjee Rao. |
| | 46. Khan Bahadur S. K. Abdul Razaack Sahib. |

Noes.

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| 1. Mr. H. B. Ari Gowder. | 23. Sriman Biswanath Das Mahasayo. |
| 2. „ Sami Venkatachalam Chetti. | 24. Mr. A. Kaleswara Rao. |
| 3. „ S. Sathyamurti. | 25. „ R. Srinivasa Ayyangar. |
| 4. „ C. V. Venkataramana Ayyangar. | 26. „ K. Koti Reddi. |
| 5. „ T. Adinarayana Chettiyar. | 27. „ V. Kameswara Rao Nayudu. |
| 6. „ P. Anjaneyulu. | 28. „ L. K. Tulasiram. |
| 7. „ P. C. Venkatapathi Raju. | 29. „ K. V. Krishnaswami Nayakar. |
| 8. „ Abdul Hamid Khan. | 30. „ C. Venkatarangam Nayudu. |
| 9. „ C. S. Govindaraja Mudaliyar. | 31. „ B. Venkataratnam. |
| 10. „ G. Harisarvottama Rao. | 32. „ A. Ranganatha Mudaliyar. |
| 11. „ C. N. Muthuranga Mudaliyar. | 33. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. „ K. V. R. Swami. | 34. Mr. Ramanath Goenka. |
| 13. „ Muhammad Meera Ravuttar. | 35. „ R. Nagan Gowda. |
| 14. „ D. Narayana Raju. | 36. The Zamindar of Gollapalli. |
| 15. Dr. B. S. Mallayya. | 37. Mr. C. R. Parthasarathi Ayyangar. |
| 16. Mr. K. Uppi Sahib. | 38. „ T. C. Srinivasa Ayyangar. |
| 17. „ K. R. Karant. | 39. „ K. R. Venkatarama Ayyar. |
| 18. „ C. Obi Reddi. | 40. „ K. P. Raman Menon. |
| 19. „ A. Parasarama Rao. | 41. Rao Bahadur B. Muniswami Nayudu. |
| 20. „ G. Ramasomayajulu. | 42. Mr. J. A. Saldanha. |
| 21. „ Basheer Ahmad Sayeed. | |
| 22. „ P. Bhaktavatsula Nayudu. | |

Neutral.

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| 1. The Zamindar of Seithur. | 3. Mr. T. K. Chidambaranatha Mudaliyar. |
| 2. Rao Bahadur Sir A. P. Patro. | 4. „ Muhammad Khadir Mohideen Sahib. |

Ayes 46. Noes 42. Neutral 4.

The demand was put and carried and the grant was made.
At this stage this House adjourned for lunch.

[8th October 1928]

After Lunch 2-30 p.m.

GRANT XX—MEDICAL—TRANSFERRED.

* The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Mr. President, on the recommendation of His Excellency the Governor, I move—

“ that Government be granted a further sum not exceeding Rs. 700 for a Commissioner of medical qualifications and standards for India.”

“ In moving this motion, I wish to state the full facts showing the necessity for moving this motion in this Council. Till now the Madras Government and the various Governments have been deputing Medical officers and other medical practitioners to go to England—private practitioners are also going—for undergoing higher courses of medical education in the British universities.

Dr. B. S. MALLAYYA :—“ Are the Government going to England please ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I am afraid the hon. Member did not catch what I said. The Madras Government is deputing a number of officers to undertake higher courses of medical education in England; assistant surgeons, sub-assistant surgeons and surgeons are going to England to study higher courses in medicine in the British universities. Other medical practitioners also are taking advantage of this and are going to England not only from this province but from other provinces also. Until recourse to other means of ascertaining the standards of medical education given in India. This system of ascertaining the standard of qualifications of medical students which is now pursued is found to be cumbersome and the Medical Council will be satisfied if somebody certifies to them that the standards followed in the various universities and colleges are up to the standards obtaining in British universities. For instance, the Madras University M.B.C.M. was recognized by the General Medical Council till July 1928, and they have now further extended the recognition for a year. As regards the Andhra University, they have said that they would not recognise its degree, and the matter is under correspondence. So, we have to see, for the benefit of medical education and improvement of medical science that our degrees are recognized, so that the holders of these degrees when they go to England will be readily admitted into the institutions for higher studies in England. It is with this object that this motion is moved. The Medical Council is deputing an officer in Medical Service in one of the provinces. He certifies that our standards are up to the mark. To meet the expenses of this officer the Government of India want Rs. 12,000 a year and the proportionate share of the Madras Government towards it is Rs. 1,700 a year. The amount that has to be paid for the remaining portion of the year is Rs. 700 that is now asked for. I move that the Government be granted this sum.”

* Mr. R. NAGAN GOWDA :—“ Mr. President, Sir, I move a cut of Rs. 100 from this amount of Rs. 700 that is now asked for by the Government, to discuss the need for economy in this work. In doing so, I want to say in reply to some of the statements that have just now been made by the hon. the Excise Minister of this Government. He said that this Government and the Governments of other provinces in this country are deputing men to go and study in English universities for higher qualifications in

8th October 1928]

[Mr. R. Nagan Gowda]

medicine Sir, it is taken for granted here in this country that any degrees that are obtained in the universities in India are inferior to the degrees that are granted by the universities in England. It is for that reason, Sir, I understand that men are deputed from here to England. That is not done in any other part of the world. That itself is a thing to which we ought not to agree. He also said that there are private men who go to foreign countries to study medicine. Sir, British universities do not send men to Tokio to examine and inspect the medical colleges there, nor do they send men to the United States or Hawaii or the Philippine Islands, or to Germany or other parts of Europe to examine and inspect the colleges and the standards of education that is imparted there before according them recognition. It is only when we employ men trained in England who know the standards in England that they claim that our standards ought to be examined and inspected to enable applicants to join the Indian Medical Service. Under such conditions, we need not go to foreign countries for educational qualifications. Sir, besides, there is another thing and that is that the other universities in this Presidency are not recognized. For instance, the Andhra University, the examination papers for which are set by examiners that set papers for the Madras University. As a matter of fact, there is absolutely no difference between the two. Besides, if the Medical Council in England wants to examine the standards here, let them depute their own men for the examination. It is not for us to pay for the inspection made by the Medical Council in England. Besides, it is a subject of the Government of India, that is, a central subject, and it is for them to pay for the man whom they want to depute to go and find out the standards of the different universities. I do not see why we ought to be made to pay for a subject which is under the control of the Government of India. And besides, there is another thing and it is this. They are going to depute an officer of the Madras Presidency, the Surgeon-General with the Government of Madras. Sir, I am sure he is paid a very nice big salary and I do not see any reason why this officer of the Government should be paid again a very large sum, that is Rs. 400 a month. There is another item in this demand which also needs consideration. They pay rather a very large sum to the stenographer who is to be attached to this inspector of the standards of medical education in this country. Here is a sum of Rs. 250 allotted to a stenographer. I think it is rather a very large sum to be paid to a stenographer. For these reasons, I move that a cut of Rs. 100 be made out of this demand.”

* Diwan Bahadur B. N. AROGYASWAMI MUDALIYAR :—“ Mr. President, Sir, I rise to support the motion that has just been moved by my hon. Friend. My reason, Sir, is this. I may be prepared to accept the general proposition or principle that it is desirable that our degrees should be recognized by the General Medical Council in England. So far it has not been said that we are not going to accept their recommendation. Quite recently we had a deputation from the General Medical Council consisting of Sir Norman Walker and Colonel Needham who came here and inspected and examined the standards of medical education in this Presidency, and made their recommendations. These recommendations this Government have on the whole accepted; and in accordance with the recommendations of the inspecting officers of the General Medical Council we made provisions in our budget to increase the staff of our medical colleges, to provide experts and

[Mr. R. N. Arogyaswami Mudaliyar] [8th October 1928]

so forth and we have done our very best to carry out the recommendations. I should presume that if we did not accept the recommendations in full, we are at any rate going to do so, and we have already accepted and carried out a portion of them. There seems to be no reason to doubt that the General Medical Council would not recognize the degrees of this university. I do not see therefore any reason why apart from the agency that we now possess for inspection and for reporting on medical education in this province, we should go in for an all-India agency. If the Government of India wish to have an agency like this that would co-ordinate medical education in the various provinces, if they want to have an officer who will go round all the provinces, by all means let the Government of India provide the money. We shall have nothing to say about it. But I do not see any reason why this Government should be asked to pay either in full or in part for the agency that is suggested here. As I said, while I am prepared to admit on general grounds the desirability of conforming to the standards acceptable to the General Medical Council of Great Britain, I should not think it would be altogether a great calamity if it comes to a matter of having education should be based upon the highest standards possible. I think we are doing it already. We have done it to a large extent and I do not see any reasons why this annual visitation should come and why we in this province should be forced at the point of the bayonet to accept any recommendations that these inspecting officers might make. If we conform to all reasonable standards and if we do our very best to make medical education efficient, I do not see the necessity for our agreeing to this special agency. We have got in this province the Medical Department which is supposed to be expert in medical education as well as in the administration of the department in general.

2-45 p.m. "As far as I am concerned, I see no reason why we should go outside this agency and create another agency altogether. If the Government of India think that it should have a co-ordinating agency, by all means let them create such a one and pay for it. I object to this Government being asked to agree to pay either in part or in full for the establishment proposed."

Rao Bahadur Sir A. P. PATRO :—"I have been listening very attentively to the speeches of the mover and the seconder of the amendment. I feel they have not made out any case whatsoever. If I understand them aright, they think that medical education in this country has so far advanced and is complete that it requires no higher standard of efficiency, that the standard existing here is adequate, that we need not conform to the standards of the British Medical Council in England. If that is the view of the hon. Members, I am afraid they are ignorant of the conditions of medical education. Medical education in this country is of recent growth and is not complete and requires development. The Madras Medical College which is the best equipped college here may not come up to the standard of the British Medical Council. The maternity hospital is the best of the kind. The British Medical Council is the one unifying authority and co-ordinating agency for the whole of India and it is necessary that there should be an Indian agency for the British Medical Council standard. The Government of India wanted to have this agency not for its own purpose but to help the provinces

8th October 1928]

[Sir A. P. Patro]

in this direction. It is therefore necessary that the provinces should contribute their own quota to maintain the highest traditions of the British Medical Council in India. The second point that I wish to press is this that in addition to this central agency medical education must develop here by the deputation of our officers to England and other countries to complete their training. It is desirable that we send our assistant surgeons and surgeons to foreign countries in order to acquire further proficiency and knowledge in medical science. In order that this may be effected, it is necessary that we should have the advice of a common agency through whom we can get admission into the various medical institutions. We realize now the importance of advisory committees for securing admission into the various universities in Britain. In the case of officers and others who go for post-graduate courses, it is difficult to secure admission unless they go through the official agency. There are certain conditions prescribed and we must conform to them if we want recognition by the British Medical Council. We must accept their standards. Therefore this grant is very desirable and necessary."

Mr. K. V. R. SWAMI :—"On this subject the present Minister and both the ex-Ministers have spoken with some experience. Sir Patro seems to think that this medical board in England is going to help our students who cannot get admission otherwise. That is the one reason why he supports this demand. He has perhaps no experience of what is going on in England in regard to our students and if our students do not get admission in the English universities it is because of our Government that stands in the way. Those institutions are open to any students from any country except India and this Government in a beautiful way manages to have control over these students by taking the responsibility of controlling the admission of students. There is an agency in England which is supposed to help Indian students. That agency indeed obstructs the admission of Indian students in various colleges. Once a letter was given to a friend of mine to get admission in a university and this friend went with this letter and sought for admission. But the officer there was a frank man and he said: 'It is all right to have brought this letter but we have other instructions to show that Indian students should not be admitted beyond a certain number. So I cannot admit you.' My hon. Friend, Sir Patro, said that we must send our people to England and other foreign countries. I do not know if he is keen on sending our students to any other country. We always look to England and we always want to wait at her doors for admission. These medical boards there will not in any way help our students even if there is better medical education in Germany or France. I want to submit to this House through you, Mr. President, that if really the Central Government want this agency and the standard of the British Medical Council, let them pay for it. They are taking away lakhs and lakhs from this province by way of income-tax, salt tax and very many other taxes. They keep all the money for themselves and when they want a little money they go about with a beggar's bowl asking for a few hundred rupees. Therefore I protest against this contribution and I submit to this House that if the Central Government want money for this purpose they must pay from their own pocket. They get large sums from the provinces and they must pay. What are they doing with the large sums that they are taking from us? The Surgeon-General is appointed by the Central Government and this Government say we have nothing to do with it.

[Mr. K. V. R. Swami]

[8th October 1928]

If the Central Government appoint the right sort of man he could look after matters like this. But the Surgeon-General wants a special pay. It is not commendable at all that a gentleman who has to look after this and who is a highly paid man should want any extra payment. It is only clerks who are poorly paid that have to work extra time. It is a matter of a few hours' work or a few days' work. If the Government of India want to have their own way, let them pay for it. Let them not ask for these little contributions. It is setting a very bad example to be asking for small sums of money after taking heaps of money from us."

Mr. K. KOTI REDDI:—"Mr. President, I rise to support this motion. Of all the branches of western education why should medical education alone sit tight over this Presidency? In respect of the other technical colleges of this Presidency there is no such agency by which annual inspection of colleges should be gone through before recognition is given to the graduates of this Presidency. I therefore see no necessity why we should submit to this sort of humiliation, if I may so put it. The Medical Council may appoint somebody else to find out the standard of medical education in this country. If we do not follow the rules followed by other universities and if our officers are prohibited from entering those universities, I believe there are other sources of knowledge much better and much more scientific for our students. Even to-day England is not sending her men to other countries for the inspection of colleges there. I would rather prefer to take the risk of not being admitted than to accept this humiliating condition."

Mr. C. GOPALA MENON:—"This demand is for a further grant to meet the expenditure in connexion with the appointment of a commissioner for medical qualifications and standards for India. The principle has been accepted by this House when the first grant was made and I believe the Finance Committee must have sanctioned this on the ground that the principle was already accepted by the House; because the demand as it reads is for a further grant to meet expenditure in this connexion. And the proper stage at which this should have been opposed was when the first grant was brought before this House. Moreover as I understood from the hon. Minister, the General Medical Council in Britain is no longer going to undertake this work, and therefore one of the officers in India should be deputed to do the work of examining candidates who want to get admission into the British medical institutions. That is a necessary thing, and as this grant has already been acceded to at an earlier stage, I do not see how this amendment could find a place at this stage. I therefore oppose this amendment."

Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, the Central Government in India has no element of responsibility. They have suggested a certain course to this Government, and as a Minister responsible to this House, one should have expected the Minister for Excise to have politely told the Government of India that this was an insult to this province. Medical education in this province is claimed to be very efficient. Medical education is very expensive, and it has saddled our students with a great deal of restrictions, with a great deal of efficient standards. There is no question at all about the efficiency of medical education in this province. At any rate, the Surgeon-General and other experts would certainly be up against anybody that would say that medical education here under their control was

[8th October 1928] [Mr. G. Harisarvottama Rao]

bad or was not sufficiently efficient. Now, here is a proposal that there should be incessant control by an inspector appointed either as an agent or on behalf of the General Medical Council of Britain. It is all right to say that we should maintain good and efficient standards of education, and for that purpose many a measure is provided for in our own country. For instance, the universities send up their own commissions to examine the institutions under their control, and periodical reports are made on education imparted in the institutions. When inspection is provided for in some such manner, why in Heaven should the General Medical Council of Britain insist upon having an inspector over here, I cannot really understand except it be that it is intended to give England a predominant voice in the medical education of this country and a predominant guiding power in deciding the policy of medical education in this land.

"Again, in the note that is circulated, there is a reference to Sir Norman Walker. He has made a suggestion, it appears, and then he thinks that if that suggestion is carried out, it will possibly be acceptable to the General Medical Council. It is not a measure either approved of by the General Medical Council or insisted upon by them. What the General Medical Council has said is that it cannot undertake periodical visits to this country, and it says some arrangement has to be made by which the standard of medical education may be kept up in this country. For that purpose, much better methods might be sought without wounding the self-respect of this country. It is no use telling us that we are deficient, that much more can be done in matters of medical education. Certainly, much more can be done in matters of medical education, not only in India, but also in Great Britain itself. I do not believe that anybody can hold a brief for Britain that medical education there is perfect. To the extent to which medical education can be made efficient, it is being made efficient in India as well as in Britain, and if standards are required, the standards are there in the universities.

"There is a reference here in the note to the Andhra University. As a matter of fact, the Andhra University is carrying on joint medical examinations with the Madras University, and what applies to the Madras University must necessarily apply to the Andhra University, because the examiners, the papers, the courses of instruction, all these are identical in the Madras University as well as in the Andhra University. I wonder why the General Medical Council should differentiate between the Madras University and the Andhra University for the temporary recognition that had to be given to the latter up to July 1928. All this makes it evident that the General Medical Council of Britain has made up its mind that it shall not agree to any abatement of its tight fist over medical education in this country, and from that point of view I should have expected a responsible Minister to have protested against an arrangement of this nature. He ought to have more regard for the universities that are under the guidance of the Government here. He ought to have felt that these universities are capable of looking after the standards that are necessary to get recognition from the world. It was open to him to say, 'here are our universities; they have their courses and examinations; it is for you to say whether you will give facilities or no facilities to our students in Britain.' If the General Medical Council is so powerful in Great Britain and wants

[Mr. G. Harisavottama Rao]

[8th October 1928]

to stand in the way of medical education in this country, by all means let it do so, but let it not wound the self-respect of our own institutions. I wonder, in such a small matter like this, whether the General Medical Council can impose its will upon us and ask us for an inspection, year in and year out, of the institutions and universities established in this country, run by the Government in this country, run by first-rate experts who have come down here. That is what is claimed for the educationists here. After this claim, if the Minister comes forward to-day and says that he yields to a demand of this nature, it is a thing which I cannot really understand. As a transferred subject under the control of a responsible Minister, I expected this would have received more serious consideration. It is not such a simple thing as it appears to be on the face of it. I agree that there may be some little difficulty in our students going to England and getting admission into the institutions there. But it is the duty of this local Government, as a boasted limb of the British Government, to protest against a treatment of this kind and get justice for its own students who go abroad for education, and I do not think it is right for the Minister to come forward with a demand of this nature. I believe he has failed in his duty towards his own country in this respect and I wish that even at this stage he did not press this demand and did represent to the Government of India that they should have more concern for the prestige of the institutions established by the Government and the universities in this province."

* The hon. Mr. T. E. Moir :—" Mr. President, there is one point to which it is necessary for me to make a reference, and that is the misapprehension about this grant which seems to exist on the part of some hon. Members of this Council. It has been suggested by more than one hon. Member that all that is necessary is to withhold this grant and tell the Government of India pay for it. This question however involves our financial relations with the Government of India, and I would refer hon. Members to the note circulated, and point out that the Government of India have no responsibility in the matter. The question of medical education is a Transferred subject and India are not concerned with this proposal, because they have no medical college under their control, and therefore there are no graduates or students of such colleges who should form their concern. We and other local Governments are the authorities concerned in the matter. It will therefore be useless to ask the Government of India to pay what, under the statutory rules, is a financial concern of the local Government. Further, there is no question of compulsion in the matter. It is perfectly open to us to refuse this grant or not. But if we do refuse, the result will be that the General Medical Council will inform universities and medical institutions in Great Britain who look to that Council for guidance in such matters, that the Madras Presidency has refused to provide for such inspection as they consider necessary to assure those universities and colleges as to the standard of medical attainments in the Madras Presidency, and that they can only advise them under the circumstances to refuse admission or concessions to students proceeding from this Presidency. I may point out that if hon. Members will look at the medical list they will find that a very large number of Indian students now in our service have proceeded to Great Britain to study at Edinburgh, London and other universities in order to complete their course

8th October 1928]

[Mr. T. E. Moir]

or to secure post-graduate diplomas or degrees. The only result of not making this grant will be that such students will in future have great difficulty in securing admission, and for my part, I cannot help thinking that that would be to the great detriment of medical attainments in this country."

Dr. B. S. MALLAYYA :—" Mr. President, Sir, I have carefully listened to the speech made by the hon. Minister for Public Health. He made a statement that this Government was sending on deputation large numbers of assistant surgeons, sub-assistant surgeons and other medical officers for post-graduate study in England. Sir, this is news to me. I was myself in the department for more than twenty years, and I am in contact with the members of that department even now. What happens is that every year three or four officers take study leave and go at their own expense to England for further studies.

"The question of recognition of all degrees by the medical schools does not arise at all in the case of those officers. It is only in the case of students passing from the college and going to England for competing in the I.M.S. that the question of recognition of our M.B.B.S. comes in. Even then, Madras degrees have been recognized as equal, if not superior, to many of the English degrees. It was in 1902, when I was under Colonel Maitland, that a big doctor from England came and he was shown round the General Hospital. He said 'I find a variety of cases here and more material for study than in several of the hospitals in England. Your surgeons are equal to, if not better than, the best surgeons there.' That is what he said. Sir, recently, a year or two back, Sir Norman Walker and Colonel Needham came and inspected the hospital. Even then Madras was holding the record. Not only that, Madras was leading. Now young men come here and say 'You are behind the times,' as the Minister said, 'in whom I am ashamed.' Several remarks have been made by the past Ministers that our medical college is degenerating and so on. Sir, we look upon our college as the best. There is the opinion of Colonel Needham and of Sir Norman Walker that the education imparted here is equal, if not superior, to that in the London University. We do not take Edinburgh or Dublin or Durham, where you can have it in two months' time. There is another reference about the efficiency of our college. Colonel Giffard used to say 'the chronics who do not do well here go to England and come back to us with an L.R.C.P. in three months' time. They cannot compete here with the assistant surgeons.' So there is nothing that can be said against the standard of education imparted here.

"I should like to know what is the work that the inspecting officer is going to do here? Is he going to be appointed by the Government of India? They want to appoint an officer acceptable to the General Medical Council. What is the work of this officer? There are only five or six medical colleges in the whole of India, and the reports of these colleges are available to the Medical Council for their information. Why then do you want a special officer? Why do you want to pay him a big amount? Where is the work for him in the first place? Sir, you want to degrade us, bring us down in the estimation of the whole medical profession in the rest of the world. Can the General Medical Council say this to the Hongkong University, or the Straits Settlements or Australia or Canada or any other British Colony for the matter of that? Because Indians are submissive, you go on stamping them permanently as inferior and say you will have an inspecting

[Dr. B. S. Mallayya]

[8th October 1928]

officer, a C.I.D. officer who will have nothing to do except to report that that man did such and such a thing and so on. We say we are equal to them and we will sit with them. I may mention a personal matter. There is Doctor Roy of Bombay. My brother went there to study under him and within 15 days he appeared for the examination and secured a first class in the Indian Medical Service. Why do you want to perpetuate a system of inferiority on our universities? Your own officers are coming here from England, every year four or five officers come from England with up-to-date methods of teaching and they are teaching. The Surgeon-General has to report on the education imparted in the college and there is the Director of Public Instruction also. They are all anxious to maintain a high level of efficiency. After all, the education given in England is not the best. My brother said that the best medical education can be had only in Berlin or Vienna, neither in England nor in Paris. After all, you make no distinction between men taking N.R.S. in Edinburgh or Dublin. Every one is anxious to bring up the medical profession to the most up-to-date standard. If you want to know what is being done, you can refer to the medical reports that are available in the Government Press. There is absolutely no need for such an officer. It is only the thin end of the wedge, to introduce this example in other presidencies. So I request the House to have respect to the private individuals of this profession and vote against this grant."

* Mr. S. SATYAMURTI:—"Sir, the decision of the General Medical Council of England is one which is inconsistent with our self-respect and dignity as a nation. I do not know if hon. Members realize that even small provinces, like Malta, have their own general medical council, and those councils have got the same autonomous power as the General Medical Council of Great Britain and that their degrees have not got to be certified by the General Medical Council of Great Britain before they are recognized by the universities there. But the Government of India, being what it is, a subordinate partner of the great British Empire, has not had the courage so far to stand up to the General Medical Council of Great Britain and say 'we must have our own council, we cannot allow you to dictate to us what should be the nature of the education and what standards our medical graduates should attain to.' But you should accept our own degrees provided the course of studies and examinations as revealed by the examination papers are accepted by the General Medical Council of India as equivalent to the standard attained to or demanded by the General Medical Council of Great Britain."

"Sir, the discussion has turned throughout, except on this side of the House, on the basis that we are helpless in the matter and that if the General Medical Council withdraws its recognition, our boys and girls who are medical graduates will have nowhere to go to and they cannot do tit for tat to Great Britain. We can do both. Our students can go to Germany or France, as my hon. Friend Mr. Ketu Reddi has said; they can also go to Vienna, a place where even to-day in spite of the disruption of the Austrian Empire the highest medical education is being given. Apart from that, Mr. President, if it is suggested that our students must go to Britain and take their degrees there, may we not tell this General Medical Council that we shall not admit their graduates to either practising or joining in the Indian Medical Service unless they recognize our graduates as having the same rights in the medical colleges and universities of Great Britain? I know my hon. Friend

[8th October 1928]

[Mr. S. Satyamurti]

the Minister is helpless in the matter. He cannot really talk to the Government of India in that strain, nor the Government of India can talk to the British Government in that strain. That is why we are for Swaraj, and I hope the hon. the Minister will realize that although he will never have the courage to say so, he is now placed in a helpless position because he is unable to treat with the Government of Great Britain on equal terms as between partners—every medical graduate of every university in Great Britain is entitled to some kind of advantage in this country. It may be of a new university or of a second-grade university; but because it is an English degree, the Secretary of State recruits the I.M.S. officers and sends out these men here to the high posts open to them. We must deal with them as they deal with us, we must tell them 'We do not want your inspection, we shall insist that before your men come here, our men shall be permitted to go to England on the same terms'. Then, Sir, I do not know if my hon. Friend the Minister knows—perhaps he does—that the Government of India are now moving in the matter of instituting a General Medical Council for India. My hon. Friend Dr. U. Rama Rao brought forward a private Bill about two years ago in the Council of State. It was considered too comprehensive and not adequate for the purpose. That Bill contemplated to deal with both classes of medical practitioners, that is to say, medical graduates as well as those who got diplomas in medicine. The Government of India asked the opinion of various bodies. In another connexion, I have looked into the Bill and given my own opinion. I am sure the hon. the Minister knows that that Bill is being considered by the Government of India as an all-India measure. Now, unless that Bill is going to be made an Act very soon, and Indian medical education freed from the trammels of this General Medical Council of Great Britain, I am afraid we shall never get for our graduates the chances which they must get, of getting the highest education which India can provide. As a matter of fact, Mr. President, those who are familiar with the standards of medical education in Madras must feel humiliated at this prospect of having to get their degrees certified by itinerating inspectors sent by the General Medical Council. I think it has been acknowledged that our Maternity Hospital and Ophthalmic Hospital are about the best anywhere in the East. I will go further and say that competent medical opinion unprejudiced by racial jealousies has recognized that these two institutions are the best in the world, east or west of Suez. Does not the hon. the Minister realize that it is humiliating to us that year after year we have got to wait in the ante-chamber of the General Medical Council? I know what this as a member of the Syndicate of the Madras University, having been made familiar with the capricious decisions of the General Medical Council.

'Is the hon. Minister really going to agree to this arrangement? There is no time fixed in the note he has appended. He says 'Sir Norman Walker who recently visited India . . . has suggested the creation of some co-ordinating authority in India which might enable the General Medical Council to obtain the information it requires in regard to Indian Medical degrees and pending the establishment of such central authority, which might be comparable to the General Medical Council, he has suggested that a "Commissioner of Medical Qualifications and Standards" should be appointed to continue and expand the work which has hitherto been performed by the Official Inspector of the General Medical Council'. I see an element of

[Mr. S. Satyamurti]

[8th October 1928]

permanence or quasi-permanence in this arrangement. The suggestion of Sir Norman Walker is relegated to the limbo of pious wishes. The purpose for which the grant is asked is the establishment of a 'Commissioner of Medical Qualifications and Standards'. I think we on this side are entitled to demand of the Government a definite, categorical assurance whether this arrangement is going to be an absolutely temporary arrangement, and if so for what period, and whether the Government are going to bring all their pressure to bear upon the Government of India, to see to it that a General Medical Council for India is established as early as possible. Moreover I do not know who the author of this note is, but undoubtedly there is some confusion behind it.

3-30
p.m.

"Even according to Sir Norman Walker's suggestion there will be only a General Medical Council or rather, some such central authority whose function will be to report to the General Medical Council the information it requires with regard to Indian Medical degrees. That is not the kind of council which self-governing countries have got. You must get a council whose powers will be exactly the same as those of the General Medical Council of Great Britain. Unless the hon. Minister is able to give us information on all these matters, i.e., when this council is going to be appointed, what will be its powers, etc., I am—afraid those of us who believe in the autonomy of India, especially in the matter of medical education and knowing as we do that our medical graduates have nothing to fear in comparison with the medical graduates of other countries and that, as my hon. Friend from the city said, our medical graduates with very little preparation easily get first and second class marks in British universities, must see that due recognition is given to our degrees. And unless a proper medical council is promised to be constituted by the Government of India as early as possible and unless this Government refuses to weakly yield, we on this side, must refuse to co-operate and to be conscious parties to the continual humiliation of Indian medical students and their degrees."

* The hon. Mr. S. MUTHIAH MUDALIYAR:—"Sir, I have not much to add to what I said already except answering a few doubts raised by the hon. Member for the University. The hon. Member probably thought that this is going to be a permanent body. I may assure him that this is only a temporary arrangement intended to carry us on to the date when a medical council will be established in India. For this purpose there is a Bill under the contemplation of the Government of India. The Madras Government are sending their opinion on it and we are in favour of a medical council for the whole of India as a co-ordinating authority which will occupy the position of the General Medical Council in England. Till that legislation is passed we want some authority with whose medical report the General Medical Council of Great Britain will be satisfied so that the gentlemen who go from India and from this province may not find difficulty in getting admission there. This is only a temporary measure. This is one of the recommendations of Sir Norman Walker himself."

The motion for reduction was then put and lost.

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

8th October 1928]

GRANT XXX.—CIVIL WORKS—TRANSFERRED.

The hon. Dr. P. SUBBARAYAN:—"Sir, on the recommendation of His Excellency the Governor, I move

'that Government be granted a further sum not exceeding Rs. 14,300 under Grant XXX—Civil Works—Transferred'

to provide for the construction of a building for the Lady Amphill Government Secondary School for Girls at Masulipatam.

"Hon. Members have already, I am sure, read the note circulated to them. This school is now being held in two rented buildings. A permanent building is absolutely necessary for the location of this school. I am glad that there is no motion for reduction and hope that the House will sanction the grant."

* The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."
The demand was put and carried and the grant was made.

VI

A BILL* FURTHER TO AMEND THE COURT FEES ACT, 1870.

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I introduce the Bill further to amend the Court Fees Act, 1870, and move that it be referred to a Select Committee composed of the following members:—

- (1) Rao Bahadur C. V. Ananthakrishna Ayyar,
- (2) The hon. Diwan Bahadur M. Krishnan Nayar,
- (3) Diwan Bahadur P. Kesava Pillai,
- (4) Khan Bahadur P. Khalif-ul-lah Sahib,
- (5) Mr. K. P. Raman Menon,
- (6) Rao Bahadur Sir A. P. Patro,
- (7) Mr. K. V. R. Swami,
- (8) „ J. A. Saldanha,
- (9) „ P. Siva Rao,
- (10) „ T. C. Srinivasa Ayyangar,
- (11) Rao Bahadur K. Sitarama Reddiyar,
- (12) Mr. N. Siva Raj,
- (13) „ C. V. Venkataramana Ayyangar, and
- (14) Rao Bahadur B. Muniswami Nayudu.

In moving this motion I just wish to refer to the important principle contained in this Bill. When the Court Fees Amendment Act was passed by this Council in 1922, one provision was that a smaller rate of fees should be levied in respect of suits of a small cause nature up to a maximum of Rs. 500. The maximum of Rs. 500 was fixed on that occasion for the reason that at that time the maximum small cause jurisdiction possessed by the sub-courts was only Rs. 500. Subsequently, in pursuance of an Act of the Government of India under which the High Court was empowered to enhance the pecuniary jurisdiction of Small Cause courts in the mufassal up to a limit of Rs. 1,000, the High Court passed a notification fixing the maximum limit of the pecuniary jurisdiction of the sub-courts in the mufassal in respect of small causes at Rs. 1,000. In respect of suits of a small cause nature between Rs. 500 and Rs. 1,000 according to the existing Act, the higher scale of fees has to be paid, i.e., the scale of fees applicable to original suits. One

* Published in the Fort St. George Gazette, dated 17th July 1928, as Bill No. 7 of 1928.

[Mr. M. Krishnan Nayar]

[8th October 1928]

important object of this Bill is to give the benefit of the lower scale of fees to suits above Rs. 500 and below Rs. 1,000. This provision is made in favour of the litigant public.

"There is also another provision introduced by this Bill and that is by way of enhancement of the rate of court-fees. It is this: Now, suits of a small cause nature are instituted paying the lower scale of fees. Under the existing law, though some of the suits which are instituted are of a small cause nature, they have to be tried as original suits, yet the fees to be levied continues to be the lower rate. Of course it is well known that when suits are tried as original suits they involve more time and more labour both to the court and to the litigant public. And also there is the right of appeal which are instituted as small cause suits but which have to be tried as original suits the higher scale of fees should be levied. When suits of a small cause nature are to be instituted and tried as small cause suits the lower scale of fees holds good, but when they are instituted as small cause suits but tried as original suits, the higher scale of fees should be levied. Now, as I said, this latter change relating to the enhancement of fees holds good only with reference to suits up to Rs. 500. As the law stands now, in respect of suits whose jurisdiction is above Rs. 500 and below Rs. 1,000, it is the higher scale that is levied. So that the change that is sought to be effected now applies to suits of the value of Rs. 500 and less.

"I may also state, Sir, that these suits which are instituted as small cause suits but which have to be tried as original suits are comparatively few. Therefore, the reduction in favour of the litigating public is very much greater than the enhancement against them.

"I may also say that the Government have thought of the question of revising the rate of court-fees. (Hear, hear from the Opposition benches.) The Government of India have under consideration, by an all-India Bill, the revision of the existing court-fees which is applicable throughout India. They have not yet made up their mind. Pending decision of the Government of India on that point, we thought that we should not wait to give at least this small relief to the litigating public. As I submitted already, the enhancement is very much less than the reduction. It is for the purpose of meeting the demands of my hon. Colleagues often made in this House for the reduction of court-fees that the Government have thought of introducing this Bill. My original intention was to pass through all the stages of this Bill to-day, but in deference to the wishes that have been expressed to me by my respected friends in different sections of the House, I am now moving the motion for referring it to a Select Committee. I have already enumerated the main principles of the Bill and do not wish to go into details now. Any suggestion that may be made by hon. Members of course will be carefully considered in the Select Committee. With these observations I move that this Bill be referred to a Select Committee composed of the members I have already suggested."

The hon. Mr. T. E. MOIR:—"I second it."

The hon. the PRESIDENT:—"The question is that the Bill further to amend the Court Fees Act, 1870, be referred to a Select Committee consisting of the members mentioned."

[8th October 1928]

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I am sorry to say, Sir, I cannot accept the statement of the hon. Law Member on some points that have been urged by him. We have been always asking for a reduction of court-fees all-round and we all remember Sir, and the hon. the Law Member must remember it much better than many of us, that when this Bill came up in the year 1922, there was a serious attempt made, supported by the present Law Member, to make the measure only a temporary one. I believe that that attempt was defeated by a small majority. Year after year practically, in the budget session, we, including the hon. the Law Member, have been carrying token motions to the effect that the court-fees levied in this presidency should be reduced wholesale.

"It has been usual with the Treasury Bench to say that the Government of India have been considering this very important question and therefore they do not take it on hand. Many of us have been agitating for the separation of the judicial and executive functions and one reply which the Government have uniformly given is that the Secretary of State and the Government of India would deal with this as an all-India question. This has been going on for the past six or seven years without any prospect of settlement. Now in this case also the hon. the Law Member says that the Government of India are going to treat this as an all-India question. Seeing that public opinion in the country is very strong in favour of the reduction of the court-fees, the Government want to take shelter under the plea of the Government of India treating this as an all-India question. When and how, nobody knows, not even the Government of India. We have always claimed that this question must be dealt with immediately. We must thank the hon. the Law Member for small mercies. But unfortunately the good dose of medicine is mixed with a big dose of poison, as the hon. the Finance Member would sometimes say. We are told that we would be given a little relief by way of increasing the maximum from Rs. 500 to Rs. 1,000. At the same time, the one great remedy that the poor litigants have now got in suits of a small cause nature up to Rs. 500 is taken away to a large extent. I do not know whether it will be retained in the Select Committee. My contention is that if that is not removed the poor litigants will be seriously affected. This present Bill will not benefit the Coimbatore district people at all; on the other hand it would tax them much more. The hon. the Law Member says that Government are giving a small relief though they cannot give relief to the full extent. In Coimbatore district Sub-Judges do not at all try small cause suits; District Munsifs alone try them. All suits up to Rs. 500 of a small cause nature are now paid for at a lower rate. If this Bill is passed into law, the whole of Coimbatore will have to pay a higher rate. There may be other districts where Sub-Judges may be authorized to try small cause suits up to Rs. 1,000. But I do not know in how many of those districts Sub-Judges are exclusively privileged to dispose of suits of a small cause nature. It is for these districts probably that there will be some relief.

"The hon. the Law Member said that the suits tried on the original side take a good deal of time. I do not think so. Most of the original suits of a small cause nature are of an uncontested nature as they relate mostly to bonds and they do not take much time. We have been saying that only half the fee should be levied in cases of uncontested suits and *ex-parte* suits. Simply because a small cause suit is called original suit number so and so,

3-45
p.m.

[Mr. C. V. Venkataramana Ayyangar] [8th October 1928]

the hon. the Law Member wants us to pay enhanced fees. It may be that to-day I may file a small cause suit before a District Munsif having lower small cause jurisdiction; and to-morrow when he is transferred and when a District Munsif having higher jurisdiction occupies that place, am I to pay higher fees? Then another District Munsif may come with lower small cause powers; in that case will the Government refund the higher fees? The original principle of determining whether a suit is of a small cause nature or not was very good. All suits of a small cause nature wherever tried and by whomsoever tried should be exempted.

"As regards appeals, we know the result of appeals; they are as a rule dismissed with costs. Many courts have got stereotyped forms. I do not see why we should be asked to pay more in the case of suits in which there may be a chance of appeals. Our plea is that the Government is wrong in bringing this small measure when we have been asking for a big measure. This gives no relief at all but adds some burden. If they want to give relief, let them give undiluted relief; let there be no cause for grievance. This Bill will not help the public in several districts by one pie; on the other hand, it will be a means of additional taxation. I hope the Select Committee will remove the obnoxious portions of the Bill. I shall only assure the hon. the Law Member that we won't take it fully. I hope that they will take away the poisonous portion of the Bill and give us the good portion of it. I also hope the Government would agree to the Council and Select Committee taking away the injurious portion of the Bill and retain the good portion of it."

* Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, I should like to make a few observations in regard to the Bill now under consideration. Though at first sight it may seem innocuous, it will create practical difficulties in its actual working. This is a taxation measure and it is unfortunate that the sponsor of the measure should be one who has all along stood by the people and fought at the time of the budget discussion for the reduction of the court-fees. But now he is not so much to blame as the bench on which he now sits. His new position has brought about a change in him though unconsciously or unwittingly. He has been a sturdy fighter on this side of the House and it is rather unfortunate that he should be a party to this measure of a far-reaching nature. I object to the proviso which ought to be removed.

"Again in the Statement of Objects and Reasons it is said: 'There is no reason or justification to charge the lower scale of fee in the case of plaints and written statements pleading a set-off or counter-claim in suits which are not actually filed and tried as small cause suits. It is therefore considered expedient. . . . Not from the tax-payer's point of view, but from the tax-gatherer's point of view—to restrict the scope of article 2 to such suits as are filed and tried as small cause suits. As a consequence, plaints or written statements pleading a set-off or counter-claim in suits which are of a small cause nature will fall under article 1 if filed as original suits or if, though filed as small cause suits, are not tried as such.'

"I must protest against any court-fee, small or great, being made to depend on geographical limits or upon the jurisdiction of the particular judicial officers. There are sub-courts which have jurisdiction only over

8th October 1925] [Mr. R. Srinivasa Ayyangar]

municipal areas. Take for instance the sub-court at South Arcot. The sub-Judge has jurisdiction over the municipal area and his power is limited to Rs. 1,000. For areas outside the Cuddalore municipal area, we have two District Munsifs whose powers extend up to Rs. 300 in small cause suits. It is difficult for me to understand why particular privileges conferred on persons residing in a particular area who resort to the sub-courts for the purpose of filing their suits, should not be extended to the same class of suits in the case of persons who are obliged, by reason of distribution of jurisdiction, to file their suits in the munsif's court on the original side. In civil courts the minimum jurisdiction of a District Munsif is Rs. 100 and the maximum is Rs. 300. And Munsifs are constantly transferred. There are courts presided over by only one Munsif. Suppose there is a District Munsif whose small cause jurisdiction is only up to Rs. 100. If I file a suit before him for Rs. 120, I will have to pay a higher fee. Though it may be a suit of a small cause nature it is not cognizable by him as a small cause matter since it is beyond his pecuniary jurisdiction. Therefore I will have to pay an extra court-fee. But suppose before it comes up for trial this acting Munsif with a limited jurisdiction is transferred and a senior Munsif with higher jurisdiction say up to Rs. 300 is put there, no opportunity is given to the party to convert the case into a small cause one and no refund is admissible. This is hardly fair. Take the converse case. A court is presided over by an officer who has jurisdiction up to Rs. 300. I file a suit for Rs. 200 and I pay the court-fee on the lower scale. Before the suit matures for trial this Munsif is transferred and his place is taken by another Munsif with a lower jurisdiction. I want to know from the hon. the Law Member whether under this Bill the plaint will not be returned to the parties requiring them to pay up the difference in court-fee. Is this fair, I ask? This is another aspect which I would ask the Government to consider.

"Again, Sir, there does not seem to be a uniform standard of levying court-fees. If I file a suit in a District Munsif's court for Rs. 400, in some courts a lower court-fee is charged on Rs. 300 and a higher court-fee on Rs. 100. In other courts they adopt a different procedure by insisting upon a higher court-fee being paid on Rs. 400. Therefore the procedure is by no means uniform. Moreover the idea here seems to be to give a sort of relief to the persons who are obliged to go to courts in cases of a small cause nature for getting immediate relief. Therefore the best thing will be to do away with the proviso altogether and not to charge a higher court-fee dependant on the contingency of the suits being tried as original suits. The best thing will be for the Government to substitute the words, 'up to Rs. 1,000' for the words 'up to Rs. 500,' which we find in the present Act. That will give relief. Government also must drop the proviso altogether, which in the majority of cases, whether intended or not, is likely to cause a considerable amount of hardship, in view of the fact that the Government have no control over the posting or transfer of District Munsifs. Therefore, as I began so I shall end by saying that the payment of a higher or lower fee ought not to be made to depend on the contingency of a particular set of officers being posted to hear the cases. I hope that this aspect of the question will be considered by the Select Committee. Otherwise this will be regarded as a taxation measure, enabling the Government to enhance the court-fee in certain classes of cases and is likely to meet with popular disapproval. All these years we have been agitating for a reduction in the

[Mr. R. Srinivasa Ayyangar] [8th October 1928]

court-fees and for restoration to the old level. Especially in the year of grace 1928, when the financial pendulum is swinging normally and normal financial condition exists it is futile to think of enhancing the court-fees, with a view to get extra income out of it. I oppose the motion. A comprehensive Bill carrying out the wishes of the House and not a piecemeal legislation of this unsatisfactory nature ought to be brought forward.

4 p.m. "Therefore what I would submit is 'let there be one standard scale of fees up to Rs. 1,000.' One suit may be filed in a munsifi's court or in a sub-court. So far as the sub-court is concerned, it can be filed only on the small cause side because its jurisdiction goes up to Rs. 1,000. In the case of munsifs' courts it varies from Rs. 100 to Rs. 300. Even though suits of and above the value of Rs. 300 upto Rs. 1,000 can be filed on the original side of the munsifs' courts, it is up to the Government to relax the rule by conferring upon them a concession which, I think, the litigant population really deserve."

* Mr. K. R. KARANT :—“ Mr. President, Sir, I oppose this motion altogether. I do not think that it is necessary that this Bill should go before a Select Committee. If the Government are really earnest that court-fees should be reduced, they can come forward with a separate Bill. So far as the constitution of the Select Committee is concerned, it is largely composed of Members of only a certain section of the House. I do not think there is much scope for the Bill to come out of the Select Committee for the good of the litigant public. The hon. the Law Member was very much pleased to tell us that this is one part of the attempt by the Government to give relief to the litigant public. The Government recently gave answer to a certain question put by me. In the question put by me I referred to the speech made by the predecessor in office of the hon. the Law Member on 16th March 1927 during the budget debate when the question of court-fees was considered. The hon. Sir C. P. Ramaswami Ayyar said :—‘ And all that I can at the present moment say on the matter is, as I said in my speech on the last occasion dealing with this matter, that I realize that the present rates of court-fees have worked hardships with regard to certain classes of land suits and certain classes of money transactions.’ The hon. Member from Coimbatore said ‘ lip sympathy.’ Then the hon. the Law Member went on to say :—

‘ With reference to the interruption of my hon. Friend from Coimbatore, who is always adroit in interrupting, I may say that he must remember that I am a lawyer and my natural tendency will be in favour of cheap litigation. But quite apart from that, the Government of India are considering the subject of all-India legislation in order to get rid of some of the inequalities of the present system ; and all that I can say is that when the Government of India asks for our opinion, in all probability, very soon, we shall give our opinion on the matter. Speaking for myself, my opinion is on record and the position that I desire to take is that if within, say, three months or six months no such step is taken, I have no objection to appoint a committee for the purpose of considering this matter in order that the inequalities referred to may be reduced by a suitable amendment of the Court Fees Act.’

"This was said on the 16th March 1927. The periods of three months and of six months have expired. I asked a question during the last sitting of the Council, No. 245, and answered on 8th September 1928. This is the question put by me :—

'Will the hon. the Law Member be pleased to state whether the Government intend appointing a committee as promised by his predecessor in his speech in the Council on 16th March 1927 to consider the modification of the Court Fees Act, if so, when?'

8th October 1928]

[Mr. K. R. Karant]

"The answer was "there is no such intention at present." Clause (b):—

“The answer was “there is no such intention at present.”

"The answer was 'no.' Clause (c) of the question:—

“The answer was ‘no.’ Clause (c) of the question—
‘Whether the Government have before them any proposals or intend taking any steps
for the reduction of court-fees?’

“The answer was—

“The answer was—
‘the recommendations of the Taxation Enquiry Committee for the amendment of the Court Fees Act are under consideration.’
There should be no tinkering with

“ My objection to this Bill is that there should be no tinkering with this problem. It is up to the Government to appoint a committee now as the Government of India have done practically nothing in the matter since 1925 when the Taxation Enquiry Committee submitted its report. It is nearly three years now. There is no use of disoussing a piecemeal legisla- tion like this. If the Government are in earnest, they must appoint a committee and see that the whole question is revised. We should not simply wait for the decision of the Government of India.

wait for the decision of the Government of India.

“The hon. Member was pleased to say that this Bill was really a boon to the litigant public. I think he is speaking without being aware of the conditions in the mufassal. If you take a district, say the district of South Kanara, there are in it six district munsifs, who have small cause jurisdictions extending up to between Rs. 100 and Rs. 300. It has one sub-court which has got jurisdiction up to Rs. 1,000, so that in five taluks out of six all the suits of the value of over Rs. 100 (or Rs. 300) have to be filed as original suits and the higher rate of $11\frac{1}{4}$ per cent will be levied instead of $7\frac{1}{2}$ per cent under the existing Act. Under the new Act, in five taluks out of six in my district you will have to pay $11\frac{1}{4}$ per cent on suits of Rs. 100 or (Rs. 300) up to Rs. 500. Those suits are many more than those between Rs. 500 and Rs. 1,000. There is absolutely no justification to authorize the Government to levy $11\frac{1}{4}$ per cent on suits which are of the nature of small cause ones. If you take this new Bill into consideration, the amount which the people have to pay as a whole will be much more than what they pay now. I earnestly request this House to oppose this measure wholly because we should not give any more power into the hands of this Government who want to tax us more than what we are paying at present. If they are earnest in their professions about the litigant public, it is up to them to appoint a committee at once to go into the whole question. Then this Bill and any other proposal that may be brought before the committee may be considered by them.”

* **MR. D. NARAYANA RAJU:**—"Mr. President, Sir, if the hon. the Law Member wants to give relief to the poor litigant public, he may come forward with a provision that all suits of small cause nature not exceeding Rs. 1,000 in value may pay the lower scale of fee. That, by itself, will be a very small relief to the litigant public. Not only the court-fees have been increased, but process-fees have been increased; witness batta has been increased; thus there has been an increase all round with regard to the cost of litigation. Therefore with regard to money suits, the Government may be pleased to say that all suits of a small cause nature should have the benefit of paying the smaller scale of fee. It will be of some benefit to the public. The enhancement of fees in the case of certain suits under the new Bill is highly objectionable. At present, all suits of small cause nature whether tried as

[Mr. D. Narayana Raju]

[8th October 1928]

small cause suits or as original suits have the benefit of the lower scale of fee. Now what is sought to be provided for in the Bill is that all suits of small cause nature which are tried as original suits will have to pay hereafter the higher scale of fee, viz., 11½ per cent. This indirectly penalizes the litigant public for acts of the Government. It is not open to the litigants themselves to have their suits tried as small cause suits or as original suits at their will and pleasure. It all depends on the acts of the Government whether a particular suit is to be tried as a small cause suit or as an original suit. If the officer presiding over a particular court is transferred and some other junior officer is posted who has not got jurisdiction to try small cause suits to the value of Rs. 1,000, such suits will have to be tried as original suits. Then the litigant is asked to pay the higher scale of fee. It is not right and just on the part of the Government that the litigants should be asked to pay the higher scale of fee merely for the acts of the Government. If there is no court having the financial jurisdiction or if there is no officer at a particular time having jurisdiction to try suits of a particular value, those suits will have to be tried as original suits for no fault of the plaintiff or the litigant. It is all due to the exigencies of the public service whether a particular suit will be tried as a small cause suit or as an original suit. Under these circumstances it is not right that the plaintiffs should be asked to pay the higher scale of fee. Further, the provision in the amending Bill will lead to anomalies. At present, there is a class of suits, fixed and unalterable, which are entitled to the lower scale of fee. Hereafter, if this amending Bill is passed into law and if this principle is accepted, what will happen is that there will be no class of suits which would be entitled to the lower scale of fee. It all depends upon the exigencies of the presiding officer and of the court in which the suit will have to be filed. There will be no fixed set of suits which the litigant will be in a position to know, and in regard to which will be entitled to the benefit of the lower scale of fee. It will lead to uncertainty to the litigant public. They will not be in a position to know whether they will have to pay the higher scale of fee or the lower scale of fee for any particular suit; because, when the suit comes up for trial, if the presiding officer does not have the necessary jurisdiction, the litigant will have to pay the higher scale of fee; if the officer happens to have the necessary jurisdiction the litigant will have to pay the lower scale of fee. There will thus be uncertainty with regard to the classes of suits which will be entitled to the lower fee. It is not right that people should be left in uncertainty with regard to the class of suits which will have the benefit of the lower fee. It is always right and to the convenience of the public that there should not be any uncertainty about this question. At present there is no uncertainty at all. A particular class of suits, viz., suits of a small cause nature not exceeding particular value, are all entitled to the benefit of the lower fee. If the provision now before the House is accepted, there would be uncertainty. What are the arguments that are brought forward for this provision? It is stated that there is a right of appeal if it is an original suit. 'There is this advantage and therefore the litigant must be asked to pay the higher fee.' There is absolutely no substance in this argument. The litigant has to pay for the right of appeal. He has to pay for the appeal memorandum; he has to pay Court fee again. Therefore, the court fee to be paid when the suit is tried should not be made contingent upon the right of appeal. When an appeal is preferred, the litigant has to pay for it. For appeal

8th October 1928]

[Mr. D. Narayana Raju]

memorandum he will have to pay the higher scale of fee; it is not the lower scale. Right of appeal is a costly business and it has to be paid for separately. Therefore, that should not be a consideration for enhancing the fees. It is stated that the time taken, if a suit is tried as an original suit, will be much more than if it is tried as a small cause suit. It is more imaginary than real. Even if all suits of small cause nature are tried as original suits, they would not take much time; because, most of them will be uncontested; even if they are contested they would not take much time because they are all money suits and pro-note suits. The only difference is this: if it is an original suit, the presiding officer will have to take the memorandum. There will not be great disparity in the time taken to justify the difference in fees. Therefore this argument of the time taken is more imaginary than real and for want of any better argument this argument is put forward.

"After all, Sir, this argument is not a new argument. The same arguments have been considered by the Council on the last occasion when P.M. this provision was introduced. In the year 1922, even in the original Bill, the provision existed that only suits tried as small cause suits should be entitled to the benefit of a lower fee. In the course of the discussion, all the anomalies were pointed out and in order to have an element of certainty about these things, all suits of a small cause nature were made entitled to this benefit. Therefore, the arguments now advanced by the hon. the Law Member are not new arguments. They were all discussed and found to be not good. I do not think that by the mere efflux of time they would become good. I therefore oppose this."

* Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, while I join the hon. Members who appealed to the hon. the Law Member to take steps to bring forward a comprehensive measure for reducing the court fees in this province, I must confess that I cannot follow those hon. Members to my right, who have advanced this need for a comprehensive legislation as an argument for the rejection of this Bill."

"Sir, there are two matters on which amendments are sought to be made. The second of them is not objected to by any hon. Member who has spoken so far. It will certainly afford some relief to the already over-taxed litigant who has got to file suits on the small cause side. As the Act stands at present, the enhanced court fee is levied in the case of small cause suits above the value of Rs. 500. The object of the second amendment is to reduce the court fee on such suits. With regard to the first amendment, the point of distinction between a small cause suit and a suit of a small cause nature has been clearly mentioned in the Statement of Objects and Reasons. Whether that distinction is such as to justify the levy of the enhanced rate of court fees in the case of suits of a small cause nature, that will be a matter legitimately for the consideration of the Select Committee which it is proposed to appoint under the resolution brought forward by the hon. the Law Member. At this stage, Sir, I would certainly protest against the observation made by one of the hon. Members speaking before me, that the Select Committee that has been proposed is a packed one. It is a committee which consists of members like the hon. Mr. J. A. Saldanha, the hon. Mr. Swami and the hon. Mr. Venkataramana Ayyangar who represent the Swarajist section of the House. Is such a Select Committee to be called a packed committee, I ask in all seriousness? I see, on going through the list of Select Committee members, that the committee consists of some of the

[Mr. S. Kumaraswami Reddiyar] [8th October 1928]

most experienced lawyers that are in this House. I should certainly say that the observation that the committee is a packed one was an unjustifiable one.

"Apart from that, Sir, as I said, is the total rejection of the Bill brought forward by my hon. Friend going to serve any useful purpose? If by the rejection of the Bill the Government are going to be driven to bring forward a comprehensive Bill, then that might perhaps be accepted as a justification for the rejection of this Bill. But will the rejection bring any kind of pressure on the Government to bring forward a more comprehensive Bill? It is the litigant who is going to suffer by the rejection of this Bill, and not the Government. I think we shall be doing a disservice to the litigant public if we reject this Bill altogether. There are some provisions no doubt which involve serious controversy, but the Select Committee will go into them. As regards the first amendment, there is difference of opinion as to whether the amendment as it stands in the draft Bill is proper or whether further amendments on different lines ought to be made, and that is why the hon. the Law Member yielded to the request of several lawyers in this House and agreed that the provision of the Bill should be examined by the Select Committee. Therefore, Sir, though I join with the other hon. Members in the request that steps should be taken by the hon. the Law Member as early as possible for bringing forward a more comprehensive Bill, reducing the court fees which were enhanced, I certainly support the motion brought forward that this Bill be referred to a Select Committee."

MR. C. R. PARTHASARATHI AYYANGAR:—"Sir, whenever questions of money come up before the Government, they want to take advantage of the best opportunity to raise the tax in different ways. The litigant of course knows that he has to pay court fees at all costs; but he asks a simple question: 'Why should justice be taxed? I go to a court of law because I want justice; why not you dispense justice in the cheapest manner? Why should Government tax justice?' That is a very simple question no doubt, but it is very difficult to answer it. Just note the demoralizing effect which such enhanced fees will have on the people. We have come here, Sir, in order to raise the high level of the Government and not to lower it. We have come to the Legislature not to justify all sorts of methods of getting money from the tax-payers. It is for the purpose of making the Legislature do its work and to raise the tone of Government that we have come here. Whenever good things are done, we naturally bow our heads and say that we are prepared to abide by what they do; but if Government begin to tax the people more and more, where will the ordinary people go to. If the Government want more and more money, they are no better than the ordinary money-lender or the ordinary man in the street, if they find out all sorts of methods to get money from out of the people."

"The second point and a more salient point that I want to bring to the notice of the House is that this has an indirect effect not only of preventing the people from going to a court of law, but it has also the indirect effect of hitting at people who really form the backbone of the country, viz., the lawyers. It is a hit more at lawyers than on anybody else. It is a slight trick practised upon people who are prepared to put up a fight whenever a fight is necessary. After all, we must live, and lawyers also must live. If

8th October 1928] [Mr. C. R. Parthasarathi Ayyangar]

the present lawyers are not hit, then it is a hit upon the younger generation of lawyers. If the trick succeeds, the lawyers will have less income, and may not be able to keep up the fight. If it is an agitation for a political purpose, the lawyers are found even there; and it is with a view to put them down that this is being done. That is why I say it will amount to demoralisation. Anyhow, I would request the House to realize one thing: that there should be one uniform standard of fees. When a small cause suit is to be tried, there cannot be any difference between a small cause suit as such, and a suit of a small cause nature. Why should a higher scale of fee be levied for the one and a lower one for the other? I do not think the judge spends much more time on the one than on the other. The reason given by the hon. the Law Member is that more time is taken on an original small cause suit: but that argument is not really sound. It only shows that some excuse is sought to be put forward for the purpose of getting more money from the litigants and certainly not with a view to satisfy the real wants of the case. Whether the value is Rs. 500 or Rs. 1,000, it does not matter: some uniform standard must be observed. Small cause suits are small cause suits and they should always be taxed as such; there should be no distinction even among them, whether they are of the nature of a small cause suit or not.

"Therefore I should like very much that in a matter in which the Central Legislature has not given the lead, we should give the lead. This is in our own hands. Why should not the hon. the Law Member who has himself been a very able lawyer, who knows everything, give relief to the people in the matter of these court fees, especially when the provincial contribution has been removed? Why should he not take courage in both hands and say that we shall have a reduced rate of court fees? Why should what is given with one hand be taken away by the other? That is perhaps the Government way of doing things. But why should our own people behave as if they have no spirit, that higher spirit of helping their own fellowmen at the time of their difficulties? If they cannot do it, then who else can do it, I ask? If we cannot help our own countrymen, who else can do that? With these words, Sir, I oppose this motion."

* Rao Bahadur Sir A. P. PATRO:—"Sir, the hon. Member from Chittoor discovered a very sinister motive in the hon. Member for the introduction of this measure. He thinks that the Law Member is so very mischievous that he would punish the agitators, i.e., according to him, the vakil class, by enhancing the court fees and thereby decreasing their income. I regret that such an argument proceeds from such an experienced vakil as the hon. Member. When the Court Fees Act was amended in 1921 and an enhancement to the extent of 50 per cent was made in the matter of court fees, we find, notwithstanding, a multiplication of courts from that date and also a multiplication of judges from 1921 to 1928 from the High Court down to the munsif's court. We find that there is absolutely no reason for the apprehension which the hon. Member has given expression to. On the other hand, there is a very increasing crop of litigation in the mufassal courts. Recently I found in my district that not only the number of vakils multiplied but also suits increased largely since I left work. Therefore there is absolutely no reason to say that the Bill is intended maliciously and mischievously to punish the vakils. Even if the vakil's income goes and if the litigant population are benefited by the raising of court fees I should be glad that it has been able to put down litigation for the benefit of the poor people."

[Sir A. P. Patro]

[8th October 1928]

"Then Sir, on the merits of the Bill, we find that ever since the release of provincial contributions, all sides of this House unanimously demanded for the reduction of the court fees. I need hardly remind the House that in the year 1922 when the first Bill for the enhancement of the court fees was introduced there was a very distressing financial situation facing the country. The financial condition of Government was in a state of bankruptcy. There was a deficit of 144 lakhs at the time and the increase was made not only in order to make up for the loss in the previous year, but also to choke up deficit in the current year also. Therefore to make up that, it was thought that the stamp duties and court fees should be raised. We all pleaded then that it should only be a temporary measure and that measure should be revoked as soon as the Government was in a position to give relief to the people. At that time the hon. Member who introduced the Bill was advised and from every side of this House he was told that he should bring forward a measure to reduce the tax soon as the Government were able to do so. Now, we find the budget showing a large surplus. The release of the provincial contributions gives us a saving of 3½ crores of rupees out of which a large portion is a recurring revenue. The amount which was hitherto paid out of revenues is now saved to the Government. Therefore all the means are now available for the purpose of giving relief to the tax-payer. Speaking on the budget of 1926-27 I urged that the first duty of the Government after the release of the provincial contributions was to give relief to taxation, relief again to our dead-weight debts and thirdly to provide for development. At that time the Finance Member said that all that would be considered in course of time when full relief was granted by the Government of India. Now we have had the last instalment of relief given to us. What is it the Government have done in the matter of reducing the court fees, the stamp duties and registration fees? We have had an announcement that the registration fees would be reduced in certain directions. In the matter of court fees and stamp duties we have been told that they would be undertaken by the Government of India.

"In regard to the taxation measure, in the year 1923 an attempt was made to raise the revenue by means of introducing court fees for advocates' memoranda. In that case also the hon. the Law Member in charge wanted to introduce a nice distinction as it is attempted to be done in this Bill and the whole House stood up against that Bill and its principles. The history of these amendments of the Court Fees Act must be a warning. We have now this Bill in which the hon. Member has shown that by virtue of the Civil Courts Act sub-judges are vested with the power of trying suits the value of which varies from Rs. 500 to Rs. 1,000 which jurisdiction they had not at the time the Amendment Act was passed in 1922 and therefore lower rates of fees should be applicable on all such cases that will be triable by sub-judges. There is a fallacy in this. The sub-judge's jurisdiction is limited and it does not extend to the whole district in the matter of small cause suits. For instance, in my district, I learn it extends only to the original jurisdiction of the District Munsif of Berhampur. The number of small cause suits filed in the sub-judges' courts is very limited. Similarly if we take statistics for every district the number of small cause cases that are triable or tried by sub-judges would not be in proportion to what we would be taxed to pay under the first part. Therefore if the Statement of Objects and Reasons gave

8th October 1928]

[Sir A. P. Patro]

us a more lucid statement with regard to what advantages the country would gain by means of statistics showing that there would be so much of gain, then that would have convinced the House whether we should care or not.

"In regard to the other matter, namely, whether there is increased taxation, I am afraid there again the difficulty is very great. Take, for instance, small cause cases that are triable by munsifs. The munsif's jurisdiction, is up to Rs. 300. He has got jurisdiction from Rs. 50 to 300. We have got two or three munsifs in each headquarter station and their jurisdiction varies. In the case of a district munsif if he has got full jurisdiction up to Rs. 300 it is well and good. If he is transferred and another takes the place he would not have that jurisdiction. Then all these suits, which are of the nature of small causes in reality, are transferred again to the original side. In that case they will have to pay enhanced court fees. This is a matter which has to be carefully considered by the Select Committee—whether such a provision is necessary or not.

"We are all agreed that any measure of taxation has to be considered very carefully so that the people may not be mulcted unjustly. In this Bill there is no other advantage shown to us by the hon. the Law Member which the litigant public will derive. This requires a close examination and I am sure if statistics are provided in support of the continuance of the fees the Select Committee will be able to judge the matter. Otherwise there must be difference of opinion on the matter and the Bill will have to be considered in regard to the whole. Regarding what I said in suits of small cause nature, is there a real need for such a change? That is one of the points which must be considered. If there is a real need, we have to scrutinize the Bill not merely from the financial point of view but from the administrative point of view also. I dare say this aspect of the matter will be considered very carefully by the Select Committee. I do not wholly object to the principles of this Bill, but I do say that it would be more satisfactory if a full measure is introduced for the purpose of giving relief to the tax-payer."

* Sriman BISWANATH DAS Mahasaya:—"Sir, the history of the agitation for the reduction of court fees and stamp duties has been a long, continuous and melancholy one. The hon. Sir Patro, my colleague, the Member from Ganjam, sees multiplicity of suits and prosperity of vakils and also believes in the desirability of perpetuating the enhanced stamp duties and court fees so as to make litigation prohibitive and if I followed him correctly he would put down the number of suits to any minimum. I leave him where he is and I leave him to his views. Sir, our difficulty is just the reverse. This agitation has been going on and three Law Members successively have promised time after time to see to the reduction of stamp duties and court fees: the late lamented Sir K. Srinivasa Ayyangar, Sir C. P. Ramaswami Ayyar and our hon. Friend from Malabar. Sir, speaking on this question of the reduction of stamp duties and court fees, my hon. Friend who now adorns the Treasury Bench made the following observations: 'I submit that a more favourable opportunity will never come. This is the most favourable opportunity.' That was in March 1927. Sir, since that time we had the remission of contributions of 3½ crores and still my friend would give us stones when we are asking for cakes. And going further he observes: 'I ask my Friend (Sir C. P. Ramaswami Ayyar) whether he expects a more favourable opportunity to come next year. I submit that the promise made

[Sriman Biswanath Das Mahasaya] [8th October 1928]

by the Government on that occasion and repeated on another occasion must be fulfilled. It is a pledge which they are bound to redeem. For these reasons I support the motion.' I beg of him now that he is at the helm of affairs to come forward with the long and unfulfilled promise of Government and thus restore confidence which is so much waning. Sir, when Government brought about a number of supplementary demands in October last, we the members of the Congress party had to oppose those grants on the ground that we preferred remission of taxes to anything else, even, remunerative measures of the Government. Well, opinions had to differ and with the greatest reluctance and in view of our numerical inferiority we had to agree to that question being referred to the Finance Committee. Then we made it clear before it was referred to the Finance Committee that we had very little confidence in the justice and fairness that might be meted out to this question by the members of the Finance Committee as it was then constituted. With that reluctance we had to send the question to the Finance Committee and I will just read here an extract from the report of the Finance Committee on this very question. It is on page 248 of the Council Proceedings of the 1st November 1927: 'It (the Finance Committee) considers that the Government's programme of ameliorative measures should be continued; but at the same time it is of opinion that it is necessary to investigate how far the increased stamp duties (Judicial and non-Judicial) introduced by the Acts of 1922 may or should be reduced and how soon effect may be given to any reduction which may be found desirable. The committee proposes to start this investigation at once.' Well, Sir, after a lapse of about one year, my hon. Friend, whose sympathy for the poor and especially for the suffering ryots is unquestionable, comes forward with a Bill, which Heaven only knows how far it would go to help the suffering peasantry and suffering people of this Presidency! My hon. Friend from South Arcot has clearly shown that it will be more mischievous in its operation than do any good. Under these circumstances and looking into the pickel nature of the members of the committee having settled views on this important question, I for myself oppose the whole question and refuse to be treated like a beggar. With these observations, I oppose this measure."

4-45
P.M.

* Mr. C. RAMASOMAYAJULU:—"Enough has been said, Mr. President, about this matter to show that in the first place this measure is not comprehensive enough and it does not come up to the level that has been expected by the people for so long a time consequent on the remission of the provincial contribution. In the second place much has been said, and there is good reason for saying—that this Bill without giving effect to the wishes of the House brings in so many anomalies in the matter of taxation for court fees. I would limit myself to one or two anomalous conclusions to which we are necessarily led if we accept the Bill as now brought forward by the hon. the Law Member. One of such anomalies is this. With reference to the proviso which he intends to add to clause 2, I may say this, that the effect of the proviso is that in cases of suits of a small cause nature which are returned to the original side, the higher rate of court fee is leviable. Take the case of suits up to Rs. 1,000 of a small cause nature which are returned to the original side. This higher fee has to be paid in the case of suits of a small cause nature returned to the original side. So much so, against all the ordinary canons of taxation, the ordinary poor litigant who sues for a small amount is being penalized. That is the conclusion which stares the

8th October 1928] [Mr. O. Ramasomayajulu]

hon. the Law Member in the face and I believe he has not paid particular attention to it. He has necessarily to amend the Court Fees Act if he wants to really do some good to the poorer litigant. My point is that in the case of suits of the value below Rs. 1,000 of a small cause nature returned to the original side, the higher rate of court fee is leviable. That is the result of the two Bills. This is not just. This is against the ordinary canons of taxation, because the litigant suing for the lesser amount is penalized. Is it consistent, I ask? The Law Member does not seem to have paid sufficient attention to this matter, because if his two Bills are to be accepted by us in their entirety, they will lead to this anomalous position. This anomaly ought to be removed. I hope the Law Member will excuse me if I say that the proviso proposed to be added will not work in the interests of the litigant public. This is another reason why I oppose this Bill. There is neither law nor logic behind this proviso. It has been suggested that this transfer to the original side confers a right of appeal on the litigant which was absent before, and that it is an advantage. It is not any additional advantage at all, for, when the litigant prefers the appeal, he has to pay more in the shape of additional higher court fee. This is in addition to the fee paid on the original suit. So this claim of the right of appeal by reason of the suit being transferred to the original side does not stand to reason even for a minute, because he has got to pay for that right, and that more than he originally paid for the suit. There is another defect. I do not know whether the non-lawyer members of this House are aware of this defect. There happen to be some areas in several districts which are not covered by the jurisdiction of a subordinate court. In such places the courts have not got jurisdiction to entertain suits of small cause nature beyond Rs. 300. By reason of the proper courts not being located in some of the districts, the parties are being penalized.

"Therefore I would rather have a more thorough and a more comprehensive measure which is calculated to help the minor litigants, and relieve them by so wording the Bill as to make the basis of taxation to be the value of the suit but not the jurisdiction of the court at all. I can understand a delimitation being made on the nature of the suits stating that such and such kind of suits are liable for the smaller court fee and so on. But to say that all suits of a small cause nature instituted in the subordinate courts should come under the operation of the Bill is likely to cause hardship to that portion of the province which does not happen to be fortunate enough to come within the jurisdiction of a subordinate judge. Therefore my submission to the House is that the Law Member should apply his mind to the real point at issue, and see what is the difficulty the people are labouring under. If he is not able to remove the basic defects now, let us have at least the advantage of having a more comprehensive measure within the limits proposed by him. I very seriously doubt that even if the select committee take all these things into consideration, they will be able to achieve much in the way of removing the difficulties."

* Mr. S. SATYAMURTI:—"Mr. President, I am sorry my hon. Friend from Ganjam, the ex-Minister, is not here, because for the first time I heard him making an opposition speech. But unfortunately when he came to the end, he seems to have felt sick of it and he said that although he is against the principle of the Bill, he is for that principle being examined in the Select Committee. But that is between him and his constituency. As for my hon.

[Mr. S. Satyamurti]

[8th October 1928]

Friend, the Law Member, I cannot congratulate him on the fact that the very first Bill which he brings forward, after he assumed office, should be a Bill where he has got to eat his own words literally. If he knew that he was doing it, I think he will not do it; I give him credit for it. But the tragedy of it is that he does not know what he is doing. Speaking on this subject of the reduction of court-fees on the 15th March 1928 when the office of Law Membership was not yet dangling before him, Diwan Bahadur M. Krishnan Nayar, as he then was, said this: 'I support this motion, Sir. As my friend, Mr. Madhavan Nayar said, this perpetual consideration of the Government must have an end.' (May I suggest to the hon. the Law Member in the words of Diwan Bahadur M. Krishnan Nayar that this perpetual consideration of the Government must have an end.) 'They (the Government) are always shifting and changing their grounds' [I ask the hon. the Law Member to listen to the words of Diwan Bahadur M. Krishnan Nayar (Laughter) and not to go on shifting and changing his ground] 'and want to avoid fulfilling their specific and express promise'. (I want the hon. the Law Member to listen to the words of Diwan Bahadur Krishnan Nayar in his characterization of the Government as people who want to avoid fulfilling their specific and express promises.) '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 the provincial contributions was made the Government would consider this question. They must redeem their promise which stands unredeemed'. These are the pregnant words of Diwan Bahadur Krishnan Nayar, and he went on 'Even Governments must act according to their promise'. I think that because Diwan Bahadur Krishnan Nayar has now become the Member of Government in charge, he changes, because the Government as a Government is 'always shifting and changing'. This was on the 15th of March 1928, not very much earlier than six months. Again, Sir, on the 16th March 1927—my hon. Friend was an old hand at this—Diwan Bahadur Krishnan Nayar also said, 'I wish to support this motion. The duty was raised in the year 1922 when the present Home Member was also a Member of this Council though not on that side of the House. I am glad that he was then a Ministerialist. That was a time of deficit budgets in all the provinces and our province was threatened with a deficit of one crore and six lakhs of rupees. The Finance Committee and this Council explored all the avenues of fresh taxation to cover the deficit,' etc. Then, Sir, he refers to the answer of his hon. Friend, the Home Member, that is, 'this is not the proper time for giving up the stamp duties altogether, let us wait for a more favourable opportunity' and then Diwan Bahadur Krishnan Nayar added, 'I submit that a more favourable opportunity will never come. This is the most favourable opportunity. When the duty was imposed we were paying to the Central Government Rs. 348 lakhs, but to-day we have not to pay a single pie. There is of course the possibility of our being called upon to pay 49 lakhs next year but that is only a remote contingency which is not likely to occur. In any case about Rs. 300 lakhs have been permanently remitted in our favour. . . . I ask my friend whether he expects a more

8th October 1928]

[Mr. S. Satyamurti]

favourable opportunity to come next year'. Now three crores and a half have been completely and once for all remitted, and now I ask my friend the Law Member in the words of Diwan Bahadur Krishnan Nayar whether he expects a more favourable opportunity to come next year. He went on to say that 'the promise made by the Government on that occasion and repeated on another occasion must be fulfilled. It is a duty which they are bound to do.' I know what my hon. Friend's answer will be, that this is a measure which promises some relief to the litigants and increases the taxation in one respect. But hon. Member after hon. Member with considerable experience of litigation in his district has got up and proved, with a wealth of facts and figures which the hon. the Law Member, I know, cannot dispute, that the so-called relief is going to be thoroughly unsubstantial, but that the increase in the taxation is going to be substantial. I ask my hon. Friend to come out with facts and figures on this matter. Can he give any facts and figures to show the financial relief which this measure is going to afford to the litigant? He cannot give us and he knows he cannot. These are the reasons why I want the Bill not to be referred to a Select Committee. But there are some others who tell the hon. the Law Member that the Bill may go to the Select Committee and then they can fight there to have the defects remedied. To them my humble submission is this. This Government must be told that they cannot trifle with this House. The Justice party of which I see the leader here extracted a promise from the then Government that this rise in taxation would be only a temporary one. That promise must be fulfilled. This is the time for them to get the promise fulfilled. If they do not oppose the motion, it will only mean that for personal or political reasons they are not going to fulfil their promise. I appeal to them to oppose this motion. This is not a transferred department but a reserved department." (Laughter).

The RAJA OF PANAGAL:—"May I rise to a point of order? The hon. Member cannot address individual members in person but should address the Chair."

Mr. S. SATYAMURTI:—"I have not addressed individual members. I hope my hon. Friend will live long enough to learn parliamentary etiquette. I ask the leader of the Party to remember that parties must also fulfil their promises, and to remember that the ministerial equilibrium will not be disturbed if for the sake of the people they stand up and say 'we shall not be parties to increasing the taxation.'"

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

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

[8th October 1928]

APPENDIX I.

[Vide answer to question No. 351 asked by Mr. Basheer Ahmad Sayeed at the meeting of the Legislative Council held on the 8th October 1928, page 13 supra.]

Terms of assignment of land for plantation purposes in the Nilgiri Upper Plateau.

1. The land shall be used only for the cultivation of coffee, tea, cinchona, cardamoms, pepper, rubber, wattle or any other product that the Government may by several orders recognize as plantation products or for the erection of any buildings or constructing any roads thereon which may be necessary for effecting and supervising such cultivation and preparing the produce for market.

2. In areas where forest growth is cleared, the grantee shall plant one or more of the plantation products specified in condition (1) within such reasonable time as may be fixed by the Collector of the Nilgiris in each case.

3. The grantee shall be liable to pay the cost of surveying the land. He shall keep the boundaries clear of forest growth and maintain the survey marks in accordance with the provisions of the Madras Survey and Boundaries Act.

4. Except on the area occupied by public roads or branch roads declared as public, the grantee shall pay assessment at the rate of Rs. 2 an acre. The rate of assessment will be subject to revision at resettlement. The assessment will be remitted up to the sixth year from the date of the order of assignment.

5. The grantee shall pay all general taxes and local rates payable by law or custom.

6. The grantee shall pay the market value of the land included in the grant at the rates shown below :—

	RS.
(1) For grass land, land containing only scattered trees and stony or swampy land	25 an acre.
(2) For land covered or largely covered with scrub jungle	75 „
(3) For land covered or largely covered with shola or other good forest growth	125 or 200 „

7. The existing and customary rights of the Government and the public in existing roads and paths in the land are in no way affected by the grant.

8. The streams which run through the land with a suitable margin shall be excluded from the grant but the grantee shall be permitted to use the water from the streams for irrigating nurseries, drinking water, coffee pulping and all factory purposes other than the generation of power for which a separate licence should be obtained.

9. The paths and roads mentioned below shall be excluded from the grant. The grantee shall demarcate the areas excluded in such manner as may be prescribed by the Collector of the Nilgiris.

10. In the event of the violation of any of the conditions of the grant the Government shall be at liberty to resume and re-enter on any part of the land in the name of the whole and the whole land shall therefore vest absolutely in the Government. In the event of such resumption and re-entry the grantee shall not be entitled to any compensation whatever.

[8th October 1928]

APPENDIX II.

[Vide answer to question No. 356 asked by Mr. C. N. Muthuranga Mudaliyar at the meeting of the Legislative Council held on the 8th October 1928, page 17 supra.]

Proceedings of the Board of Revenue, Land Revenue and Settlement, dated 30th January 1928.

H. G. SROKES, Esq., C.I.E., I.C.S.,

Commissioner of Land Revenue and Settlement.

READ—the following paper :—

Letter from J. GRAY, Esq., O.B.E., I.C.S., Collector of Chingleput, dated 12th January 1928, No. R.O.C. 12058/27-A-4.

Resolution, dated 30th January 1928.

The Board sanctions the estimate amounting to Rs. 895 (Rupees eight hundred and ninety-five only) for repairs to the Tamarai maduvu of Movur village, Tiruvallur taluk, Chingleput district.

(True extract)

B. G. HOLDSWORTH,
Secretary.

Office-note dated 5th January 1928 of the Minor Irrigation Supervisor, Chingleput district.

Tamarai maduvu has an ayacut of 111 acres with an assessment of Rs. 466. It is a natural depression formed in the ground and it receives its supply from its free basin. The irrigation is being carried on by baling water by means of piccottahs in eleven places. The depression acts as a reservoir for collecting rain water and there are no springs in the maduvu. The bed of the maduvu is not uniform throughout. It rises towards east and the ayacutdars who have lands on that side complain that the water recedes soon from their tholais (or baling pits) and that their crops suffer thereby. I inspected the maduvu on 10th December 1927 and found their grievance to be real. To avoid this difficulty, it is proposed to excavate a channel of 10 feet width with side slopes of $1\frac{1}{2}$:1 along the deep course of the maduvu having the same bed level throughout. This will connect all the tholais and all the ayacutdars will be able to bale out water to their lands until the maduvu is emptied. In the original estimate a bed width of 20 feet was allowed. I have now reduced it to 10 feet which width will be quite sufficient to take water to all the tholais from east end to west end. The estimate prepared for Rs. 2,085 has been corrected and revised for Rs. 895. It may be sanctioned.

V. VEDANTA ACHARIYAR,
Acting Minor Irrigation Supervisor.

[8th October 1928]

APPENDIX III.

[Vide answer to question No. 372 asked by Mr. P. Bhaktavatsulu Nayudu at the meeting of the Legislative Council held on the 8th October 1928, page 31 supra.]

By-law No. 2 referred to in clause (a).

2. (i) *Public excluded from the harbour premises except on business.*—Admission to the harbour premises shall ordinarily be regulated by means of tickets, licences or badges (hereafter, generally called “tokens”), which shall, on application, be issued by the Port Trust officers to such of the public as have business to transact within the premises in some wise connected with the purposes, services or works of the harbour.

(ii) *Admission tokens.*—Whenever the Port Trust shall have in operation the system of identification tokens referred to in by-law 2 (i), intended to indicate to the police at the gates those persons who have lawful harbour business to transact, any person found on the harbour premises not in possession of such a token shall be deemed to be a trespasser. But applicants for such tokens may pass through the main harbour gate direct to the traffic office without being deemed to be trespassers.

(iii) *Trespass.*—Any person found trespassing without lawful excuse upon the harbour premises whether during working or non-working hours, shall, on conviction of such trespass before a Magistrate, be liable to a fine not exceeding Rs 20.

(iv) *Exception.*—But when any definite part of the harbour premises shall, from time to time, have been thrown open by the Port Trust, with or without restriction, for the use and enjoyment of the public, the presence therein of persons not having harbour business to transact shall not be deemed to be trespass.

(v) *Undesirables.*—Any person, even if in possession of a token, shall be liable to exclusion, and to forfeiture of his token should he hold one if, on prosecution under the Madras City Police Act, his conduct within the harbour premises has been proved to have been disorderly or he to be an undesirable person. Any person who is reported by the police to be a known depredator, or by the customs authorities as being a smuggler, or who is known to suffer from a contagious disease likely to be communicated to others by contact, or who is proved guilty of preying on passengers or of annoying them may be excluded from the harbour premises without reason assigned.

(vi) *Persons connected with ships.*—The passage through certain parts of the harbour premises appointed from time to time by the Port Trust for the purpose of such passage, of the officers, crews and passengers of vessels in the harbour, shall not be deemed to be trespass.

(vii) *Passengers' friends.*—Friends or servants accompanying passengers embarking, or meeting passengers disembarking, under such regulations as may be imposed by the Trust with sanction of Government, shall not be deemed to be trespassers.

(viii) *Onus of proof.*—The onus of proof that their business on the harbour premises is lawful shall lie on persons believed by the Port Trust officials and police to be trespassing.

[8th October 1928]

APPENDIX IV

[Vide answer to question No. 391 asked by Rao Bahadur Sir A. P. Patro at the meeting of the Legislative Council held on the 8th October 1928, page 44 supra.]

List of students admitted in 1926.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
				ACS.
1. Anantapadmanabha Pillai, R.	Non-Brahman, Vellala.	Intermediate.	Village Munsif ..	70
2. Annamalai, C. ..	Do.	Do.	Deputy Tahsildar ..	20
3. Balasubrahmanya, T. N.	Brahman ..	Do.	Supervisor, Public Works Department.	7
4. Gopala Marar, K. ..	Non-Brahman, Nayar.	Do.	Landlord ..	30
5. Govindakutti Kurup ..	Non-Brahman.	Do.	Vakil ..	45
6. Jivan Rao, M. ..	Brahman ..	Do.	Deputy Tahsildar ..	29
7. Kalimuthu, M. ..	Non-Brahman.	Do.	Bricklayer ..	..
8. Kalyana Sundaram, N. V.	Brahman ..	B.A. ..	Stationmaster ..	55
9. Krishnamurthi, P. S. ..	Do. ..	Intermediate.	Banker's agent ..	12
10. Krishnamurthi Rao, R.	Do. ..	B.A. ..	Superintendent, Inspector-General of Police office.	27
11. Krishnaswami, P. N. ..	Do. ..	Intermediate.	Landlord and Pleader.	32
12. Kunhikannan Nambiyar, K.	Non-Brahman.	Do.	Landlord ..	3,500
13. Muhammad Abbas, U. B.	Muhammadan	Do.	Pensioner ..	..
14. Mukundan, T. K. ..	Non-Brahman.	Do.	Sub-Assistant Surgeon.	15
15. Muthunayakam, A. P.	Christian ..	Do.	Retired Judge ..	150
16. Narasimha Rao, M. P. ..	Brahman ..	Do.	Pensioner ..	60
17. Narayana Menon, V. ..	Non-Brahman.	Do.	Agriculturist ..	2
18. Narayanaswami, P. S. ..	Brahman ..	Do.	Landlord ..	35
19. Natarajan, V. ..	Do. ..	Do.	Superintendent, Port Trust office.	22
20. Natesan, K. V. ..	Do. ..	Do.	Landholder ..	250
21. Raghunathan, A. K. ..	Do. ..	Do.	Do. ..	40
22. Ramaswami, R. ..	Do. ..	Do.	Pensioner ..	..
23. Ramaswami, S. ..	Do. ..	Do.	Deputy Collector ..	4
24. Ramayya Shetti, M. ..	Non-Brahman.	Do.	Agriculturist ..	83
25. Ranganathaswami, G. ..	Brahman ..	Do.	Teacher ..	..
26. Rangaswami, T. V. ..	Do. ..	Do.	Pensioner ..	30
27. Saldanha, R. J. ..	Christian ..	Do.	Planter ..	200
28. Sanjiva Shetti, K. ..	Non-Brahman.	Do.	Shroff ..	350
29. Seshadri Sarma, P. ..	Brahman ..	Do.	Pensioner ..	10
30. Shanmugasundaram, D.	Non-Brahman.	Do.	Taluk Head Accountant.	8
31. Somayya, M. ..	Brahman ..	Do.	Landlord ..	56
32. Subrahmanyam, K. H. ..	Do. ..	Do.	Merchant's agent ..	10
33. Subrahmanya Sarma, A. H.	Do. ..	Do.	Planter ..	150
34. Sundaram, S. ..	Do. ..	B.A. ..	Landlord ..	20

[8th October 1928]

List of students admitted in 1926—cont.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
35. Sundaram, T. A. ..	Brahman ..	Intermediate.	....	acs. 25
36. Suryanarayana, J. ..	Do. ..	Do.	Landlord ..	100
37. Venkatasubrahmanyam, P. S. ..	Do. ..	Do.	Do. ..	30
38. Chandramouli, R. ..	Do. ..	Do.	Pleader ..	60
39. Ramadas, A. ..	Do. ..	Do.	Landlord ..	135

ABSTRACT.					
Brahmans ..	..	..	..	..	25
Non-Brahmans ..	..	..	..	..	11
Christians ..	..	..	..	..	2
Muhammadian ..	..	..	..	..	1
Total ..					39

List of students admitted in 1927.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
1. Achyutan Nayar, K. ..	Non-Brahman, Nayar.	Intermediate.	Landholder ..	acs. ..
2. Achyutarama Raju, D. ..	Non-Brahman, Kshatriya.	Do.	Do. ..	..
3. Balakrishnan, K. ..	Non-Brahman, Nayar.	Do.	Assistant Secretary to Government (retired).	..
4. Balasundaram, M. L. ..	Non-Brahman, Telaga.	Do.	Clerk ..	7-26
5. Bhimachar, M. ..	Brahman ..	Do.	Vakil ..	330
6. Brahmeswara Sarma, G. ..	Do. ..	Do.	Inamdar ..	37-72
7. Dhamodhara Prabhu, M. ..	Non-Brahman, Saraswat.	Do.	Pleader ..	50½
8. Dasa Rao, C. J. ..	Brahman ..	Do.	Karnam and Landlord.	150
9. Deju Shetti, K. ..	Non-Brahman, Bunt.	Do.	Landholder ..	100
10. Dorai Raj, K. ..	Non-Brahman, Nadar.	Do.	Do. ..	45
11. Gopalan, M. K. ..	Brahman ..	Do.	Overseer ..	..
12. Govinda Menon, P. ..	Non-Brahman.	B.A. ..	Raja of Kollengode.	..
13. Govinda Nayar, K. V. ..	Non-Brahman, Nayar.	Intermediate.	Clerk (retired) ..	75
14. Gulam Ahmad, A. ..	Muhammadian.	Do.	Landlord ..	30
15. Hanumantha Rao, D. ..	Brahman ..	Do.	Teacher ..	220
16. Hanumantha Rao, K. ..	Brahman, Saraswat.	Do.	Sub-Assistant Surgeon.	50
17. Kalyanaraman, V. ..	Brahman ..	Do.	Prosecuting Inspector of Police.	32
18. Kerala Varma ..	Non-Brahman, Kshatriya.	Do.	Raja of Cochin ..	..
19. Kolandaivelu Nayakar, R. ..	Non-Brahman, Kulla.	Do.	Mirasdar ..	24

8th October 1928]

List of students admitted in 1927—cont.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
20. Krishnamurthi, R. ..	Brahman ..	Intermediate.	Clerk ..	acs. 30
21. Lakshmanan, T. S. ..	Do. ..	Do.	Pensioner ..	80
22. Mahammad Ali, A. ..	Muhammadian.	Do.	Landlord ..	40
23. Muthugopalan, K. R. ..	Non-Brahman, Vaisya.	Do.	Merchant ..	..
24. Narayanan Nayar, K. ..	Non-Brahman, Nayar.	Do.	Cultivator ..	30
25. Nataraj, T. ..	Non-Brahman, Reddi.	Do.	Surgeon (retired) ..	..
26. Palaniswami, P. K. ..	Non-Brahman, Vellala.	Do.	Landlord ..	1,000
27. Pattabhiraman, T. V. ..	Brahman ..	Do.	Temple Manager ..	10
28. Raghava Menon, P. ..	Non-Brahman, Nayar.	Do.	Farmer ..	57
29. Ranga Rao, G. ..	Non-Brahman, Kapu.	Do.	Postmaster ..	56
30. Rayappa Pillai, M. ..	Non-Brahman.	Do.	Merchant ..	20
31. Sankara Ayyar, C. B. ..	Brahman ..	Do.	Member of Council, Mysore Government.	350
32. Satyanarayanamurthi, M. ..	Do. ..	Do.	Cultivator ..	24
33. Seshadri, C. R. ..	Do. ..	Do.	Pleader ..	52
34. Subbiah, M. ..	Non-Brahman.	Do.	Agriculturist ..	..
35. Subrahmanyam, C. N. ..	Brahman ..	Do.	Landholder ..	75
36. Vaidyanathan, N. S. ..	Do. ..	Do.	Do. ..	3,000
37. Venkoba Rao, M. ..	Do. ..	Do.	Clerk ..	58
38. Venkatachalam, G. ..	Do. ..	Do.	Pleader ..	350
39. Venkatachalam, M. ..	Do. ..	Do.	Vakil ..	54
40. Venkatakrishnan, G. ..	Do. ..	Do.	Agriculturist ..	55
41. Singarachari ..	Do. ..	B.A. ..	Pleader ..	600

ABSTRACT.					
Brahmans ..	..	..	..	..	21
Non-Brahmans ..	..	..	..	..	18
Muhammadians ..	..	..	..	..	2
Total ..					41

List of students admitted in 1928.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
1. Adisesha Reddi, A. B. ..	Non-Brahman, Kapu.	Intermediate.	Cultivator ..	acs. 150
2. Anantan, S. ..	Non-Brahman, Vellala.	Do.	Government official.	180
3. Anantaram Rao, H. ..	Brahman ..	Do.	Landlord ..	150
4. Appaji Kavandan, V. K. ..	Non-Brahman, Vellala.	Do.	Do. ..	400
5. Bhagiratha Rao, K. ..	Brahman ..	Do.	Teacher ..	25
6. Damodara Mudaliyar, V. B. ..	Non-Brahman, Vellala.	Do.	Sub-Magistrate ..	10
7. David, M. J. ..	Christian ..	Do.	Government official.	13

[8th October 1928]

List of students admitted in 1928—cont.

Serial number and name.	Community.	Examinations passed.	Occupation of parent or guardian.	Extent of land.
8. Govinda Panikkar, K. G.	Non-Brahman, Nayar.	Intermediate.	Government official.	ACS. 50
9. Guruswami Nayudu, R.	Non-Brahman, Kamma.	Do.	Agriculturist and Pleader.	100
10. Jagannadha Rao, V. V.	Brahman ..	Do.	Government official.	61
11. Krishnamurthi, G. ..	Non-Brahman.	Do.	Cultivator ..	40
12. Krishnamurthi, S. ..	Do.	Do.	Teacher ..	7
13. Krishnamurthi, T. ..	Brahman ..	Do.	Government official.	100
14. Krishnan, L. ..	Do. ..	B.A. ..	Agriculturist ..	300
15. Krishna Rao, D. V. ..	Do. ..	Intermediate.	Landlord and Pleader.	30
16. Krupadanam, Ch. ..	Christian ..	Do.	.. ..	1
17. Kuppamuthu, K. ..	Non-Brahman, Vellala.	Do.	Agriculturist ..	150
18. Lakshmanan, P. G. ..	Do.	Do.	Agriculturist and Pleader.	700
19. Lakshminarayan, K. S.	Brahman ..	Do.	Teacher ..	9
20. Mudanna Shetti, H. ..	Non-Brahman, Bunt.	Do.	Agriculturist ..	500
21. Muhammad Ghouse, A.	Muhammadan.	Do.	Landlord and merchant.	270
22. Narahari, C. ..	Brahman ..	Do.	Pensioner ..	15
23. Narasimhamurthi, B. L.	Do. ..	Do.	Inamdar ..	67
24. Narasimhan, K. M. ..	Non-Brahman.	Do.	Weaver ..	5
25. Narayanan, N. G. ..	Brahman ..	Do.	Landlord ..	1,350
26. Narayanan, O. K. ..	Non-Brahman.	Do.	Government official.	20
27. Parthasarathi, P. ..	Brahman ..	Do.	Landlord ..	10
28. Ponnappa, M. G. ..	Non-Brahman.	Do.	Farmer ..	21
29. Rajabadar, C. M. ..	Do.	Do.	Government official.	10
30. Rajagopalan, V. V. ..	Brahman ..	Do.	Do. ..	2
31. Rajaratnam Chetti, S. ..	Non-Brahman, Vaisya.	Do.	Landlord ..	52
32. Ramachandran, C. K. ..	Non-Brahman, Vellala.	Do.	Do. ..	180
33. Ramalingam, A. N. ..	Brahman ..	Do.	Mirasdar ..	35
34. Ramaswami, K. R. ..	Do. ..	Do.	Pandit ..	10
35. Sankaran Unni Variyar, T.	Non-Brahman.	Do.	Landlord ..	6,000 (kist).
36. Saptarishi, K. ..	Brahman ..	Do.	Do. ..	300
37. Somayajulu, P. ..	Do. ..	Do.	Do. ..	15
38. Syed Muhammad, P. P.	Muhammadan.	Do.	Farmer ..	15
39. Venugopal, K. ..	Brahman ..	Do.	Government official.	100
40. Tangavelu, T. K. ..	Non-Brahman, Vellala.	Do.	Solicitor's clerk ..	400
41. Virabhadra Rao, K. ..	Non-Brahman, Ganika.	Do.	Cultivator ..	16

ABSTRACT.

Brahmans	17
Non-Brahmans	20
Christians	2
Muhammadans	2
Total ..	41

8th October 1928]

APPENDIX V.

[Vide answer to question No. 393 asked by Rao Bahadur Sir A. P. Patro at the meeting of the Legislative Council held on the 8th October 1928, page 16 supra.]

List of villages with the nature of the demonstrations conducted during the years 1926-27 and 1927-28.

District.	Sub-circle or headquarters of the demonstrator.	Village.	Number of plots.	Nature of demonstrations.
(1)	(2)	(3)	(4)	(5)

1926-27.

Ganjam	Chicaeole	Anakapalle ..	1	Paddy manurial.	
		Chennavalasa ..	1		
		Yellamanchili ..	1		
		Kukkudahandi ..	1		
		Saru ..	1		
	Berhampur	Gopalraopet ..	1	Paddy cultural.	
		Saru ..	1		
		Kukkudahandi ..	1	Paddy manurial.	
		Digupahandi ..	1		
		Ranagholi ..	1		
		Chatrapur ..	2	Comparative trials.	
		Indrakini ..	2		
		Gopalraopet ..	3		
				17	
	Bobbili	Salur ..	1	Paddy manurial.	
		Sitanagaram ..	1		
		Parvatipuram ..	1		
Yembanavalasa ..		1			
Krishnapuram ..		1			
Gollapalli ..		2	Paddy varietal.		
Chelleruvalasa ..		2			
Salur ..		1			
Lakshmayyapeta ..		1			
Guntotavalasa ..		1			
			13		
Vizagapatam	Kotapadu	Kotapadu ..	2	Paddy manurial.	
		Do. ..	2	Paddy cultural.	
		Vazzamrajupeta ..	2		
		Lopudi ..	1		
		Jaggannadhapuram ..	3	Sugarcane cultural.	
	Kandivaram ..	2			
	Boipadu ..	1			
	Vaddadi ..	2			
	Veeranilli ..	1			
	Narasapatnam.	Kotapadu ..	1	Paddy manurial.	
		Jalluru ..	1		
		Uralla ..	1	Sugarcane cultural.	

[8th October 1928]

List of villages with the nature of the demonstrations conducted during the years 1926-27 and 1927-28—cont.

District.	Sub-circle or headquarters of the demonstrator.	Village	Number of plots.	Nature of demonstrations.
(1)	(2)	(3)	(4)	(5)

1926-27—cont.

Vizagapatam— cont.	Yellamanchili	Etikoppaka	1	Paddy manurial.
		Darlupudi	1	
		Etikoppaka	1	Paddy varietal.
		Yellamanchili	1	
	Anakapalli ..	Etikoppaka	1	Sugarcane cultural.
		Aravapalem	1	
		Do.	1	Paddy cultural.
		Do.	1	Paddy manurial.
	Vizianagram	Do.	4	
		Vizianagram	3	Sugarcane cultural.
		Do.	26	Paddy cultural.
		Total	72	

1927-28.

Ganjam ..	Chicacole	The village names are nearly the same as those given in the previous report.	4	Sugarcane cultural.
	Berhampur		6	Paddy and sugarcane cultural.
	Chodavaram		7	Paddy manurial.
	Do.		3	Sugarcane cultural.
	Bibbi		41	Paddy manurial.
	Do.		10	
	Vaddadi		10	Sugarcane cultural.
	Do.		15	Paddy cultural.
	Narsapatnam		4	Paddy manurial.
	Do.		10	Sugarcane cultural.
Vizagapatam ..	Vizianagram		6	Paddy cultural.
	Do.		6	
	Yellamanchili		8	Sugarcane cultural.
		Total	133	

8th October 1928]

APPENDIX VI.

[Vide answer to question No. 398 asked by Mr. C. Obi Reddi at the meeting of the Legislative Council held on the 8th October 1928, page 49 supra.]

Statement showing the length of time that rinderpest has been virulent in Anantapur district.

Name of taluk.	Length of time the epidemic has been prevailing.	Mortality during the period mentioned in column (2).	The officer in whose jurisdiction taluk is.	Additional hands employed.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Anantapur ..	From February 1927.	2,097	Touring Veterinary Assistant Surgeon, Anantapur.	2	Disease subsided.
Dharmavaram.	From middle of October 1927.	616	Touring Veterinary Assistant Surgeon, Dharmavaram.	..	Disease subsiding.
Kadiri ..	From June 1928 ..	76		..	Not virulent, disease subsiding.
Gooty ..	From July 1927 ..	4,557	Touring Veterinary Assistant Surgeon, Gooty.	3	Disease subsiding.
Tadpatri ..	Do. ..	1,517		..	Do.
Penukonda ..	From November 1927.	895	Touring Veterinary Assistant Surgeon, Penukonda.	..	Do.
Hindupur ..	From April 1928 ..	341		..	Not virulent.

APPENDIX VII.

[Vide item III, "Communications to the Council" at page 59 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answers given to Questions Nos. 397, 938 and 1619 at the meetings of the Legislative Council held on 27th August 1927, 31st October 1927 and 28th February 1928, the following papers are laid on the table:—

I

Repairing and overhauling of the supply channel to certain tanks in the Kurnool district.

* 397 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether the supply channel to a group of seven tanks belonging to Rudravaram, Kondamayapalli, Tallalingamdinne, R. Nagulavaram and Yerragudidinne of Sirvel taluk in the Kurnool district is entirely out of repair;

[8th October 1928]

- (b) whether any estimates have been prepared for repairing and overhauling the anicut and the supply channel;
- (c) if so, what the estimate of cost is;
- (d) whether the Government propose to start the work;
- (e) what the total ayacut under these tanks is;
- (f) what the extent of the irrigable dry lands is under these tanks;
- (g) what the assessment is including water-rate for
- (1) the wet ayacut and
 - (2) the irrigable dry;
- (h) whether any portion of the irrigable dry lands was given water during faslis 1332 to 1336; and
- (i) what remissions have been granted under these tanks during faslis 1332 to 1336?

A.—The Government have no information, but have called for a report.

II

* 938 Q.—MR. G. HARISARVOTTAMA RAO: With reference to the reply to my question No. 397 regarding repairing and overhauling of the supply channel in Kurnool district answered on 27th August 1927 that the Government had called for a report, will the hon. the Member for Revenue be pleased—

- (a) to place the same on the table of the House; and
- (b) to state what action the Government proposes to take thereon?

A.—Reports have been received from the Board of Revenue and the Chief Engineer but have had to be referred back to them as they appear to be discrepant. The information will be laid on the table when it is complete.

III

* 1619 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state in regard to the reply given to question No. 938 answered on 31st October 1927 regarding the repairs to the supply channel in Kurnool district whether the reports of the Revenue Board and the Chief Engineer referred to therein as exhibiting some discrepancy and as having been referred back have been received, and if so, what they are?

A.—The further report called for has not been received.

IV

Letter from M.R.Ry. Rai Bahadur U. RAMA RAO AVARGAL, B.A., Collector of Kurnool, dated the 4th September 1927, L. Dis. No. 2530/27.

A tabular statement containing the information required is enclosed.

8th October 1928]

Statement showing ayacut and other particulars of group of seven tanks relating to Rudravaram, Kondamayapalli, Tallalingamdinne, R. Nagulavaram and Yerragudidinne of Sirvel taluk.

Name of tank.	(1)	Total extent of wet ayacut.	(2)	Extent of the irrigable dry lands.	(3)	Assessment on wet ayacut.	(4)	Fasaljasti or water-rate on second irrigated crop on wet land.	(5)	Assessment on irrigable dry lands.	(6)	Tirwajasti or water-rate on dry lands.	(7)	Extent of dry land irrigated.	(8)	Remissions granted.	(9)
		ACS.		ACS.		RS. A. P.				RS. A. P.		RS. A. P.		ACS.		RS. A. P.	
1. Rudravaram.																	
(1) Ranga Reddi tank—																	
1332	..	111-87	171-75	634 11 4	1,527 8 7	..	..	..	..	218 8 0	0 8 0	0 8 0	0 8 0	0-11	402 14 0	..	..
1333	..	111-87	171-75	634 11 4	1,527 8 7	..	..	..	..	218 8 0	31 8 0	31 8 0	31 8 0	7-86	89 7 0	..	..
1334	..	111-87	171-75	634 11 4	1,527 8 7	..	..	..	..	218 8 0	..	..	..	41-09	85 15 0	..	..
1335	..	111-87	171-75	634 11 4	1,527 8 7	..	..	..	..	218 8 0	164 3 0	164 3 0	164 3 0	10-06	43 10 0	..	..
1336	..	111-87	171-75	634 11 4	1,527 8 7	..	..	..	..	218 8 0	46 3 0	46 3 0	46 3 0	10-06	71 12 0	..	..
(2) Peddaraju tanks—																	
1332	..	276-79	194-26	1,527 8 7	1,527 8 7	..	..	..	..	151 9 0	..	..	..	..	602 0 0	..	..
1333	..	276-79	194-26	1,527 8 7	1,527 8 7	..	..	..	..	151 9 0	..	..	..	..	255 14 0	..	..
1334	..	276-79	194-26	1,527 8 7	1,527 8 7	..	..	..	..	151 9 0	61 2 0	61 2 0	61 2 0	14-78	..	..	..
1335	..	276-79	194-26	1,527 8 7	1,527 8 7	..	..	..	..	151 9 0	239 12 0	239 12 0	239 12 0	52-10	..	..	..
1336	..	276-79	194-26	1,527 8 7	1,527 8 7	..	..	..	..	151 9 0	18 3 0	18 3 0	18 3 0	4-30	279 8 0	..	..
2. Kondamayapalli.																	
(3) Chennaraju tank—																	
1332	..	285-43	93-95	1,701 3 0	1,701 3 0	..	..	..	..	62 0 0	..	..	..	0-04	782 1 0	..	..
1333	..	285-43	93-95	1,701 3 0	1,701 3 0	..	..	..	..	62 0 0	0 4 0	0 4 0	0 4 0	34-25	670 9 0	..	..
1334	..	285-43	93-95	1,701 3 0	1,701 3 0	..	..	..	..	62 0 0	57 1 0	57 1 0	57 1 0	174-06	..	..	..
1335	..	285-43	93-95	1,701 3 0	1,701 3 0	..	..	..	..	62 0 0	567 5 0	567 5 0	567 5 0	2-15	590 14 0	..	..
1336	..	285-43	93-95	1,701 3 0	1,701 3 0	..	..	..	..	62 0 0	13 15 0	13 15 0	13 15 0	..	..	..	..
3. Yerragudidinne.																	
(4) Kondaraju tank—																	
1332	..	74-0	205-12	271 14 0	271 14 0	..	..	..	..	71 13 0	..	..	..	..	150 6 0	..	..
1333	..	74-0	205-12	271 14 0	271 14 0	..	..	..	..	71 13 0	..	..	..	..	302 15 0	..	..
1334	..	74-0	205-12	271 14 0	271 14 0	..	..	..	..	71 13 0	..	..	..	..	107 2 0	..	..
1335	..	74-0	205-12	271 14 0	271 14 0	..	..	..	..	71 13 0	65 8 0	65 8 0	65 8 0	30-22	10 2 0	..	..
1336	..	74-0	205-12	271 14 0	271 14 0	..	..	..	..	71 13 0	76 4 0	76 4 0	76 4 0	20-16	..	..	..

[8th October 1928]

Name of tank.	(1)	Total extent of wet ayacut.	(2)	Extent of the irrigable dry lands.	(3)	Assessment on wet ayacut.	(4)	Fasaljasti or water-rate on second irrigated crop on wet lands.	(5)	Assessment on irrigable dry lands.	(6)	Tirvajasti or water-rate on dry lands.	(7)	Extent of dry land irrigated.	(8)	Remissions granted.	(9)
3. Erragudiinne—cont.																	
(5) Pedde cheruvu—																	
1332	..	85.42	ACS.	104.55	376 13 5	..	47 6 0	..	47 6 0	..	95 4 0	..	22.39	..	27 0 0	..	29 12 0
1333	..	85.42	ACS.	104.55	376 13 5	..	47 6 0	..	47 6 0	..	78 0 0	..	14.28	..	29 12 0	..	38 4 0
1334	..	85.42	ACS.	104.55	376 13 5	..	47 6 0	..	47 6 0	..	187 7 0	..	80.22	..	38 4 0	..	4 9 0
1335	..	85.42	ACS.	104.55	376 13 5	..	47 6 0	..	47 6 0	..	394 2 0	..	171.44	..	11 5 0	..	58 9 0
1336	..	85.42	ACS.	104.55	376 13 5	..	47 6 0	..	47 6 0	..	178 11 0	..	44.45	..	156 14 0	..	50 4 0
(6) Chinnu cheruvu—																	
1332	..	73.92	ACS.	60.77	309 8 10	..	12 7 9	..	12 7 9	..	..	..	..	..	15.41	..	9 3 0
1333	..	73.92	ACS.	60.77	309 8 10	..	12 7 9	..	12 7 9	..	34 3 0	..	35.38	..	15.36	..	9 3 0
1334	..	73.92	ACS.	60.77	309 8 10	..	12 7 9	..	12 7 9	..	85 11 0	..	..	..	..	..	..
1335	..	73.92	ACS.	60.77	309 8 10	..	12 7 9	..	12 7 9	..	57 3 0	..	..	..	..	..	..
1336	..	73.92	ACS.	60.77	309 8 10	..	12 7 9	..	12 7 9	..	..	..	..	..	..	..	..
4. Tallalingundinne.																	
(7) Chanutala cheruvu—																	
1332	..	133.88	ACS.	180.40	677 13 0	..	208 5 0	..	208 5 0	..	..	..	..	..	418 12 0	..	209 8 0
1333	..	133.88	ACS.	180.40	677 13 0	..	208 5 0	..	208 5 0	..	2 3 0	..	0.84	..	184 15 0	..	..
1334	..	133.88	ACS.	180.40	677 13 0	..	208 5 0	..	208 5 0	..	23 3 0	..	5.2	..	..	..	..
1335	..	133.88	ACS.	180.40	677 13 0	..	208 5 0	..	208 5 0	..	27 3 0	..	9.71	..	100 13 0	..	..
1336	..	133.88	ACS.	180.40	677 13 0	..	208 5 0	..	208 5 0	..	29 6 0	..	8.40	..	..	..	..
5. R. Nagulavarani.																	
1332	..	54.01	ACS.	68.76	254 12 0	..	58 3 0	..	58 3 0	..	..	..	..	..	198 7 0	..	102 3 0
1333	..	54.01	ACS.	68.76	254 12 0	..	58 3 0	..	58 3 0	..	11 3 0	..	7.77	..	39 9 0	..	36 14 0
1334	..	54.01	ACS.	68.76	254 12 0	..	58 3 0	..	58 3 0	..	8 7 0	..	8.92	..	97 11 0	..	..
1335	..	54.01	ACS.	68.76	254 12 0	..	58 3 0	..	58 3 0	..	12 7 0	..	2.68	..	..	..	..
1336	..	54.01	ACS.	68.76	254 12 0	..	58 3 0	..	58 3 0	..	9 15 0	..	..	..	..	..	..

8th October 1928]

V

Letter from M.R.Ry. K. V. SANKARA AYYAR Avargal, Executive Engineer, Kurnool division, dated the 12th September 1927, No. 758-S.E.

I give below the particulars required in clauses (a) to (d) of the Legislative Council question No. 397.

(a) I know of no representation during the last two years I have been here, either orally or in writing, that the supply channel under reference was out of repair. The previous records in this office too do not indicate anything seriously wrong with the channel.

(b) & (c) An estimate for improvements to the anicut was sanctioned for Rs. 470 in April 1919 and executed. Another estimate amounting to Rs. 7,250 for the channel was submitted in February 1920 by the Sub-divisional Officer, but as statistics of actual cultivation and remission revealed no appreciable differences between the Tank Restoration Scheme and actual areas, but, on the other hand, under one tank increase was seen, the Executive Engineer returned the estimate to the Subdivisional Officer to see whether the amount could not be reduced. The Subdivisional Officer who inspected the channel in November 1920 reported that it was impossible, owing to thick growth of trees and jungle in the head reach of the channel which lies in Reserve Forest, to go down the entire length of the channel, and that the first step in the improvements to the channel should be to clear the jungle along this channel and the branch from it to Chintala tank. The clearance would, to a large extent, remove obstruction to flow of water in the floods. An attempt by the Collector to get this done by a sale proved fruitless and the ryots too were unwilling to clear the jungle. The work was finally done by Government under the Kudimaramath Act by the end of 1924.

(d) Fresh proposals to keep down the cost are awaited from the Sub-divisional Officer. This question can be replied to only after examining these proposals.

VI

Letter from M.R.Ry. K. V. SANKARA AYYAR Avargal, Executive Engineer, Kurnool division, Kurnool, to the Collector of Kurnool, dated the 1st December 1927, No. 6218

I inspected the above channel throughout on 16th November 1927 walking as far as it was feasible along the bed or bank of the channel. It is a contour channel taking off from the Gundleru with only a single bank on the left side. The first thing that struck me was that none of the villagers interested could have ever cared to see what their channel was like. The whole length was so covered with vegetation which in places was well nigh impenetrable with thickly interwoven creepers and thorny bushes. The anicut and about five furlongs of the channel therefrom lie within Reserve Forest limits and this portion is particularly impassable. Even here the vegetation affecting the channel consists not so much of trees as of jungle grass, shrubs, thorny plants and creepers. The ryots excused themselves that, being in the reserve forests, they were afraid to look after the channel here, but lower down too the bank of the channel is not free from scrub jungle. One can walk only on the outside or inside, but not on the bank.

[8th October 1928]

2. The tanks round Rudravaram all contained water and the paddy crop was in good condition. Obviously, therefore, there have been enough rains in these parts. Nevertheless the bed of the Gundleru above and below the anicut was dry. The thick vegetation above the anicut indicated that there was no stagnation of water here as one would expect, the anicut standing up nearly 6 feet above the bed here. No water marks even were visible on the stones which should be the case had there been any water here for tolerably long periods at least in previous years. When I saw that vagu in open country on the road from Sirvel to Rudravaram had some spring flow in these and the tanks too had water, but that the bed of the Gundleru was perfectly dry notwithstanding the recent cyclone of 1st November 1927 and the showers since then owing to which I had to put off this inspection more than once. I am led to take with reservation the statements of the ryots that lots of water were available in this vagu to feed not only these two tanks but a chain of half a dozen tanks lower down.

3. For about two furlongs in the reserve forest portion the channel is cut deep through rocky soil. The section here is narrow and the levels taken in 1903 and 1919 show that the bed here is about half a yard higher than the sill of the head sluice, and about 3 feet below the crest of the anicut. This portion limits the possible discharge that can be drawn by the channel and, if only flood flow be taken to be available and no low spring flow, the volume of water that can be drawn in a season cannot be very considerable. Before therefore embarking in any large outlay on the channel, we have first to make sure of the quantity of water that can be drawn from the vagu. Between the fourth and fifth furlong stones there is a masonry structure to divide the flow to two branches, the one to the Chintala tank about 8 feet wide and the other to Ranga Reddi tank nearly 12 feet wide. The former is about a third of the length of the latter and has a steeper fall; and so, for equal widths at the bifurcation, the former can draw more supply than the latter.

4. To enable any work in connexion with the channel to be done, including even inspection, surveying or levelling, the first thing necessary is that the whole length of this channel and the breach to the Chintala tank should be cleared of all the rank vegetation. This same requirement was once before pointed out—vide your Proceedings, dated 2nd June 1921, on Executive Engineer's letter No. 244-M-104, dated 31st March 1921, wherein permission was given to the ryots to take away the entire tree growth in the channel portion free of any price subject to the condition that it is completely cleared within three months to the satisfaction of the Executive Engineer and also your L. Dis. No. 5724 of 1921, dated 30th July 1921, et seq. Notwithstanding this concession, nothing appears to have been done by them. During my inspection, some of the ryots gave out that they were not aware of any such concession and that they were afraid all along of touching their channel in the reserved forest. Now that the state of affairs regarding their channel has again been explained to them clearly at length by me, I believe that if they are really interested in their channel, they will do the work of clearing the vegetation. Kindly therefore revive the concession fixing a time-limit for the clearance, say to the end of February 1928. Also please arrange for intimation being given to the Subdivisional Officer, Public Works Department, Nandyal, and to me immediately the clearance is finished, so that levels may be taken and estimates for necessary work prepared.

8th October 1928]

5. After examining and executing requisite repairs to the channel, if the ryots keep it cleared regularly in future, observations of the surplus from the two tanks will give reliable information to consider whether further work in the way of enlarging the channel will result in increased supply in most years.

6. The villagers interested should also be informed that the clearance of vegetation and inspection of and attention to the channel by them should not cease with this first occasion but must regularly be repeated at least once a year, say in June, just before the rains set in, and preferably a second time in September.

VII

Letter from M.R.Ry. K. V. SANKARA AYYAR Avargal, Executive Engineer, Kurnool division, to the Superintending Engineer, Madras Circle, dated the 3rd April 1928, No. 283.

[Subject.—Irrigation—Kurnool—Sirvel taluk—Rudravaram and six other tanks.]

I notice that the statement furnished by the Collector does not give one of the sets of figures, viz., the areas actually irrigated or cultivated under the tanks in each year, required for a comparison. The difference between the actuals and the Tank Restoration Scheme areas cannot therefore be found from the Collector's figures. I enclose herewith copy of a statement obtained from the Tahsildar in which the details of actual cultivation during the faslis 1328 to 1336 are given. A perusal of this statement bearing in mind the peculiarities of cultivation under irrigation sources in this district as explained in paragraph 2 of my No. 831-S.E., dated 10th October 1927 (copy enclosed), in connexion with the Thippayapalem project, will show that the Subdivisional Officer's statement made in 1920 from which I quoted in my letter No. 758-S.E., dated 12th September 1927, still holds good.

2. Faslis 1330, 1332 and 1336 were generally unfavourable years in these parts. Even the Cumbum tank which rarely dries up was "bone dry" in the summer of 1921 and 1927. It is to be noted that two of these bad years fall within the period considered in the Legislative Council question. The term "irrigable dry" in column 3 of the Collector's statement is a vague one. It stands for all land beyond the wet ayacut which is low enough for command by an irrigation source and has therefore a chance of getting irrigated if the owner wills (e.g.), where he wishes to save a dry crop thereon from utter loss by want of rain or when he feels sure that abundant water to raise an irrigated crop is available. The figures in the column "Remission" too do not by themselves indicate the condition of the irrigation source. The question to which the Collector has given replies are not such as will enable one to draw a useful inference about the statement of maintenance of the channel and tanks. I inspected the channel referred to in November 1927 and from what I saw, I had to seriously doubt the correctness of the impression given by the question No. 397 that the channel could feed all the seven tanks mentioned (please see copy of my No. 6218-1-12 to the Collector).

3. The enclosure received with your letter is returned.

18th October 1928

ENCLOSURE

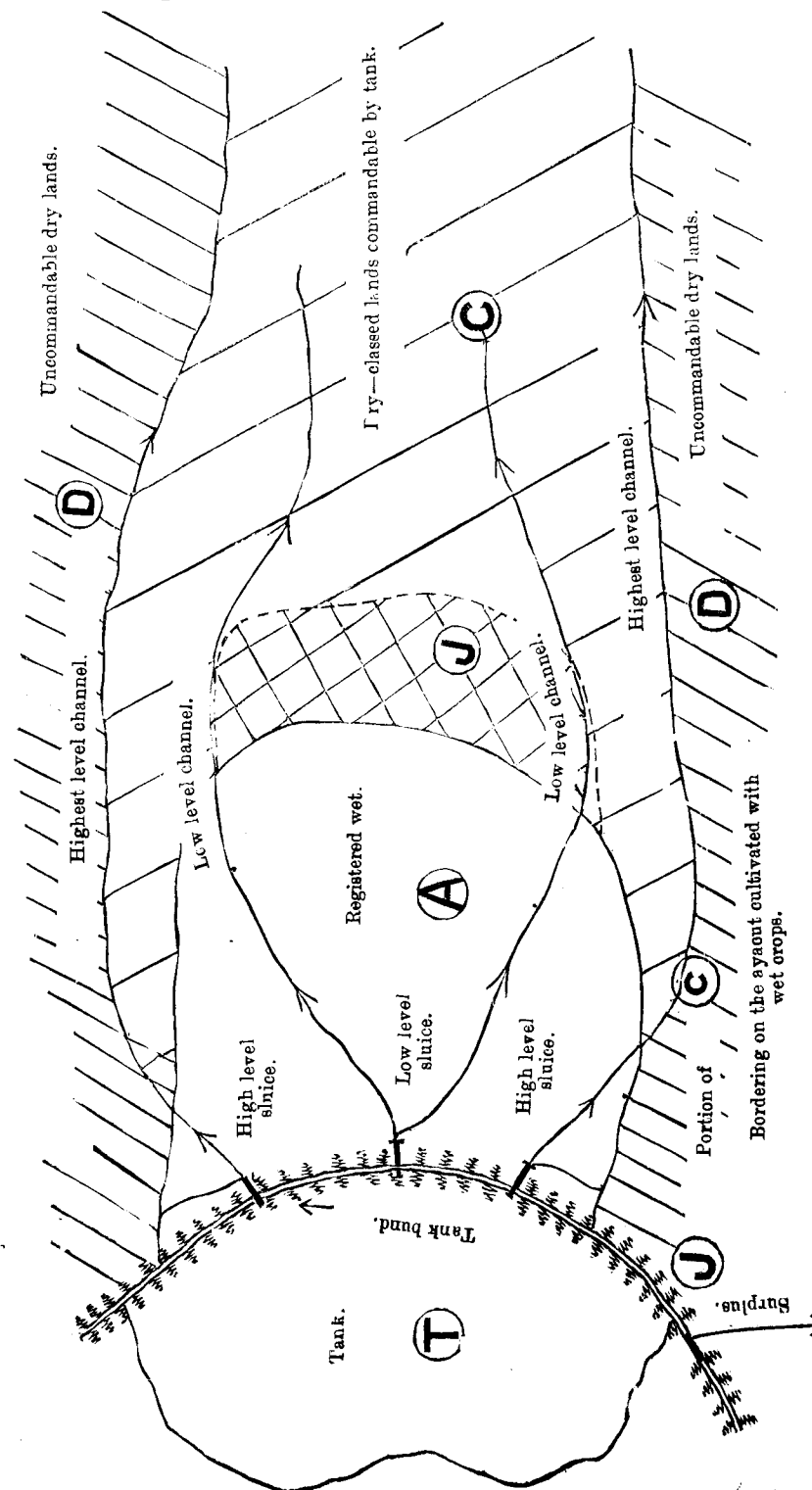
Extract of paragraph 2 of letter from M.R.Ry. K. V. SANKARA AYYAR, Avargal, Executive Engineer, Kurnool division, to the Superintending Engineer, Madras Circle, dated the 10th October 1927, No. 831-S.E.

[Thippayapalom project—Markapur taluk—Kurnool district—
Re-examination of the —]

2. The correspondence throughout, indicates that certain peculiarities

Local peculiarities of irrigation. connected with irrigation in these parts, have either not been realized or have escaped notice. These which have evolved as a result of the ryots' long experience of the vagaries of the rainfall which is here neither certain, nor dependable, require therefore to be first noticed.

8th October 1928]



[8th October 1928]

The actual cultivation in any year fluctuates with the nature of the rainfall as in the cases described below (please refer to the sketch).

Case I.—Timely rains and ample water in the tank, in the sowing season (August or September).

First crop.—Wet on the whole extent of (A) and in (C) wet crops on a variable extent (J) and dry crops irrigated in suitable plots with a view to get increased produce, the balance of dry in (C) being unirrigated (i.e.) purely rainfed lie (D).

Second crop.—Good north-east monsoon rains, leaving water in the tank at the end of the first-crop season.

Second wet crop on whole or portion of (A) and if possible, depending on the level of water in the tank, and stray plots of irrigated dry in (C).

Case II.—Tank full by September and poor rains in October-November.

First crop.—Wet crops in (A) and dry in (J) and (C).

Second crop.—Manure crop in (A) where possible.

Case III.—Rains not hopeful—Tanks partly full.

First crop.—Short dry crop in (A) and dry in (C). Though the available water may be sufficient for wet crops in a portion of (A), ryots prefer raising a dry crop on larger extent in (A), to growing wet on a small portion of (A) with risky dry on the balance. The water in the tank is not drawn upon, unless rains are insufficient to preserve the dry crops in (A) in which contingency, the standing dry crop in (A) is irrigated.

Another case.—Rains subsequent to sowing—timely and well distributed for a good crop harvest—the tank water is not drawn upon for the first crop. (The rainfall statistics show that a similar timely distribution of rainfall throughout the life of the crop never occurs in the second-crop season and so water is sure to be drawn upon and used and thus produce revenue.)

Second crop.—Later rains fill the tank—Second crop wet on whole or part of (A) and in (J) to the possible extent.

Case IV.—Disappointing rains before, and poor north-east monsoon—tank low.

First crop.—Dry in (A) and (C) part of dry in (A) will be irrigated with the available water.

Second crop.—Nil.

Case V.—Both monsoons fail and tank gets little supply.

First crop.—Rainfed dry in a portion of (A) the balance being waste or shavi. (In this case—Thirva kammi—remission is heavy.)

Second crop.—Nil.

Other points to be noted—

(1) The variety of the dry crop is determined by the “Karthi”, nature of the soil and resources of the ryots, etc.

(2) The ordinary ryot has no special liking to paddy which is only a luxury crop to him and not staple food for him or for his cattle.

(3) The registered classification of a field does not indicate the crop raised on it.

8th October 1928]

(4) The extent of area irrigated and revenue realized, as seen in the revenue accounts, are not in direct proportion to the water received. For a proper examination of the financial return from an irrigation work, in these parts, we should consider the revenue per acre given by the fraction :

$$\left\{ \begin{array}{l} \text{Average total revenue} \\ \text{realized from the ayacut,} \\ \text{irrespective of the nature} \\ \text{of the crops for a number} \\ \text{of years.} \end{array} \right\} \text{ plus } \left\{ \begin{array}{l} \text{Revenue from lands} \\ \text{beyond the ayacut bene-} \\ \text{fited by the tank for a} \\ \text{number of years.} \end{array} \right.$$

Registered ayacut area.

The condition, that, though water is available in the tank, it is not taken by the ryots for the crops, occasionally occurs only west of the Nallamalais, especially in certain portions commandable by the Kurnool-Cuddapah canal.

(5) The assumption that a *uniform annual revenue* can be realized is erroneous.

(6) Paddy is sown in dry ploughed land, in furrows like dry crops. Puddling and transplantation are not resorted to here.

(7) The term “Remission”, is misleading, in this district. The normal demand is worked out on a basis of uniformity of produce and revenue on the wet ayacut. From this, a deduction shown as remission, on account of dry crops having been raised on the ayacut is allowed. This deduction is a fraction of (‘wet’—‘dry’ rates). Thus, the remission figures do not indicate failure of crops, but mostly a mere difference in the variety of crop raised. Only shavi and waste remissions can be taken as indications of failure.

(8) In the new projects—The Mopad project, Ponnalur tank, Hajipuram tank, etc., in Nellore division, I found that the aim of the ryot was to eventually raise in all years, wet-crop paddy on an extent suitable to the supply assuredly got every year. This meant, conversion of waste and dry lands into wet paddy fields and this conversion was a very slow process. Similar slowness of conversion is seen to exist in the case of the Venkatapuram tank in this division.

(9) Unlike, under the Mopad, Venkatapuram and other systems, the lands under the Thippayapalem tank, are flat or gently sloping, occupied and cultivated and not rugged, undulating thorny waste. The outlay to convert the Thippayapalem lands into irrigable plots will be very small.

(10) Enquiry shows that the extra yield of a dry crop, as a result of irrigation, even though such irrigation is done by baling from Sultan wells, is more than enough to enable the ryot to pay the extra cess over the usual which the Thippayapalem ryots promise to pay. Even, if the value of the extra produce be only equal to the extra cess, the immunity from the risk of failure is a sufficient temptation for them to go in for irrigation.

[8th October 1928]

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source.

Particulars of sources.	Fasli.	Area cultivated with wet crops.		Area cultivated with irrigated dry crops.		Total irrigated.	Tirwa kammi.	Total cultivated area.	
		One crop.	Two crops.	One crop.	Two crops.				
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<i>Talla Lingamdiini.</i>									
1. Name of work—Chintalacheruvu—	1328	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	
2. Class of work—III—	1329	116.91	..	..	..	116.91	4.18	121.24	
3. Registered wet area—	1330	139.06	..	1.19	..	140.25	..	140.25	
	1331	..	..	..	..	..	26.99	121.81	
	1332	126.73	..	7.20	..	133.93	..	133.93	
	1333	..	..	..	..	..	76.97	76.97	
	1334	133.44	..	0.30	..	133.74	44.73	178.51	
	1335	54.73	..	42.51	0.29	97.24	..	97.24	
	1336	129.81	..	11.24	..	141.25	..	141.25	
	1336	111.46	..	35.87	..	147.37	..	147.37	
Total									
<i>R. Nagulavaram.</i>									
1. Name of work—Vanganapalli tank—	1328	33.89	..	8.53	..	42.42	..	42.42	
2. Class of work—IV—	1329	23.30	..	1.07	..	24.37	15.01	24.37	
3. Registered wet area—	1330	27.14	..	..	..	27.14	..	27.14	
	1331	38.70	..	2.46	..	41.16	10.95	41.16	
	1332	27.61	..	..	..	27.61	21.75	27.61	
	1333	39.70	..	2.70	..	42.40	11.64	42.40	
	1334	42.53	..	11.62	..	54.15	11.57	42.58	
	1335	29.04	..	16.19	..	45.23	10.27	45.23	
	1336	25.76	..	44.68	..	69.44	11.64	69.44	
Total									

8th October 1928]

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source—cont.

Particulars of sources.	Fasli.	Area left waste or charged assessment. (10)	Remission.					Net revenue.
			Waste. (11)	Shavi. (12)	Other occasional remission. (13)	Total.		
						Extent. (14)	Assessment. (15)	
<i>Talla Lingamdiini.</i>								
1. Name of work—Chintalacheruvu—	1328	ACS. 10.20	ACS. 1.84	ACS. 11.29	ACS. 4.18	ACS. 17.31	RS. A. P. 100 9 5	874 9 7
2. Class of work—III—	1329	4.87	1.77	48.21	26.99	76.97	511 13 0	745 15 0
3. Registered wet area—	1330	2.88	..	..	..	..	..	463 6 0
	1331	7.15	..	..	76.97	76.97	418 12 0	797 13 8
	1332	0.11	0.66	..	44.07	44.73	209 8 0	186 2 6
Government	1333	7.13	2.26	1.14	34.19	37.59	184 15 0	468 5 0
Inam	1334	..	..	..	..	..	..	810 11 0
	1335	..	..	5.51	18.05	23.56	106 5 0	705 6 0
Total ..	1336	0.01	..	..	..	..	..	865 14 0
<i>R. Nagulavaram.</i>								
1. Name of work—Vanganapalli tank—	1328	0.87	..	13.09	..	13.09	58 15 0	193 1 0
2. Class of work—IV—	1329	..	..	..	15.01	15.01	104 5 0	140 1 0
3. Registered wet area—	1330	..	..	27.01	..	27.01	162 8 0	82 7 0
	1331	..	..	11.48	10.95	22.43	102 0 0	142 15 0
	1332	..	..	5.86	21.75	27.61	136 14 0	108 1 0
	1333	..	..	..	11.64	11.64	40 10 0	204 5 0
Government	1334	0.40	..	..	11.57	11.57	39 9 0	169 3 0
Inam	1335	..	..	..	10.27	10.27	33 9 0	155 12 0
	1336	..	..	..	11.64	11.64	31 14 0	163 13 0
Total ..								

[8th October 1928]

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source—cont.

Particulars of source.	Fash.	Area cultivated with wet crops.			Area cultivated irrigated dry crops.			Total irrigated.	Tirwa Kammi rent.	Total cultivated area.
		One crop.		Two crops.	One crop.		Two crops.			
		(3)	(4)	(5)	(6)	(7)	(8)				(9)
(1)	(2)	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.
<i>Erragudidinne.</i>										
Kondaraya cheruvu—		1328	40.05	..	33.60	73.65	15.36	73.65	15.36	73.65
Extent. Assessment.		1329	70.66	..	47.61	118.20	..	118.20	..	118.20
IV class—		1330	25.87	..	14.12	39.99	24.20	64.19	24.20	64.19
Government		1331	71.15	..	67.94	139.09	..	139.09	..	139.09
Registered wet area inam		1332	21.50	..	..	21.50	23.85	45.44	23.85	45.44
..		1333	..	..	..	..	..	..	..	..
Total		1334	28.57	..	35.73	63.80	32.44	96.24	32.44	96.24
Quit-rent		1335	83.91	..	140.35	224.26	..	224.26	..	224.26
Pedda cheruvu—		1336	71.44	..	21.37	92.81	..	92.81	..	92.81
IV class—		1328	81.43	..	13.24	94.67	..	94.67	..	94.67
Government		1329	86.39	..	2.29	88.68	1.70	90.38	1.70	90.38
Inam		1330	3.43	..	..	3.43	15.11	18.54	15.11	18.54
..		1331	72.84	..	3.98	76.82	7.43	84.25	7.43	84.25
Total		1332	72.08	..	1.00	73.08	5.88	78.96	5.88	78.96
Quit-rent		1333	69.45	..	4.04	73.49	..	73.49	..	73.49
..		1334	61.46	..	9.98	71.44	10.98	82.42	10.98	82.42
..		1335	84.69	0.49	11.91	97.09	..	97.09	..	97.09
..		1336	76.66	..	16.86	93.52	4.23	97.75	4.23	97.75
China cheruvu—		1328	71.85	..	33.30	105.15	0.71	105.86	0.71	105.86
IV class—		1329	97.73	..	4.62	102.35	..	102.35	..	102.35
Government		1330	..	..	..	..	23.55	23.55	23.55	23.55
Inam		1331	106.61	..	15.79	122.40	..	122.40	..	122.40
..		1332	69.56	..	3.88	73.44	10.52	83.96	10.52	83.96
Total		1333	56.99	..	..	56.99	14.10	71.09	14.10	71.09
Quit-rent		1334	52.22	..	13.61	65.83	12.64	78.47	12.64	78.47
..		1335	107.06	0.25	21.96	129.52	..	129.52	..	129.52
..		1336	66.64	..	41.73	108.37	3.42	111.79	3.42	111.79

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source—cont.

Particulars of source.	Fashi.	Area left waste or charged assessment.	Remission.				Total.	Net revenue.	
			Waste.	Shavi.	Other occasional remission.	Extent.			
									(11)	(12)	(13)	(14)
		(10)	ACS.	ACS.	ACS.	ACS.	RS. A. P.	(15)	(16)
<i>Erragudidinne.</i>									
Kondaraya cheruvu—	1328	..	0.35	27.67	4.92	48.30	254 8 3	RS. A. P.	117 5 9
	1329	0.10	..	..	2.59	2.59	26 6 1	0	469 5 0
	1330	0.88	1.79	19.18	10.38	31.35	280 6 0	0	95 9 0
IV class—	1331	0.07	..	1.10	3.37	4.47	16 12 0	0	493 13 0
Government	1332	..	..	6.77	..	6.77	150 6 0	0	221 10 0
Registered wet area inam	1333	..	..	37.50	18.05	55.55	302 15 0	0	133 7 0
	1334	..	..	..	32.44	32.44	107 2 0	0	329 8 0
	1335	..	..	..	..	3.37	10 2 0	0	635 14 0
Total	1336	..	..	..	..	3.37	..	..	456 2 0
Quit-rent	1328	..	4.02	4.07	..	8.09	49 0 8	0	325 1 9
Pedda cheruvu—	1329	4.41	..	..	..	1.70	6 13 6	0	404 3 5
IV class—	1330	3.84	14.19	16.99	..	31.18	266 9 0	0	110 4 5
Government	1331	..	0.38	..	0.64	1.02	36 11 0	0	370 6 5
Inam	1332	..	..	..	1.00	1.00	27 0 0	0	365 5 5
	1333	..	..	..	10.23	10.23	39 12 0	0	480 3 0
Total	1334	0.33	..	..	10.98	10.98	38 4 0	0	481 11 0
	1335	3.12	..	..	1.70	1.70	4 9 0	0	546 3 0
Quit-rent	1336	0.84	..	..	4.23	4.23	11 5 0	0	414 15 5
China cheruvu—	1328	..	..	17.04	..	17.75	91 3 5	0	372 5 5
IV class—	1329	11.75	3.42	..	2.52	5.94	23 12 0	0	470 15 10
Government	1330	1.73	5.32	13.82	..	19.14	234 3 0	0	75 6 10
Inam	1331	0.36	..	..	..	..	..	..	475 2 10
	1332	0.92	..	..	1.68	1.68	58 9 0	0	330 11 10
Total	1333	..	..	16.73	14.52	31.25	156 14 0	0	380 11 0
	1334	1.46	..	..	12.54	12.54	50 4 0	0	409 12 0
	1335	1.75	..	..	3.42	3.42	9 3 0	0	664 10 0
Quit-rent	1336	0.30	..	..	3.42	3.42	9 3 0	0	472 1 10

8th October 1928]

8th October 1928]

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source—*cont.*

Particulars of source.	Fasli.	Area cultivated with wet crops.		Area cultivated with irrigated dry crops.		Total irrigated.	Firm kummi rent.	Total cultivated area.
		One cr. p. Two cr. p.		One cr. p. Two cr. p.				
		(3)	(4)	(5)	(6)			
(1)								
Kondarayapalli.								
Chenna-aracheruvu— Third-class—		1328	ACS. 277.10	..	ACS. ..	277.10	ACS. 6.7	ACS. 277.83
		1329	290.36	..	21.55	312.31	4.26	312.61
		1330	72.91	..	95.53	168.47	9.52	168.47
	Assessment.	1331	183.74	..	1.51	185.25	8.82	185.25
	ACS.	1332	88.92	..	85.96	174.88	8.03	173.85
Government ..	RS. A. P.	1333	74.86	..	97.08	171.94	97.08	171.94
Registered inam ..	1,301 11 0 823 8 0	1334	67.1	..	107.75	174.87	..	174.87
	.. ..	1335	257.82	..	42.61	299.93	..	299.93
Total ..	285.43	1336	248.08	..	6.82	254.90	15.13	254.90
Rudrararam.								
Peddara tank— Third-class—		1328	257.27	..	2.15	259.42	..	259.42
		1329	267.38	..	2.54	269.92	..	269.92
		1330	107.13	..	158.14	265.27	81.69	183.67
Government ..	973 1 0	1331	259.09	..	10.13	269.22	..	269.22
Registered inam ..	1,055 9 0	1332	168.58	..	..	168.58	15.91	214.49
	.. ..	1333	215.07	..	56.17	271.24	30.04	300.06
	2,059 10 0	1334	257.48	..	4.60	262.08	..	262.08
Total ..	276.79	1335	295.56	6.87	49.92	352.33	..	352.33
	.. ..	1336	200.05	..	6.58	206.63	11.54	218.17
Ranga Reddi tank—								
Fourth-class—		1328	103.01	..	4.22	107.23	..	107.23
		1329	96.07	..	4.12	100.19	..	100.19
Government ..	541 13 0	1330	62.37	..	55.88	108.25	33.35	149.00
Inam ..	178 3 0	1331	104.53	..	8.11	112.64	1.49	111.15
	.. ..	1332	..	..	..	..	55.58	55.58
	710 0 0	1333	77.10	..	8.56	85.66	18.92	117.14
Total ..	111.87	1334	96.07	..	4.15	100.32	..	100.32
	.. ..	1335	88.37	..	25.87	114.24	7.49	121.73
	.. ..	1336	84.05	..	..	84.05	15.27	99.32

8th October 1928]

SECTION III (A).—Statement showing sourcewar particulars of irrigation under each source—*cont.*

Particulars of source.	Fasli.	Area left waste or charged assessment.	Remission.				Net revenue.	
			Waste.	Shari.	Other occasional remission.	Total.		
						Extent.		Assessment.
		(10)	(11)	(12)	(13)	(14)	(15)	(16)
		ACS.	ACS.	A. S.	ACS.	ACS.	RS. A. P.	RS. A. P.
<i>Kondarayapalli.</i>								
Chennarayacheruvu— Third-class—	1328	0.60	1.54	40.75	..	42.09	291 15 0	1,412 1 0
	1329	4.33	..	..	..	..	..	1,789 9 0
	1330	0.52	4.97	72.91	95.56	175.44	1,175 9 0	523 11 0
	1331	..	..	8.24	33.82	42.06	278 1 0	1,410 15 0
	1332	0.98	2.53	42.42	85.05	130.01	782 1 0	919 2 0
Government ..	1333	3.02	2.08	15.48	96.67	114.23	670 9 0	1,030 14 0
Registered inam ..	1334	0.09	..	..	..	..	..	1,756 6 0
	1335	6.71	..	..	..	..	..	1,875 10 0
Total ..	1336	6.00	1.07	72.75	15.13	87.88	599 11 0	1,019 14 0
<i>Rudrararam.</i>								
Peddarsaju tank— Third-class—	1328	9.59	6.72	26.82	0.24	33.78	212 8 0	1,852 7 0
	1329	11.17	..	..	..	..	..	1,637 15 7
	1330	5.07	6.45	45.50	3.84	137.93	831 8 0	656 0 7
	1331	..	..	6.58	..	6.58	42 8 0	1,549 15 7
Government ..	1332	1.18	1.18	0.82	105.91	107.91	862 0 0	925 9 7
Registered inam ..	1333	2.76	1.23	13.31	30.08	44.02	255 14 0	1,289 1 7
	1334	2.76	..	..	..	..	..	1,638 9 0
	1335	11.76	..	..	..	..	..	1,885 12 5
Total ..	1336	4.91	0.86	32.12	11.54	44.52	279 8 0	1,316 15 5
<i>Ranga Reddi tank—</i>								
Fourth-class—	1328	0.57	3.40	13.83	..	17.23	107 1 8	620 8 4
	1329	10.23	..	..	4.69	4.69	18 3 0	652 3 4
Government ..	1330	5.90	..	47.85	1.71	82.94	472 4 0	168 10 4
Inam ..	1331	..	..	..	..	1.49	4 8 0	686 10 0
	1332	..	..	24.42	55.58	80.00	402 14 0	231 14 0
	1333	0.14	..	4.08	18.99	23.70	89 7 0	568 5 0
Total ..	1334	..	..	..	..	..	..	654 5 0
	1335	1.85	0.90	..	3.00	11.32	43 10 0	653 3 0
	1336	2.66	0.90	0.50	15.27	16.67	71 12 0	596 3 0

C. A. SOUTER,
Secretary to Government.

APPENDIX VIII.

[Vide item III "Communications to the Council" at page 50 supra.]

List of posts on Rs. 500 per mensem and above created during the quarter ending June 1928.

Department and designation of post. (1)	Pay per mensem. (2)	Date of creation. (3)	Remarks. (4)
<i>Law (Education) Department—</i> Vice-Principal, Law College, Madras.	Rs. 600—50— 1,200	3rd April 1928	....

B.—TEMPORARY.**(1) EXTENSION OF PREVIOUS SANCTIONS.**

Department and designation of post. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)

Administration of Justice.

<i>Law (General) Department—</i> Temporary Sub-Judge, Salem ...	650	For one year from 1st April 1928.	
Temporary Sub-Judge, Vellore ...	650	Do.	
Additional Sub-Judge, Devakottai.	650	From 23rd April 1928 up to the commencement of the summer recess, 1929.	
Second Additional Sub-Judge, Trichinopoly.	650	From 23rd April 1928 up to the commencement of the Christmas holidays, 1928.	
Additional Sub-Judge, Rajahmundry.	650	For one year from 30th April 1928.	
Additional Sub-Judge, Bezwada.	650	From 7th May 1928 up to the commencement of the Christmas holidays, 1928.	

[8th October 1928]

8th October 1923]

Temporary Sub-Judge, Kurnool.	650	For six months from 15th June 1928.	
First Additional Sub-Judge, Madura.	650	For one year from 28th June 1928.	

Industries.

<i>Industries Department—</i> Special Officer for the Survey of Cottage Industries.	Deputy Collector on special duty (grade pay Rs. 600 plus Rs. 100 Presidency Allowance.	Three months from 1st April 1928.	The post which was created in the first instance for a period of six months from April 1927 and continued till 31st March 1928 and was again extended up to 30th June 1928.
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(ii) POSTS NEWLY CREATED.*Scientific Departments—Hydro-Electric Development.**Hydro-Electric Development Department—*

Executive Engineer, Civil Engineering Division.	1,650	Two years from 1st April 1928.	Mr. G. B. E. Truscott counts against this post, which is in place of the Executive Engineer, Hydro-Electric Survey division, sanctioned from 1st June 1925 to 31st March 1928.
Executive Engineer, Electrical and Mechanical Division.	725—1,375	Do.	In the place of the Executive Engineer, Pykara Project Division, sanctioned from September 1926 to 31st March 1928.

[8th October 1928]

B.—TEMPORARY—cont.

(ii) POSTS NEWLY CREATED—cont.

Scientific Departments—Hydro-electric Development—cont.

Department and designation of post. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
<i>Hydro Electric Development Department—cont.</i>			
Personal Assistant to the Chief Engineer, Hydro-Electric Development.	725—1,375	Two years from 1st April 1928.	In the place of the Electrical Assistant to the Chief Engineer, Hydro-Electric Development, on Rs. 625 sanctioned from 4th January 1926 to 31st March 1928.
Officer in charge of the Technical Section, office of the Chief Engineer, Hydro-Electric Development.	750—1,250	Do.	....
One Field Engineer (Civil) ...	750—1,250	Do.	
<i>Public Works Department—</i>			
Tungabhadra Project—Investigation—Executive Engineer.	625—1,375	One year from date of joining of the Executive Engineer.	
Executive Engineer for the supervision of the reconstruction of the Cauvery bridge.	625—1,375	One year from 1st April 1928.	

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 9th October 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, Kt., The hon. Khan Bahadur Sir Muhammad.
 Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P. Muthiah Mudaliyar, The hon. Mr. S. Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
 Abdul Wahab Sahib Bahadur, Munshi.
 Adinarayana Chettiyar, Bar-at-Law, Mr. T. Anantakrishna Ayyar, Rao Bahadur C. V. Anjaneyulu, Mr. P.
 Ari Gowder, Mr. H. B.
 Arogyaswami Mudaliyar, Diwan Bahadur R. N.
 Arpudaswami Udayar, Mr. S.
 Basheer Ahmad Sayeed Sahib Bahadur.
 Bhaktavatsula Nayudu, Mr. P.
 Bhanoji Rao, Mr. A. V.
 Bheemayya, Mr. J.
 Biswanath Das Mahasaya, Sriman.
 Chidambaranatha Mudaliyar, Mr. T. K. Congreve, Mr. C. R. T.
 Corley, Mr. F. E.
 Cotterell, C.I.E., I.C.S., Mr. C. B.
 Cotton, C.I.E., I.C.S., Mr. C. W. E.
 Cunningham, Mr. C. B.
 Davis, Mr. J. A.
 Dorai Raja, Rajkumar S. N.
 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.
 Harisarvottama Rao, Mr. G.
 John, Mr. V. Ch.
 Kaleswara Rao, Mr. A.
 Kameswara Rao Nayadu, Mr. V.
 Karant, Mr. K. R.
 Kay, Mr. Kenneth.
 Kesava Pillai, C.I.E., Diwan Bahadur P.
 Khadir Mohidin Sahib Bahadur, Muhammad.
 Kalif-ul-lah Sahib Bahadur, Khan Bahadur P.
 Koti Reddi, Bar-at-Law, Mr. K.
 Krishnan, Mr. K.
 Krishnaswami Nayakar, Mr. K. V.
 Kumaraswami Reddiyar, Diwan Bahadur S.
 Kuppuswami, Mr. J.
 Mahmud Schamnad Sahib Bahadur.

Mallayya, Dr. B. S.
 Manikkavelu Nayakar, Mr. M. A.
 Marudavanam Pillai, Mr. C.
 Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
 Muniswami Nayudu, Rao Bahadur B.
 Muniswami Pillai, Mr. V. I.
 Muppil Nayar of Kavalappara.
 Murugappa Chettiyar, Diwan Bahadur A. M. M.
 Muthulakshmi Reddi, Dr. (Mrs.)—(Deputy President).
 Muthuranga Mudaliyar, Mr. C. N.
 Nagan Gowda, Mr. R.
 Nanjappa Bahadur, Subadar-Major S. A.
 Narayana Raju, Mr. D.
 Narayanan Chettiyar, Mr. Al. Ar.
 Narayanan Nambudripad, Rao Bahadur O. M.
 Narayanaswami Pillai, 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 Jeypore.
 Raja of Panagal, K.C.I.E.
 Rajan, Mr. P. T.
 Ramachandra Padayachi, Mr. K.
 Ramachandra Reddi, Mr. B.
 Ramalinga Reddi, Mr. C.
 Raman Menon, Mr. K. P.
 Ramanath Goenka, Mr.
 Rama-omayajulu, Mr. C.
 Ramjee Rao, Mr. V.
 Ranganatha Mudaliyar, Mr. A.
 Ratnasabapati Mudaliyar, Rao Bahadur C. S.
 Saldanha, Mr. J. A.
 Sami Venkatachalam Chetti, Mr.
 Sarabha Reddi, Mr. K.
 Satyamurti, Mr. S.
 Shetty, Mr. A. B.
 Siva Raj, Mr. N.
 Siva Rao, Mr. P.
 Sivasubrahmanya Ayyar, Mr. K. S.
 Slater, C.I.E., I.C.S., Mr. S. H.
 Smith, Mr. W. E.
 Soundara Pandia Nadar, Mr. W. P. A.
 Souter, I.C.S., Mr. O. A.
 Srinivasa Ayyangar, Mr. B.
 Srinivasa Ayyangar, Mr. T. C.
 Srinivasan, Rao Sahib R.
 Subramanya Mooppanar, Mr. S.
 Subrahmanya Pillai, Mr. Chavadi K.

[9th October 1928]

PRESENT—cont.

Swami, Bar.-at-Law, Mr. K. V. R.
 Syed Ibrahim Sahib Bahadur, Nattam Dubash
 Kadir Sahib.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. MoG. C.
 Thomas, Mr. Daniel.
 Tulasiram, Mr. L. K.
 Uppi Sahib Bahadur, K.
 Vanavudaiya Gounder, Mr. S. V.
 Venkatapati Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.

Venkataramana Ayyangar, Mr. C. V.
 Venkatarangam 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 Kallakota.
 Zamindar of Mirzapuram.
 Zamindar of Seithur.
 Zamindar of Singampatti.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Public Health

Free distribution of quinine.

* 423 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) to what extent the malaria scourge is prevalent in the Madras Presidency;

(b) what steps are being taken to combat it;

(c) what steps Government have taken (i) to distribute the quinine free, and (ii) in what parts of the Presidency;

(d) by which agencies the distribution is to be undertaken and what will be the quantity and quality of the quinine to be distributed; and

(e) what steps Government have taken to reduce the price of Government quinine sold by the agency of the post office and other agencies and to improve the quality of the quinine sold?

A.—(a) Figures relating to mortality from 'Malaria' are included under 'Fevers.' The Director of Public Health has reported that for the years 1921–1926 the average annual mortality from fevers was nearly 322,000 and that a very large proportion of this total is due to 'Malaria.'

A list^a showing specially malarious tracts in the Presidency is appended.

(b) Malarial investigations have been carried out from time to time by Special Malaria Officers and Investigation Units attached to the King Institute, Guindy, in regard to some of the most highly infected places and their reports have been communicated to the local bodies concerned for necessary action. Public Health Administration is largely in the hands of local bodies and a great deal of work connected with the prevention of malaria has necessarily to be left to them. The Government are, however, fully alive to the menace and in April 1927 appointed a Special Malaria Officer with the requisite establishment to investigate the incidence of malaria in selected areas and to

^a Printed as Appendix I on pages 215–225 infra.

9th October 1928]

advise Government and the local bodies concerned in the matter of eradication. This malariologist has already carried out investigations in Bellary, Vriddhachalam, Vizagapatam, Hospet, Coonoor, certain villages in the Koilkuntla and Nandikotkur taluks in Kurnool district, Siruguppa area including the wet villages on the Tungabhadra, Cuddapah, Tirupati, Chiratanur, Tirumalai and Seethagundy Tea estate, Kollengode. Necessary action is being taken by the local authorities concerned or by the Government on the reports submitted by the Special Officer.

(c) & (d) A copy^a of G.O. No. 1059, P.H., dated 14th May 1928, is laid on the table. The Surgeon-General has submitted a scheme for the free distribution of quinine in the Agency tracts. The quinine manufactured in the Government Quinine Factory will be distributed and will be of the same quality as is supplied to the Medical Stores Department.

(e) The question of reducing the price of quinine is now under the consideration of the Government. They have not received any complaint recently regarding the quality of the quinine sold.

MR. J. A. SALDANHA:—"With reference to (b), (c) and (d), may I enquire, having regard to the large areas in different districts where malaria prevails what is the maximum amount Government intend to spend for the free distribution of quinine?"

THE HON. MR. S. MUTHIAH MUDALIYAR:—"Government have not fixed any maximum but so far as they find it necessary quinine will be supplied free."

MR. J. A. SALDANHA:—"May I know whether the hon. Minister is aware that the late Minister for Public Health stated in some place that four lakhs would be spent for the purpose?"

THE HON. MR. S. MUTHIAH MUDALIYAR:—"I am not aware of the pronouncement but if spending four lakhs is necessary I do not think Government would grudge it."

MR. J. A. SALDANHA:—"May I enquire whether in the district of South Kanara there are only four taluks in which malaria is prevalent and whether there are not parts of Mangalore taluk in which malaria is prevalent?"

THE HON. MR. S. MUTHIAH MUDALIYAR:—"I am not aware of it, Sir; probably the hon. Member's information is correct."

DIWAN BAHADUR R. N. AROGYASWAMI MUDALIYAR:—"With reference to clause (d), may I know if it is the intention of the Government to reduce the price of quinine so that they may not make any profit out of its manufacture?"

THE HON. MR. S. MUTHIAH MUDALIYAR:—"When the whole thing is considered that will be one chief aspect for consideration."

RAO BAHADUR C. S. RATHNASABAPATHI MUDALIYAR:—"May I know whether Government would be pleased to charge a uniform rate with regard to the supply of quinine to Government institutions and local bodies?"

^a Printed on pages 222–225 infra (Appendix I).

[9th October 1928]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I believe there is not much difference in price now and I will consider it."

Rao Bahadur C. S. RATHNASABAPATHI MUDALIYAR :—" With reference to clause (b), in view of the great deal of work in connexion with the prevention of malaria by the local bodies, may I know whether the Government will be pleased to increase the grants to expedite the drainage schemes pending with the department?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The matter will be duly considered."

Mr. G. HARISARVOTTAMA RAO :—" In view of the fact that malaria is prevalent in certain places of the Kurnool and Bellary districts, may I know whether Government has made any arrangement regarding the free supply of quinine to these tracts?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The list of places to which quinine has to be supplied free is also appended."

Mr. C. RAMASOMAYAJULU :—" With reference to the free supply of quinine, may I suggest to the Government the desirability of restoring the practice of giving at least to the village karnams and headmen quinine for free distribution?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That suggestion will be considered. Probably when the Government empowered the divisional officers and the tahsildars, they thought that they will in turn entrust it to village officers."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know whether in view of the fact that the Salem taluk has got the whole of the Shervaroys with 50 villages in it, the people of the taluk will have the benefit of free supply of quinine?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" In the Salem taluk there are a large number of villages affected by malaria and what particular places should be chosen I cannot say off-hand; I shall consider the question."

Mr. T. ADINARAYANA CHETTIYAR :—" The Shervaroys and the villages surrounding it."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It will be considered."

Dr. B. S. MALLAYYA :—" May I know under whose requisition a special malaria officer was deputed to make a survey of the Ootacamund municipality?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice."

Education

Opening of group III classes of the B.A. course in the Ceded Districts College, Anantapur.

* 424 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state, with reference to G.O. No. 1540, Law (Education), dated 23rd July 1928—

(a) why the question of the opening of the classes in group III of the B.A. course in the Ceded Districts College, Anantapur, was allowed to stand over by the Director of Public Instruction;

[9th October 1928]

(b) whether the Government have approved of the action of the Director; and

(c) if the answer to (b) is in the affirmative, how long the Government expects the question to lie over?

A.—(a), (b) & (c) The Government have accepted the view of the Director of Public Instruction that the question of the opening of classes in Group III of the B.A. Pass course should stand over till the question of the headquarters of the Andhra University now pending before the Legislative Council is finally settled.

Mr. G. HARISARVOTTAMA RAO :—" May I know whether it was the Director of Public Instruction that gave the unsettled state of the headquarters of the Andhra University as the reason for postponement or whether the Government themselves feel that this reason should be given?"

The hon. Dr. P. SUBBARAYAN :—" Government themselves came to this conclusion."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, what was the consideration that led them to think that there was a connexion between the sanctioning of group III and the headquarters of the Andhra University?"

The hon. Dr. P. SUBBARAYAN :—" Because what form the Andhra University will take is still in a state of flux."

Mr. S. SATYAMURTI :—" Apart from the question of the Andhra University being in a state of flux the Government is also in a state of flux. Apart from this question, viz, whether the Andhra University is to be located at Anantapur or not, may I know whether the Government have any policy with regard to the opening of this class in group III of the pass degree course?"

The hon. Dr. P. SUBBARAYAN :—" I have listened to the lengthy oration of the hon. Member for University and I have to state that it is not possible to come to a decision till the question of the headquarters of the Andhra University is settled."

Mr. S. SATYAMURTI :—" I am sorry my friend is getting so very touchy this morning as he always is."

The hon. Mr. T. E. MOIR :—" Is the hon. Member asking a question, Sir?"

Mr. S. SATYAMURTI :—" Is the hon. Member in order, Sir. I won't yield."

The hon. the PRESIDENT :—" Will the hon. Members resume their seats? As soon as the President stands, all the members ought to resume their seats. The hon. Member for the University will resume his supplementary questions."

Mr. S. SATYAMURTI :—" May I ask the hon. Minister for Education whether the Government have any policy with regard to the strengthening of the Ceded Districts College at Anantapur, apart from the question where the headquarters will be located, or have they come to the conclusion that they will open group III only if the headquarters is fixed at Anantapur?"

[9th October 1928]

The hon. Dr. P. SUBBARAYAN :—" As I have already said it will largely depend on the settlement of the headquarters of the University."

Mr. D. NARAYANA RAJU :—" Is it the intention of the Government to open the classes only if the headquarters is fixed at Anantapur or to open them only if the headquarters is not fixed at Anantapur? "

The hon. Dr. P. SUBBARAYAN :—" As I have said it will depend largely upon the settlement of the question of the headquarters."

Mr. G. HARISARVOTTAMA RAO :—" May I know why it depends on the question of the settlement of the headquarters? "

The hon. Dr. P. SUBBARAYAN :—" For the simple reason that the whole question of higher education in the Andhradesa will depend upon the shape the University will take."

Action taken on the resolution regarding exemption of poor girls from payment of school fees.

* 425 Q.—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Minister for Education and Local Self-Government be pleased to state, with reference to the resolution passed in the Council on 5th November 1927 regarding the exemption of poor girls from payment of school fees—

(a) whether he has taken any steps to give effect to that resolution ; and

(b) if not, whether he will take immediate steps thereon?

A.—The Director of Public Instruction has been asked to furnish a detailed estimate of the extra cost to Government if effect is given to the resolution.

Mr. V. I. MUNISWAMI PILLAI :—" It is stated here, 'if effect is given to the resolution, etc.'; may I know whether the hon. Minister entertains a doubt about giving effect to the resolution of this Council? "

The hon. Dr. P. SUBBARAYAN :—" No, Sir, the question of the ultimate cost is being considered."

Mr. S. SATYAMURTI :—" May I know when the Director of Public Instruction was asked to give his report? "

The hon. Dr. P. SUBBARAYAN :—" As soon as the resolution was passed. This is a matter of collecting figures and naturally some time has to be taken."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the Director of Public Instruction was not consulted when the notice was with the Government and before the resolution was discussed in the Council? "

The hon. Dr. P. SUBBARAYAN :—" Government did not think that that step was necessary."

Introduction of the scout movement in elementary schools.

* 426 Q.—The ZAMINDAR OF GOLLAPALLI : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have received any proposals from the President, Nuzvid Taluk Board, and other local boards for introducing the scout and cub movement;

[9th October 1928]

(b) if so, what are the orders of Government thereon ; and
(c) whether they would apply any definite policy?

A.—(a) Yes.

(b) Orders have been passed in accordance with the general policy referred to in the answer to clause (c).

(c) Taluk boards are permitted to debit to the Elementary Education Fund expenditure on scouting with the previous approval of Government. In dealing with applications from taluk boards for permission to incur such expenditure, items such as purchase of books on scouting, travelling allowance of teachers deputed for training as scout masters or cub masters, cost of scout camps and non-recurring contributions to scout associations are approved. Expenditure on the employment of separate scout instructors for elementary schools is not, however, allowed.

Orphanages

Grants to orphanages in this Presidency.

* 427 Q.—Mr. K. UPPI SAHIB : Will the hon. the Minister for Education and Local Self-Government be pleased to place the information in the possession of Government regarding

(a) the number and names of orphanages in the Presidency ;

(b) the community to which each belongs, Hindu, Muslim, Indian Christian, Anglo-Indian and European ;

(c) the number of orphans and destitutes in each of them from 1924-1928 year-wise ;

(d) the Government aid given to each of them ;

(e) the rate per head ;

(f) and to state what the principle of giving grants to the orphanages is ; and

(g) what the rate of grant per head of Indian orphans, and Anglo-Indian and European orphans is?

A.—(a) to (d) A statement * showing the names of the orphanages with the number of children in each orphanage for whom boarding grants were distributed in 1926-27 is placed on the table. No further information is available with Government.

(e) to (g) The rates of boarding grant for *European* schools are Rs. 15 a month in the Madras City and Rs. 12 a month in the mufassal for a child.

No rates have been laid down by Government in the case of grants to *Indian* orphanages. The usual procedure is to distribute the budget provision available each year *pro rata* among the eligible children, subject to a maximum of half the net cost to the management. The grant paid in 1926-27 worked out to Rs. 8-9-2 per head for a year.

[9th October 1928]

Mr. S. SATYAMURTI :—" May I ask the hon. Minister to give reasons, if any, for this discrimination based on race between the rates of boarding grants given to European schools in Madras City and the mufassal and the grants paid to Indian orphanages ? "

The hon. Dr. P. SUBBARAYAN :—" I am sure the hon. Member is as well aware as I am that European education is a Reserved subject. We have been distributing what we give now considering the amount at our disposal. "

Mr. S. SATYAMURTI :—" May I know whether the hon. Minister has any intention of moving the Government of which he happens to be a member to equalize the grants between the European schools and Indian orphanages considering that it is a racial discrimination ? "

The hon. Dr. P. SUBBARAYAN :—" It is not a question of racial discrimination. It really depends on the standard of living. "

Mr. S. SATYAMURTI :—" May I know whether the hon. Minister recognizes in this country a distinction in the distribution of these grants based on higher standards of living for particular races ? "

The hon. Dr. P. SUBBARAYAN :—" It is not a question of recognizing the higher standard of living. It depends on the class from which the children come. "

Mr. S. SATYAMURTI :—" If a member of an aristocratic family becomes an orphan, which is impossible (laughter), I say if an aristocratic child becomes an orphan which is impossible (renewed laughter)—he laughs best who laughs last—coming to the orphanage, may I ask the hon. the Minister for Education whether considering their previous status he proposes to equalize and use his influence to get this grant equalized or does he propose to acquiesce in this arrangement ? "

The hon. Dr. P. SUBBARAYAN :—" I shall see what line can be taken according to the light I possess at the moment. "

Mr. S. SATYAMURTI :—" Seeing that he is a responsible Indian Minister and seeing the implications in this question about the policy of the Government, does he propose to equalize this grant or allow it as it is ? "

The hon. Dr. P. SUBBARAYAN :—" I am as much concerned with the equality of my race as my hon. Friend. "

Mr. S. SATYAMURTI :—" I am glad to hear it. "

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—" Admitting the standard of living between an European and an Indian is different, does the hon. Minister for Education consider that such a great disparity between Rs. 180 per annum and Rs. 8-9-2 (Rs. 171) between an European and an Indian pupil is reasonable ? "

The hon. Dr. P. SUBBARAYAN :—" As I said in answer to the learned Member for the University, we are trying to raise this grant. "

Mr. J. A. SALDANHA :—" Does the hon. Minister realize that this rate works at 10 annas a month for an Indian child whereas it is Rs. 12 a month for an European child ? "

The hon. Dr. P. SUBBARAYAN :—" I am glad the hon. Member has been using his powers of arithmetic to calculate this result. "

9th October 1928]

Mr. S. SATYAMURTI :—" With reference to the words in the answer to clause (e) to (g), ' subject to the maximum of half the net cost to the management, ' in the second paragraph, may I know from the hon. the Minister for Education whether that position applies also to the boarding grants to European schools ? "

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

Dr. B. S. MALLAYYA :—" The hon. Minister referred to the standard of living. Under what standard of living does he expect a child to live at 4 pies a day, an Indian child in an orphanage ? (Mr. C. V. Venkataramana Ayyangar. ' Starving standard '). Four pies is the price of a cigarette. "

The hon. Dr. P. SUBBARAYAN :—" I should like to know from the hon. Doctor whether it is good for a child to smoke cigarettes. "

Dr. B. S. MALLAYYA :—" Does he expect a child to live on the value of a cigarette ? That is what I want to know. "

Mr. K. R. KARANT :—" May I just ask the hon. Minister whether after this question came before the Council some time ago, he has taken any definite steps actually for raising the rate ? "

The hon. Dr. P. SUBBARAYAN :—" As a matter of fact, last year we got a little more sum than was put in the budget for the year before. "

Civil Justice

Alleged irregular attendance of the District Munsif of Bapatla.

* 428 Q.—Mr. G. R. PREMAYYA : Will the hon. the Law Member be pleased to ascertain from the Judicial Department of the Guntur district and state—

(a) whether it is a fact that the then Principal District Munsif of Bapatla Mr. V. V. Subba Rao Pantulu used to leave the office at 12 noon every day from 9th June 1928 till 22nd June 1928 ;

(b) whether it is a fact that he used to get the plaints and office registers to his house for signature ;

(c) whether it is a fact that a pro-note in a plaint sent to his house for signature was not to be found ;

(d) why he left the office every day at 12 noon ever since he got the orders of promotion as Sub-Judge ; and

(e) whether the Government will be pleased to call for a statement of work done by him from 9th June 1928 to 22nd June 1928, showing the number contested and uncontested original suits, the number of suits adjusted out of court, compromised, withdrawn, and " no instructions " and place it on the table ?

A.—(a) to (e) The Government do not consider it necessary to call for the information. They trust that the High Court will look into the matter. A copy of the question and of the answer will be forwarded to it.

Delay in the disposal of cases in courts.

* 429 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased to state, with reference to the debates on 20th March 1928 regarding the delays in the disposal of cases in courts—

(a) what steps Government are going to take or to induce the High Court to take to reduce the delays ; and

[9th October 1928]

(b) whether Government have decided to depute a Judge of the High Court or any other competent judicial officer who is both capable and quick in the disposal of cases to inspect mufassal courts

A.—(a) The Proceedings of the Legislative Council referred to by the hon. Member have been communicated to the High Court.

(b) The Government have recognized the necessity for inspection of mufassal courts by Judges of the High Court. Owing to arrears of work in the High Court, there appears to be no possibility of such inspection being undertaken for the present.

Forests

Levy of penning fee in the forest districts of Kurnool.

* 430 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether inquiries have been instituted in regard to the levy of the penning fee of eight annas per cattle in addition to the grazing fee of eight annas in the forest districts of Kurnool; and

(b) if such inquiries have been instituted, what action the Government propose to take to mitigate the hardships of the ryots?

A.—(a) Yes.

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

MR. K. KOTI REDDI:—“ May I know whether Government is considering this question only with reference to Kurnool or with reference to other districts also ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“ Only with reference to Kurnool.”

MR. K. KOTI REDDI:—“ May I know whether they will consider it with reference to the other districts also ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“ I shall consider the question.”

Reservation of additional blocks of forests in Rampa.

* 431 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) at what stage the proposals for the reservation of the additional blocks of forests in Rampa now are; and

(b) whether objections have been invited to the proposed reservation and if so, when and with what result?

A.—(a) The preliminary survey has been ordered of certain blocks in order that they may be notified for enquiry and settlement as reserved forests under the Forest Act.

(b) The Forest Act provides for the giving of notices, and enquiry into, and decision of, claims and objections. That stage has not yet been reached.

[9th October 1928]

MR. R. NAGAN GOWDA:—“ May I know if this survey has been undertaken ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“ It has not yet been undertaken.”

MR. R. NAGAN GOWDA:—“ May I know with regard to the answer to clause (b), whether notice of objection will be given ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“ Certainly.”

Details of the staff appointed for experiments in Anaimalai forests.

* 432 Q.—MR. J. A. SALDANHA: Will the hon. the Law Member be pleased to state, with reference to the debates on my motion for the reduction of the allotment for certain experiments in the Anaimalai forests on 28th March 1928—

(a) the details of the staff sanctioned and appointed with their salaries and nationality, caste, religion and qualifications of the several members of the staff; and

(b) whether any member of the staff has been sent for training and if so, where?

A.—The matter is engaging the attention of Government.

MR. J. A. SALDANHA:—“ Will the hon. the Law Member give us some idea of the staff and of the work they will be engaged in ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“ Conclusions have not been arrived at.”

Marine

Establishment of a Port Conservancy Board at Mangalore.

* 433 Q.—MR. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) at whose request, under what circumstances and for what reasons a Conservancy Board has been established at Mangalore;

(b) whether Port Conservancy Boards and the Landing and Shipping Fees Committees are statutory bodies;

(c) what differences have been discovered as to functions and powers between a Landing and Shipping Fees Committee and a Conservancy Board; and

(d) whether Government have any proposals before them for placing such Committees and Boards on a statutory and legal basis and if so, when legislation will be introduced therefor?

A.—(a) A Port Conservancy Board was established at Mangalore in 1927 on the suggestion of the Presidency Port Officer. The Collector of South Kanara and the Landing and Shipping Fees Committee then existing at the port also agreed to the proposal. The Board was established because a Port Conservancy Board has more authority over the affairs of the port, than a Landing and Shipping Fees Committee.

(b) No.

[9th October 1928]

- (c) A memorandum comparing the general powers and functions of a Landing and Shipping Fees Committee with those of a Port Conservancy Board is laid on the table.
- (d) A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885 (III of 1885), so as to put the Port Conservancy Boards and Landing and Shipping Fees Committees on a statutory basis is under the consideration of Government. It is not possible to say when the proposed legislation will be brought before the Council.

Mr. J. A. SALDANHA :—“ May I inquire why there is so much delay in bringing forward this legislation? Session after session, the answer has been given that the matter is under consideration. Will the hon. the Law Member inform us as to when approximately at least this legislation will be brought before this Council? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I am sorry it is not possible to say.”

Mr. K. R. KARANT :—“ May I ask whether the municipality of Mangalore was ever consulted before this Port Conservancy Board was constituted, and whether the municipality has any representation on the Board? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ As far as I am aware, it was not consulted. As to whether the municipal council has any representation, I want notice.”

Central Record Office

Alleged overlooking of the claims of qualified clerks for promotion by the Curator, Madras Record Office.

* 134 Q.—MR. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) whether complaints have been made to Government that the claims of qualified and deserving clerks are overlooked by the Curator of the Madras Record Office or Personal Assistant to the Editor of the Gazetteers in the matter of promotions and appointments in the office; and

(b) if so, what action has been taken by the Government to redress the grievance?

A.—(a) The Government have received representations in the matter of promotions and appointments of clerks in the Madras Record Office

(b) Enquiry disclosed no grievance calling for the intervention of Government.

Mr. BASHEER AHMAD SAYEED :—“ May I know whether it is or it is not a fact that applications of candidates and employees of the Record Office have not been sent up to the department for proper consideration but have been suppressed by the head of the office? I am told that one or two applications for promotion have not been sent up for due consideration.”

^a Printed as Appendix III on pages 230—232 infra.

9th October 1928]

The hon. Mr. T. E. MOIR :—“ The Curator has certain powers of appointment himself, and in such cases applications do not go beyond the Curator.”

Mr. BASHEER AHMAD SAYEED :—“ May I know whether even appeals to the higher authorities against failure of justice have not been sent up by the Curator? ”

The hon. Mr. T. E. MOIR :—“ There is no appeal available to any one who is not appointed to a particular post. No one has any right to an appointment to a particular post.”

Mr. BASHEER AHMAD SAYEED :—“ May I know, Sir, whether any appeals from existing officers representing grievances and injustice done have not been forwarded to the higher authorities? ”

The hon. Mr. T. E. MOIR :—“ I have no reason to suppose that it is the case. If any appeal is to go to a higher authority, it will be duly submitted.”

Government Press

Eligibility of service in the Lawrence Asylum Press for pension.

* 135 Q.—MR. C. GOPALA MENON : Will the hon. the Home Member be pleased to state—

(a) whether service in the Lawrence Asylum Press prior to its transfer to Government is counted as service for pension under the Government of Madras;

(b) whether the Lawrence Asylum Press were granting pensions to their employees; and

(c) what is the number of persons claiming service in the Lawrence Asylum Press as counting for pension?

A.—(a) No.

(b) The Government have no information.

(c) No information is available. Claims for pension are made at the time of retirement and are decided then.

* Mr. C. GOPALA MENON :—“ Arising out of the answer to clause (b), is the hon. the Home Member aware that there was an application from the employees of the Lawrence Asylum Press to the Chief Secretary to the Government of Madras that they had been getting pension in the Lawrence Asylum Press? May I know whether the Government has taken any action on the same and would not consider the granting of pension to these men who are now employed in the Government Press? ”

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Claims for pension are made at the time of retirement.”

Mr. C. GOPALA MENON :—“ Is that the usual practice under Government that claims for pension are made at the time of retirement and no previous arrangement is made for men employed in Government? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ That is what I said. Claims for pension will be considered only at the time of retirement.”

[9th October 1928]

MR. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Home Member, in view of the answer to clauses (b) and (c), whether he has any intention of getting information as to the fact that the employees were getting pension when they were employed in the Lawrence Asylum Press, and, if that is so, whether he has any intention to make that a claim for pension in Government service? ”

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

Employment of old hands in the Government Press on light work.

* 436 Q.—MR. C. GOPALA MENON : Will the hon. the Home Member be pleased to state—

(a) whether the Superintendent, Government Press, Madras, was asked to place the older hands on light work to minimise the disadvantages due to old age; and

(b) if the answer to (a) is in the affirmative, the number of old hands in the Government Press, the number placed on light work and the rates given to them per hour?

A.—(a) Yes, so far as compositors were concerned.

(b) It was found that there was no work lighter than that done by compositors.

MR. C. GOPALA MENON :—“ In regard to answer to clause (b), if ‘ there was no work lighter than that done by compositors,’ may I know whether these pieceworkers have been kept on the same scale of pay as those of the compositors? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ No, Sir. Differently.”

MR. C. GOPALA MENON :—“ Why, Sir? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ Because they have to be paid according to the work turned out by them.”

MR. C. GOPALA MENON : “ If that is so, and if the same quality and the same amount of work is done by them, are they paid on the same scale of pay as the other staff? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ As far as the compositors are concerned, they are given the same pay.”

MR. G. HARISARVOTTAMA RAO :—“ May I know what exactly is the work that is described here as ‘ work lighter than that done by compositors ’? What was the exact work given them? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ The work of compositors.”

MR. G. HARISARVOTTAMA RAO :—“ May I know if it was composing, imposing, or correction, which of the three? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ Any of the three according to their fitness.”

[9th October 1928]

Knapp's scheme of 1920 regarding the Government Press employees.

* 437 Q.—MR. C. GOPALA MENON : Will the hon. the Home Member be pleased to place on the table of the House the Knapp's scheme of 1920 relating to the Government Press employees and the report of the Government of India Press Pieceworkers' Committee of 1922 and the orders of the Government passed thereon?

A.—MR. (now Sir Arthur) Knapp did not formulate any scheme in 1920 for the revision of pay of the employees in the Government Press. The Report of the Pieceworkers' Committee, 1922, is a publication of the Government of India and it cannot be placed on the table without their approval. This Government took no action with regard to it.

MR. C. GOPALA MENON :—“ Is it not a fact that the Salaries Committee was appointed as a result of Sir Arthur Knapp's scheme, and at that time was any redress given to the pieceworkers with regard to their pay? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Sir Arthur Knapp's scheme did not formulate any proposals with regard to the Government Press employees.”

MR. C. GOPALA MENON :—“ As a result of Sir Arthur Knapp's scheme, a committee was appointed to consider the revision of pay of the employees in the Government Press, and my question is whether at that time any redress was made with regard to the pay of the pieceworkers establishment.”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ I want notice of the question, Sir.”

MR. SAMI VENKATACHALAM CHETTI :—“ May I know if the report of the Pieceworkers' Committee of 1922 contained any proposal for the revision of pay of these workers? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ No, not for the Madras Government Press.”

MR. G. HARISARVOTTAMA RAO :—“ May I know whether this Government compared their rates of pay with the rates recommended by the Pieceworkers' Committee in 1922? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ I want notice.”

Classification of the piecework establishment and the grant of pension.

* 438 Q.—MR. C. GOPALA MENON : Will the hon. the Home Member be pleased to state—

(a) whether the Government of Madras have accepted the recommendation of the Government of India Press Pieceworkers' Committee regarding the classification of the piecework establishment and the grant of pension to all men employed on the 15th July 1920;

(b) whether any period of employment for qualifying for pension has been fixed; and

(c) whether the recommendation of the Government of India Press Pieceworkers' Committee on payment of wages at class rates for 16 days holidays each year has been accepted by the Government of Madras?

[9th October 1928]

A.—(a) No. The Committee has made no recommendations concerning the presses of the Madras Government.

(b) Pieceworkers employed on a permanent basis are eligible for pension according to the ordinary rules in the Civil Service Regulations.

(c) No. The Committee has made no recommendations concerning the presses of the Madras Government.

Mr. C. GOPALA MENON :— “The answer to clause (b) says that they ‘are eligible for pension according to the ordinary rules in the Civil Service Regulations.’ Is the Government aware that the leave period is not taken into account for pension with regard to the pieceworkers’ establishment?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “I am not aware of it.”

Mr. C. GOPALA MENON :— “Will the Government make enquiries and see that the matter is redressed?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “I will consider the suggestion.”

Mr. G. HARISARVOTTAMA RAO :— “With regard to the answer that ‘the Committee has made no recommendations concerning the presses of the Madras Government,’ may I know whether the hon. the Home Member is prepared to consider the recommendations of the Indian Pieceworkers’ Committee in regard to these matters and apply them with reference to the conditions in the Madras Government Press?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “As I have already said, the Indian Pieceworkers’ Committee dealt with the workers in the presses of the Government of India, and it had nothing to do with the Madras Government Press.”

Grant of increments to pieceworkers in the Government Press.

* 439 Q.—Mr. C. GOPALA MENON : Will the hon. the Home Member be pleased to state whether increments have been sanctioned to the permanent staff and the pieceworkers since 1920, and if so, what the rates of increments are?

A.—Revised scales of pay were sanctioned for the permanent salaried staff of the Government Press in 1922. Copies* of G.O. No. 305, Finance, dated 1st April 1922, and G.O. No. 823, Finance, dated 3rd October 1922, in which these scales were sanctioned are laid on the table.

As regards piecework establishments, the rate of remuneration was raised in 1920 from two annas per 1,000 ens to three annas per 1,000 ens for solid matter and proportionately for others. The war allowance of Rs. 6 per mensem, which they were drawing temporarily from January 1919, was abolished at the same time.

* Printed as Appendix IV on pages 232–242 infra.

[9th October 1928]

Mr. C. GOPALA MENON :— “May I inquire whether this increase is in proportion to the increase given to the permanent staff of the Government Press?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “I am not sure of it.”

Rates of payment to pieceworkers in the Government Press.

* 440 Q.—Mr. C. GOPALA MENON : Will the hon. the Home Member be pleased to state the various rates of payment to pieceworkers from the time the piecework system has been introduced?

A.—Government presume that the question refers to the Government Press.

The piecework system was first introduced in the Government Press in 1861. The rate of remuneration then fixed was two annas per 1,000 ens for solid matter. This rate was varied in the case of other kinds of work according to their nature.

In January 1919, a war allowance of Rs. 6 per mensem was sanctioned on account of the increased cost of living.

In April 1920, the rate of remuneration was raised from two annas per 1,000 ens to 3 annas per 1,000 ens for solid matter and proportionately in other cases; the war allowance of Rs. 6 per mensem was abolished at the same time. There has been no further revision of the rates.

Mr. C. GOPALA MENON :— “I find from the appendix that the increase given to the permanent staff amounts to about 100 per cent, whereas according to the last paragraph of the answer the pieceworkers were given only one anna increase a day in 1920. That means only 50 per cent increase. Will the Government see that they are given the same proportion of increase as that given to the permanent staff of the Government Press?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “The Government considered the question, and I do not think it is possible for us to do so.”

Mr. G. HARISARVOTTAMA RAO :— “May I know, Sir, whether, after taking away the war allowance of Rs. 6 and increasing the rate from 2 annas to 3 annas, the Government considered in how many cases men who discharged the same amount of work got the same pay as they were getting previously without any advantage being derived after the increase of rates?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— “I will look into the question, Sir.”

Revision of the scale of pay of the technical establishment of the Government Press.

* 441 Q.—Mr. C. GOPALA MENON : Will the hon. the Home Member be pleased—

(a) to place on the table of the House the copies of the G.O. No. 711, Finance, dated 11th July 1921, and of the G.O. No. 823, Finance, dated 3rd October 1922, containing proposals regarding the revision of the scale of pay of the technical establishments of the Government Press; and

[9th October 1928]

(b) to state why the Government were not pleased to deal with the pieceworkers in the Government Orders referred to above?

A.—(a) A copy of G.O. No. 711, Finance, dated 11th July 1921, is laid on the table. As regards G.O. No. 823, Finance, dated 3rd October 1922, the attention of the hon. Member is invited to the answer to question No. 439.

(b) The rates of remuneration of pieceworkers were revised in 1920. There was therefore no necessity to deal with their case in connexion with the revision of the scales of pay of the salaried establishments in 1922.

Mr. C. GOPALA MENON :— "The answer to clause (b) is that Government see no necessity to deal with the case of pieceworkers. Seeing that these pieceworkers are, in fact, really men who do work in the technical establishment and as they have got their increase only so long ago as 1920, will the Government now at least, after the lapse of 8 years, see that they are given some increase?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— The point, Sir, as mentioned by the hon. Member, was considered in 1920."

Pieceworkers in the Government Press.

* 442 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) the number of permanent and temporary pieceworkers in the Government Press on 1st July 1928;

(b) the sanctioned permanent strength of the pieceworkers;

(c) the number of vacancies in that establishment on 1st July 1928;

(d) the number of temporary pieceworkers of five years' standing and more on 1st July 1928;

(e) whether Government have passed orders in G.O. No. 569, Finance, dated 6th August 1919, that temporary pieceworkers will be promoted within a period of twelve months to the vacancies in the pensionable piece-work establishment whenever they arise;

(f) if so, why they are not made permanent even after 5, 6, or 7 years;

(g) how many have earned Rs. 30 or more as estimated in G.O. No. 388, Finance, dated 22nd April 1920, and how many less during the month of June 1928 and why;

(h) whether the Superintendent is summarily dispensing with the services of the temporary pieceworkers of three or four years' standing and more as he pleases on plea of reduction and whether he is empowered to do so without appeal to Government;

(i) if so, how many were thus dispensed with in each of the months from January 1926 to July 1928, with their respective years of temporary service and why; and

(j) whether it is the duty of the Superintendent to arrange for a good supply of stock work to be sent in, which the press can go on with whenever work is slack so that their employment may be fairly continuous; and if so, what steps have been taken by the Superintendent to ensure adequate supply of work?

^a Printed as Appendix V on pages 243-244 infra.

[9th October 1928]

A.—(a) Two hundred and forty-six permanent and 253 temporary piece-work compositors.

(b) Three hundred and twenty-five.

(c) Seventy-nine.

(d) One hundred and fifty-one.

(e) Yes, provided that their conduct has been good and attendance satisfactory and that they have earned within a period of twelve months an average wage of Rs. 12 in three typical months, one slack, one busy and one normal.

(f) The Government propose to examine this matter.

(g) Three hundred and two men have earned more than Rs. 30 per mensem and 192 men earned less than Rs. 30 per mensem in June 1928. The reasons were the inefficiency of the men or insufficient work to keep them fully employed.

(h) The Superintendent is empowered to employ temporary pieceworkers according to the requirements from time to time. There is no provision for appeal to Government against his decision.

(i) The number of temporary men dispensed with is as follows :—

	Year and months.				Number of men.
1926—					
January	...	...	...	...	7
February	...	...	...	...	8
March ...	...	...	...	...	7
April ...	...	...	...	...	8
May ...	...	...	...	...	4
June ...	...	...	...	...	7
July ...	...	...	...	...	5
August	...	...	...	...	4
September	...	...	...	...	3
October	...	...	...	...	6
November	...	...	...	...	7
December	...	...	...	...	4
1927—					
January	...	...	...	...	65
February	...	...	...	...	23
March ...	...	...	...	...	1
April ...	...	...	...	...	2
May ...	...	...	...	...	2
June ...	...	...	...	...	4
July ...	...	...	...	...	2
August ...	...	...	...	...	1
October ...	...	...	...	...	3
November	...	...	...	...	3
December	...	...	...	...	1
1928—					
January	...	...	...	...	2
February	...	...	...	...	1
March ...	...	...	...	...	13
April ...	...	...	...	...	16
May ...	...	...	...	...	2
June ...	...	...	...	...	3
July ...	...	...	...	...	11

[9th October 1928]

Of the above, 79 men have put in a service of 2 years and less, 80 men over 2 years and up to 3 years, 58 over 3 years and up to 4 years, 3 over 4 years and up to 5 years, 4 over 5 years and up to 6 years and 1 over 6 years.

The services of 95 men were dispensed with owing to slackness of work and the others for irregular attendance, incompetency and misconduct.

- (j) There is no rule laying down that the Superintendent should arrange for a good supply of stock work for the slack season.

Transfer of pieceworkers of the High Court section in the Government Press to the Current section.

* 443 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the pieceworkers of the High Court section of the Press are transferred to the Current sections and made permanent as vacancies occur;

(b) if so, how many were so transferred during the years 1926, 1927 and 1928 and why;

(c) how many were made permanent during these years and what is their respective temporary service in the Current sections;

(d) whether the sanction of permanent strength of the piecework establishment was fixed at 325 in 1910 when there were 451 pieceworkers only; and

(e) whether there was a proposal to increase the number in the year 1919 and to put some more into the fixed establishment?

A.—(a) No.

(b) & (c) The questions do not arise.

(d) The strength of the permanent piecework establishment was fixed at 325 in 1910, when the total number employed was 577.

(e) Yes.

Distribution of work among pieceworkers in the Government Press.

* 444 Q.—Mr. C. VENKATARAMAN NAYUDU: Will the hon. the Home Member be pleased to state—

(a) whether the Superintendent, Government Press, has issued orders to the effect that the permanent pieceworkers should be provided with work before the temporary pieceworkers and whether the latter therefore hang on the mercy of the foreman for work; if so under whose authority this system is in vogue, how long and why;

(b) whether the pieceworkers in their memorials to the Government, dated 11th December 1919, asked for a turn distribution book being maintained in each composing section to ensure fair distribution of work and whether their request was complied with;

(c) whether the Superintendent, Mr. Gilbert, had reported that every precaution was being taken to avoid partiality in the distribution of work and that it was always open to the pieceworkers to report any unfair distribution;

[9th October 1928]

(d) whether complaints have been made to Government that some men are given more work and some less by the foremen of the composing section; and

(e) if so, what action Government propose to take?

A.—(a) The Superintendent, Government Press, has issued instructions that, when work is slack, work should first be given to permanent pieceworkers. There is no reason to suppose that those instructions have produced the results suggested in the question.

(b) & (c) Yes.

(d) No.

(e) The question does not arise.

Alleged re-entertainment of Annathurai Pathar in the Government Press.

* 445 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether one Annathurai Pathar who was a foreman of the type-foundry department on Rs. 40 was dismissed by Mr. T. Fisher, the former Superintendent;

(b) whether he was taken by Mr. Gilbert, the present Superintendent, on Rs. 55 in the day extra establishment as foreman of the same type-foundry department, keeping the permanent post of foreman of the department on Rs. 40 vacant;

(c) whether the sanction of Government was obtained to appoint the dismissed employee of fifty years old and make him permanent;

(d) whether it is a fact that the day extra post of Rs. 55 was an unnecessary additional post graded as Rs. 60—4—100 and made permanent; if so, why sanction was accorded to it; and

(e) whether the said Annathurai Pathar continued as foreman on Rs. 60—4—100 for five or six years and then retired; and if so, what was the pension or gratuity granted to him?

A.—(a) Yes.

(b) Mr. Annadurai Pathar was re-employed as foreman, type-foundry department, in the day extra establishment on Rs. 2—3—10 per day with effect from 26th January 1920, and was subsequently confirmed on Rs. 55 per mensem plus Rs. 16½ temporary allowance from 1st August 1921. A post of foreman was kept permanently vacant from 1st April 1920 to 1st March 1922.

(c) No.

(d) No.

(e) He was promoted to the grade of Rs. 60—4—100 from 1st March 1922 and he retired from service on 23rd October 1925. He was granted a gratuity of Rs. 440.

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR:—"May I know, Sir, whether Government have approved of the action of Mr. Gilbert in having made the appointment of a dismissed man?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Sir, with regard to that I have called for a report."

[9th October 1928]

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—" May I know, Sir, by what rules the Superintendent was guided in paying a gratuity of seven months' pay for four years' service?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" As I have said already, I have called for a report."

Alleged medical examination of Gopal, a binder, after having been once declared unfit for Government service.

* 446 Q. Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Home Member be pleased to state—

(a) whether one Gopal, a binder, was sent to the Surgeon, Fourth District, in the year 1922 or so for physical fitness and was found unfit for service and if so, why and on what date;

(b) whether he was subsequently sent to the Surgeon, First District, for physical fitness who declared him fit for the service and if so, on what date and on what ground; and

(c) why the Superintendent sent the employee to the Surgeon, First District, for physical fitness when the Surgeon, Fourth District, had found him unfit for service?

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

Mr. C. N. MUTHURANGA MUDALIYAR :—" May I know whether the information has been called for?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" There are three persons by the name Gopal in the establishment, and therefore I am not able to get the information."

Dr. B. S. MALLAYYA :—" May I know whether the Government approve of a dismissed servant being taken into Government service again, and whether that is the policy of the Government?"

The hon. the PRESIDENT :—" The question has been passed over."

Duties and qualifications of the Overseer, Government Press.

* 447 Q.—Mr. C. VENKATARAM NAYUDU : Will the hon. the Home Member be pleased to state—

(a) the duties of the overseer in the Government Press;

(b) the pay of the post;

(c) the qualifications required for the post; and

(d) whether the present permanent incumbent M. P. Govindaraja Naicker and the acting incumbent Raju Naicker possess the necessary qualifications; if not why they have been appointed as overseers?

A.—(a) A list of duties of the overseer in the Government Press is annexed.

(b) The post is on a time-scale of Rs. 150—5—200 per mensem.

(c) The holder of the post should be a practical printer able to teach press and machine work and to supervise the press and machine section.

(d) Yes.

^a Printed as Appendix VI on page 245 infra.

[9th October 1928]

Alleged receipt of gifts by one P. Cunnayya, Foreman, in the Government Press.

* 448 Q.—Mr. C. VENKATARAM NAYUDU : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that one P. Cunnayya, Foreman of the Telugu Section of the Government Press, and a prominent member of the Government Press Party who is performing Harikathas, received gifts of valuable clothes and cash on the occasion of 'Seethakalyanam' Harikatha Kalakshepam by the Government Press Party in the month of July 1928;

(b) whether receiving such gifts is not contrary to Government Servants Conduct Rules; and

(c) whether the said Cunnayya obtained the permission of the head of the department to receive the same; if not, what disciplinary action has been taken against him?

A.—(a) The action suggested in the question would be a personal and private matter with which Government are not concerned.

(b) No.

(c) The question does not arise.

Mr. C. N. MUTHURANGA MUDALIYAR :—" May I know what action the Government proposes to take on the resolution passed in this House in 11-3 September last?" a.m.

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I think the position of the Government, as far as I remember, has been made clear in my speech."

Reversion of imposers to the frame in the Government Press.

* 449 Q.—Mr. C. VENKATARAM NAYUDU : Will the hon. the Home Member be pleased to state—

(a) whether some of the imposers of the several composing sections of the Government Press, Mint Buildings, who are not members of the Government Press Party, were reverted to the frame during the acting period of Mr. J. Mahimadas as Assistant Superintendent while Mr. Pinto was on leave; if so, how many were thus reverted, and why and how long they were working as imposers;

(b) whether to meet the demand, the imposers of the High Court section are being brought into the composing current sections the imposers of which were reverted to the frame; if so, why;

(c) whether in January 1928 one Ponnuswami, imposer, Mount Road Branch Press, was reverted to the frame by the Assistant Superintendent owing to the slackness of work; and

(d) whether the order of reversion was not given effect to because the said Ponnuswami is a member of the Party and whether he continues as imposer, and if so, why?

A.—(a) Eleven imposers who had worked as imposers for three months to five years and three months, were reverted to frame (compositor's work). Government do not know whether they belonged to the Government Press Party.

[9th October 1928]

- (b) The imposers of the High Court form part of the current sections of the Government Press.
- (c) No.
- (d) The question does not arise.

Labour

Extension of the activities of the Labour Department.

* 450 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Home Member be pleased to state with reference to his speech on 2nd March 1928—

- (a) whether the details of the scheme proposed by the Labour Commissioner (Mr. Slater) are now available for the information of this House;
- (b) whether the scheme has been approved by the Government;
- (c) whether the proposed scheme gives scope for the extension of the activities of the Labour Department to new districts; and
- (d) if not, whether the Government will consider the proposals made by the existing depressed classes associations in the mufassal to extend the Labour Department's activities to new districts?

- A.—(a) & (b) The scheme is under the consideration of Government and is not yet ripe for being placed before the Legislative Council.
- (c) Yes.
- (d) Does not arise.

Mr. V. I. MUNISWAMI PILLAI:—"May I know how long it will take Government to place the scheme before this House?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"It will be placed before the House in connexion with the next Budget."

Mr. V. I. MUNISWAMI PILLAI:—"Is the hon. the Home Member aware that a large amount was surrendered last year, for want of re-organization of the Labour department?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"On account of that we are having the scheme."

Land Revenue

Jamabandi allowance to village menials of Gudiyattam taluk for fasli 1336.

* 451 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that jamabandi allowance for Fasli 1336 to the village menials of Gudiyattam taluk has not been disbursed to them as yet; and if so, why; and

(b) whether it is a fact that most of the menials come from the depressed classes and are very poor?

- A.—(a) & (b) The Government are not aware whether the case is as suggested. The Board of Revenue has been asked to report.

9th October 1928]

Mr. R. NAGAN GOWDA:—"May I know, whether in view of the fact that an enormous amount of penal interest was collected on trivial sums, the Government would consider the desirability of changing the present system of charging penal interest on takkavi loans?"

The hon. Sir NORMAN MARJORIBANKS:—"I think I have said in another connexion that the rules regarding the levy of penal interest are under revision."

Loans

Penal interest on arrears of takkavi instalments in Anantapur district.

* 452 Q.—Mr. C. OBI REDDI: Will the hon. the Member for Revenue be pleased to state—

- (a) in how many cases, in each of the years 1925-26, 1926-27 and 1927-28 in the district of Anantapur penal interest was levied under the Takkavi Loans Act for arrears of takkavi instalments that were due;
- (b) what was the amount of arrears due in each of such cases and what was the amount of penal interest levied in each of such cases; and
- (c) whether any previous intimation was given to the borrowers in each of the above cases as to the dates on which their instalments fell due?

- A.—(a), (b) & (c) A report has been called for.

Revenue Establishments

Appointment of Muslims as Deputy Tahsildars in Salem and other districts.

* 453 Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Member for Revenue be pleased to state—

(a) the number of deputy tahsildars appointed during the preceding three years in the districts of Coimbatore, Salem, North Arcot, South Arcot and Chingleput, and the proportion of Muslims to non-Muslims;

(b) if in any of these districts, Muhammadans have not been appointed as deputy tahsildars during the preceding three years, whether it was due to want of qualified Muhammadans, and if so, to furnish a list corrected up to 1st April 1928 of the Muhammadan public servants with their respective qualifications in those districts;

(c) whether it is a fact that a confidential circular has been issued to Collectors recently, against the appointment of persons as deputy tahsildars who are not graduates, and if so, whether exceptions have been made in the case of the backward communities; and

(d) whether it is a fact that in view of the above circular, the lists of deputy tahsildars submitted this year to the Board of Revenue have been returned unapproved to the Collectors concerned?

- A.—(a) & (b) Information regarding the number of deputy tahsildars appointed during the last three years and the proportion of Muslims to non-Muslims may be gathered from the lists of Revenue Establishments which are available for reference in the Secretariat Library.

(c) & (d) No such circular has been issued either by Government or by the Board of Revenue.

[9th October 1928]

Mr. ABDUL HAMID KHAN :—“ May I know from the hon. the Revenue Member whether Government has recently appointed any under-graduates as deputy tahsildars ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Government do not ordinarily appoint deputy tahsildars direct. If the hon. Member refers to the annual list of appointment of probationary deputy tahsildars, I must ask for notice.”

Increased pay for attenders in the Revenue Department, Nilgiris.

* 454 Q.—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Member for Revenue be pleased to state—

(a) whether any petition has been received from attenders in the Revenue Department, especially from the Nilgiris, regarding their status and pay ;

(b) whether it is a fact that according to G.O. No. 842, Public, dated 10th September 1927, there are two grades of attenders ;

(c) how many of the attenders have been promoted from the lower to higher grade ;

(d) whether it is a fact that there are no higher grade attenders in any of the mufassal revenue offices ; and

(e) whether Government will be pleased to increase their pay ?

A.—(a) Memorials from attenders in the Revenue Department in certain taluks of the districts of Tanjore, Trichinopoly, Salem and Ramnad have been received. No memorial from attenders in the Nilgiris district has been received.

(b) & (c) Two grades of attenders are not recognized in the Government Order. On the other hand the Government have directed that the term attender should for the future be restricted to those inferior servants who draw the scale of Rs. 20—35 (25—35 in Madras City) and that all others at present designated variously as peons, attenders, muchis, etc., should be for the future called peons.

(d) According to the Civil Budget Estimate for 1928—29 there are fourteen attenders and muchis on Rs. 20—25 in the offices of the Collectors and District Magistrates.

(e) There is no proposal to increase the pay of the men now classed as peons in mufassal revenue offices. A proposal to appoint attenders, i.e., men on Rs. 20—35 in Stationary Sub-Magistrates' offices, is under consideration.

Mr. M. V. GANGADHARA SIVA :—“ With reference to the answer to (e), will the Government please consider the question of increasing the pay of the peons in the next budget at least ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ If the hon. Member is referring to those who were hitherto called attenders, there is no proposal to increase their pay.”

9th October 1928]

Settlement.

Villages in which detailed economic enquiries were made regarding the resettlement of the Godavari and Kistna districts.

* 455 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state—

(a) the reasons why the Scheme Report for the resettlement of East and West Godavari and Kistna districts does not mention the names of the villages with reference to which detailed economic enquiries were made, the names of the villages selected for enquiry as to the sale and lease values of the land and also the names of the villages selected for enquiry into the indebtedness of the ryots ; and

(b) whether the Government propose to publish the names of the villages in the respective cases mentioned in clause (a) ?

A.—(a) The Government understand that the Settlement Officer did not consider the names of the villages relevant.

(b) The hon. Member is referred to the answers given to questions 27 and 28 on 3rd September 1928 and to question 116 on 4th September 1928. The names of the other 17 villages selected for economic enquiries have also been called for.

Mr. C. RAMASOMAYAJULU :—“ With reference to clause (a), may I know from the Government whether any instruction has been issued by Government to the Settlement officer as to the lines on which the enquiry should proceed and the matters that are to be included in such enquiry ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I think, Sir, that was answered on a previous occasion. I remember having said that there were no specific instructions with regard to these particular resettlements, but that there are general instructions in the matter contained in the Settlement Manual.”

Mr. R. NAGAN GOWDA :—“ May I know whether any notice was sent to the ryots or villagers to come and give evidence before the Settlement Officer on any particular date ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ If the hon. Member so wishes I shall communicate with and get the information from the Settlement Officer.”

Mr. C. RAMASOMAYAJULU :—“ May I know whether there is any instruction at present that any particular kind and number of villages should be selected for enquiry ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The instructions are general and date from 1915.”

Mr. B. Venkataratnam put a question in Telugu.

The hon. Sir NORMAN MARJORIBANKS :—“ Public enquiry, Sir. It is not possible for the Settlement Officer to make private enquiries.”

Railways

[9th October 1928]

*Alleged inconvenience caused by changes in train service between
Dhronachallam and Kurnool.*

*455-A Q. Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Finance be pleased to state:—

(a) whether he is aware of the fact that in the recent arrangements made with regard to the running of passenger trains between Dhronachallam and Kurnool on the transfer of the said section of the Madras and Southern Mahratta Railway to the Nizam Guaranteed State Railway, Kurnool, the headquarters of the district has been cut off from timely connexion with trains running towards the whole district east of Dhronachallam as also with trains that run to meet the Bombay Mail at Guntakal;

(b) whether any proposals are under consideration and are likely to be put into operation at a very early date remedying these grave inconveniences;

(c) whether in consequence of the existing state of affairs Kurnool has its postal arrangements disturbed so much as to delay delivery of letters from east and west by almost a day more; and

(d) if the answer to (c) is in the affirmative whether any arrangements will be made early to restore things to the normal?

A.—As the hon. Member is aware 'Railways' is a Central Subject. The Government have no information in the matter, but will forward the hon. Member's question to the Railway authorities for their consideration.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Finance Member whether he will be pleased to make such enquiries as he may deem fit and find out the fact and send it up with his own recommendations?"

The hon. Mr. T. E. MOIR:—"Any enquiry that may be made by the Government will be futile, if I may say so. In this question, I take it, the hon. Member has given points to which the attention of the Railway authorities will surely be drawn."

II

COMMUNICATION TO THE COUNCIL.

The Secretary laid on the table copies of G.O. No. 1465, "Development, dated 3rd September 1928, recording the audit report of the Government Industrial Institute, Madura, for the quarter ending 31st December 1927.

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

III

A BILL FURTHER TO AMEND THE COURT FEES ACT, 1870.

The House then resumed discussion on the Court Fees Act Amendment Bill.

* Mr. A. PARASURAMA RAO:—"Mr. President, the hon. the Law Member evidently has not realized how this Bill will act on the litigant public, particularly in the Ceded districts. In the first place, he proposes to reduce the

^a Printed separately.

9th October 1928]

[Mr. A. Parasurama Rao]

court fees upon suits filed whose value is Rs. 1,000 and whose nature is of small cause; and such suits may not be filed at all in the Ceded districts, and it will be a dead letter so far as these districts are concerned. Off and on, when civil work gets accumulated owing to heavy sessions, sub-judges are appointed for short periods to clear off arrears and even such sub-judges are given jurisdiction only over a very small area, and practically they don't get any work so far as these small causes are concerned from their jurisdiction. As for the other provision, I should certainly say that will decidedly increase the court fees to be paid by the litigants. Now, for suits up to Rs. 300 the percentage of court fees is $7\frac{1}{2}$ per cent. But the proposal that is made in the Bill is that for all suits of small cause nature the court fee is $7\frac{1}{2}$ per cent, and when suits within Rs. 500 take the form of original suits, the higher court fee of $11\frac{1}{4}$ per cent has to be paid. That means practically, for all suits above Rs. 100, because none of the munsifs, so far as I am aware, in the Ceded districts are invested with powers of small cause above Rs. 100, there is a decided increase. In the circumstances, all suits above Rs. 100 and below Rs. 500 will have to be taxed with a fee of $11\frac{1}{4}$ per cent. I ask in all seriousness whether the hon. the Law Member is correct in his attitude in piloting this Bill through the Council. Is it not right on his part to reconsider his decision and say that he will drop the Bill because it causes hardship throughout the Presidency and not only in the Ceded districts? In every district where sub-courts are located, their jurisdiction is very very small, and confined to small areas and in most cases to the municipal towns, and so this Bill will not advance the interests of the litigant public. Besides, where is the necessity for such a hurried measure now, when as the hon. Law Member himself says the whole thing is being considered by the Central Government, and the matter can then be threshed out completely? If the Bill is in the interests of the litigant public, I should be the first man to welcome such a measure. But the fact is otherwise. So the hon. the Law Member will be well advised to drop the whole thing. If he is really earnest and sincere, I would advise him to do one thing, that is, drop the whole of the Amendment Bill. Then there will be a substantial benefit to all the litigant public, and the hon. Law Member will be entitled to their gratitude."

* Mr. J. A. SALDANHA:—"Sir, I have been pleading in vain in the past, not only for the reduction, but for doing away altogether with court fees. There is no country except this where there are any court fees levied. I don't think the hon. the Law Member will be surprised when I say, that even in England there is no such thing as court fees. When we are pleading for its total abolition, it is surprising—the predecessor of the present Law Member sympathized with my Bill to some extent—that the hon. the Law Member should come now with a Bill which for various reasons would well tend to increase the court fees rather than decrease it. It is high time, Sir, that the court fees should be reduced and considerably reduced. Here is a very good opportunity for the Government to reduce it as proposed by several members. I shall not go into all the details now, but when the Bill comes before the Select Committee—of which I happen to be member—I shall strenuously fight for the rights of the public."

* Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I have only very few words to say by way of reply. I wish to repeat the assertion I made in my opening speech, viz., that all the valuable suggestions, made by several hon. Members—very many valuable suggestions, I admit have been made—will be carefully considered in the Select Committee. 11-45 a.m."

[Mr. M. Krishnan Nayar]

[9th October 1928]

"My hon. Friend, Mr. Satyamurti, stated yesterday that I would not state what the figures were either of deficit or of increase, and added that, if I stated the figures, then the cat would be out of the bag. In his imagination, my friend sees a bag and a cat; but I may tell him that neither of them exists. As for the figures, I have nothing to conceal from the hon. Members of this House. Whatever information I have, I shall immediately place before the House, and I shall place all my cards on the table. I have nothing to conceal. In respect of the deficit that will be caused by the reduction of fees with reference to suits between Rs. 500 and Rs. 1,000, the High Court has made a calculation. It comes to Rs. 72,000-15-6. (Mr. C. V. Venkataramana Ayyangar:—Small cause suits or others?) The amount that will be reduced by the passing of this measure is what I have given. With reference to the enhancement, the High Court has not been in a position to make any calculation. (Laughter.) But both the High Court and the Government believe that the enhancement will be very much less than Rs. 72,000.

"I have only one other observation to make in answer to what my hon. Friend, Mr. Karant, has stated. He said that the Select Committee is a packed one. I am really sorry that my hon. Friend made himself responsible for that observation. As a matter of fact, I took particular care in the composition of the Select Committee. All the political parties in this House have been carefully represented on the Select Committee, and only two members who do not belong to any political party have been included. It was necessary to include them. One is my Friend the Advocate-General and the other is myself. It is a committee of this description that my hon. Friend called a packed committee. With reference to his own political comrades sitting with him in his block, I have a very much better opinion of them than my hon. Friend Mr. Karant. My hon. Friends of the Swarajya party who have been included in the Select Committee are Messrs. Venkataramana Ayyangar, Saldanha and K. V. R. Swami. (Mr. S. Satyamurti: I do not think the epithet packed applies to them.) It is not possible either by cajoling my hon. Friends of the Swarajya party or by coercing them to make them accept my view. I find that Mr. Saldanha has declared just now that he will put up a strong and strenuous fight in the Select Committee. I am not surprised. I did not expect anything else from my hon. Friend. So that there is absolutely nothing to justify the observation of my hon. Friend, Mr. Karant, that the Select Committee is a packed body.

"As I observed, the various suggestions that have been made by hon. Members will be carefully considered in the Select Committee. I hope the House will accept my motion."

The motion to refer the Bill to a Select Committee was then put and declared carried.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|---|---|
| 1. The hon. Sir Norman Macjoribanks. | 7. Rao Bahadur C. V. Anantakrishna Ayyar. |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 8. Mr. C. B. Cotterell. |
| 3. " Mr. T. E. Moir. | 9. " H. A. Watson. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 10. " C. A. Souter. |
| 5. " Mr. S. Muthiah Mudaliyar. | 11. " A. McG. C. Tampoe. |
| 6. " Dr. F. Subbarayan. | 12. " C. W. E. Cotton. |
| | 13. " V. Ch. John. |
| | 14. " M. A. Manikkavelu Nayakar. |

9th October 1928]

Ayes—cont.

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| 15. Syed Tajudin Sahib Bahadur. | 40. Rao Sahib R. Srinivasan. |
| 16. Mr. J. A. Davis. | 41. Khan Bahadur P. Khalifullah Sahib Bahadur. |
| 17. " R. Foulkes. | 42. Mr. G. R. Premayya. |
| 18. " P. J. Gnanavaram Pillai. | 43. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 19. Mahmud Schammad Sahib Bahadur. | 44. Mr. Ramanath Goenka. |
| 20. Mr. Muppil Nayar of Kavalappara. | 45. " R. Nagan Gowda. |
| 21. " J. Kuppuswami. | 46. The Zamindar of Gollapalli. |
| 22. Subadar-Major S. A. Nanjappa Bahadur. | 47. Mr. C. R. Parthasarathi Ayyangar. |
| 23. Rao Bahadur O. M. Narayanan Nambudiripad. | 48. " T. C. Srinivasa Ayyangar. |
| 24. Mr. K. Krishnan. | 49. " P. Siva Rao. |
| 25. " N. Siva Raj. | 50. " Chavadi K. Subrahmanya Pillai. |
| 26. " M. V. Gangadhara Siva. | 51. " K. R. Venkatarama Ayyar. |
| 27. Rao Sahib L. C. Guruswami. | 52. " K. P. Raman Menon. |
| 28. Mr. V. I. Muniswami Pillai. | 53. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 29. " W. P. A. Soundara Pandia Nadar. | 54. The Raja of Panagal. |
| 30. " S. Subrahmanya Mooppanar. | 55. Rao Bahadur Sir A. P. Patro. |
| 31. " Daniel Thomas. | 56. Mr. T. K. Chidambaramatha Mudaliyar. |
| 32. " S. V. Vanavudaya Goundar. | 57. Khadir Mohideen Sahib Bahadur. |
| 33. Nattam Dubash Kadir Sahib Syed Ibrahim Sahib Bahadur. | 58. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 34. Rai Sahib M. Hampayya. | 59. Rao Bahadur B. Muniswami Nayudu. |
| 35. The Zamindar of Singampatti. | 60. The Zamindar of Mirzapuram. |
| 36. Mr. C. R. T. Congreve. | 61. Mr. A. V. Bhanaji Rao. |
| 37. Rajkumar S. N. Dorai Raja. | |
| 38. Mr. S. Arpudaswami Udayar. | |
| 39. The Zamindar of Kallikota. | |

Noes.

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| 1. Mr. Sami Venkatachalam Chetti. | 15. Mr. K. R. Karant. |
| 2. " S. Satyamurti. | 16. " C. Obi Reddi. |
| 3. " C. V. Venkataramana Ayyangar | 17. " A. Parasurama Rao. |
| 4. " T. Adinarayana Chettiayar. | 18. " C. Ramasomayajulu. |
| 5. " P. Anjaneyulu. | 19. " Basheer Ahmad Sayeed Sahib. |
| 6. " P. C. Venkatapathi Raju. | 20. " P. Bhaktavatsala Nayudu. |
| 7. " J. A. Saldanha. | 21. Sriman Biswanath Das Mahasayo. |
| 8. " Abdul Hamid Khan. | 22. Mr. A. Kaleswara Rao. |
| 9. " C. S. Govindaraja Mudaliyar. | 23. " R. Srinivasa Ayyangar. |
| 10. " G. Harisarvottama Rao. | 24. " K. Koti Reddi. |
| 11. " C. N. Muthuranga Mudaliyar. | 25. " L. K. Thasiram. |
| 12. " K. V. R. Swami. | 26. " K. V. Krishnaswami Nayakar. |
| 13. " M. Narayana Raju. | 27. " C. Venkatarangam Nayudu. |
| 14. " K. Uppi Sahib. | 28. " B. Venkataratnam. |

Ayes 61. Noes 28.

The motion was carried.

The hon. the PRESIDENT:—"I appoint Mr. T. C. Srinivasa Ayyangar as the Chairman of the Select Committee."

IV

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The hon. Dr. P. SUBBARAYAN:—"Mr. President, I now present the report of the Select Committee of the Madras University Amendment Act and move that it be considered by this Council."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The motion was put and carried.

* The hon. the PRESIDENT:—"Clause 1 is for the consideration of the Council."

[9th October 1928]

The hon. Dr. P. SUBBARAYAN :—" I move, Sir,

for the figures ' 1927 ' in the second line of clause 1, the figures ' 1928 ' be substituted.

(After a pause.) The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* The hon. the PRESIDENT :—" I think it is better that the Government make arrangements to have their amendments promptly seconded."

The amendment was put and carried.

Clause 1 as amended was then put, passed and added to the Bill.

Clause 2.

The hon. Dr. P. SUBBARAYAN :—" I move, Sir,

' In sub-clause (i) in line 4 for the words ' are provided ' substitute the words ' provision is made for ; ' and, in line 6, for the word ' degree ' substitute the word ' degrees. '

" This, Sir, is a consequential amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—" I move : In sub-clause (ii) in line 5, after the word ' notification ' insert the words and figures ' dated 20th August 1904. ' In line 7, for the word ' less ' substitute the word ' excluding. ' In line 8, for the words ' might be ' substitute the words ' have been or may be. ' In line 11, for the word ' providing ' substitute the words ' in which provision is made for. ' In line 12, for the word ' preparing ' substitute the words ' for the preparation of ; ' and in line 13, after the word ' University ' insert the words ' in such learning. ' These again, Mr. President, are consequential and verbal amendments."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendments were put and carried.

The hon. Dr. P. SUBBARAYAN :—" In sub-clause (iv) in lines 3 to 5, for the words ' (gg) ' Professional College ' . . . University ; ' substitute the words ' (gg) Professional College means a college in which provision is made for, either solely or in conjunction with other courses of study, courses of study leading up to the professional degrees of the University. '

" This is also a consequential amendment, Sir."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

12 noon. * Mr. S. SATYAMURTI :—" Sir, I expect the hon. Minister to throw some light on this matter. Anyhow, the English of it is very inartistic and inelegant, and I don't want the precedent of the old Act to be repeated when we are re-enacting in English the old Act. If hon. Members will kindly read the definition it runs as follows :—

' Professional college means a college in which provision is made for, either solely or in conjunction with other courses of study, courses of study leading up to the professional degrees of the University. '

" I do hope that the hon. Minister will give his students and the members of the University better English than this. It can be easily done. For one thing, the preposition ' for ' is followed by a long intervening phrase which really obscures the meaning. Secondly the phrase ' courses of study ' is

[9th October 1928]

[Mr. S. Satyamurti]

repeated twice only, with a comma between. It is very inartistic and inelegant. The Bill, as amended by the Select Committee, has this definition—

' Professional college means a college in which are provided courses of study leading up to the professional degrees of the university. '

" I do not see what is wrong with that definition. The hon. Minister has not told us either. Does the hon. Minister think that if in a professional college there are other courses of study prescribed it will cease to be a professional college ? His fear is absolutely groundless. So long as a college satisfies the condition that it provides for the professional degrees of the university, whether any other courses of study are prescribed or not in the college it does not matter, and it will still be called a professional college. The definition already provided in the Bill is quite sufficient, unless the hon. Minister gives us reasons which he has so far not given, to show that the definition should be changed. I would submit to the House to reject the amendment or ask the hon. Minister to withdraw the amendment and leave the clause exactly as it stands."

Mr. S. ARPUDASWAMI UDAYAR :—" Sir, may I move that the word ' for ' in the second line be omitted and the word ' for ' in the last but one line be retained."

* The hon. the PRESIDENT :—" The hon. Member will not be in order ; I have not had notice of the amendment."

The hon. Dr. P. SUBBARAYAN :—" In view of the remarks of the hon. Member for the University, I do not press the amendment."

The amendment was by leave withdrawn.

Clause 2 as amended was put, passed and added to the Bill.

Clause 3.

* The hon. the PRESIDENT :—" The question is that clause 3 stand part of the Bill."

* Mr. J. A. SALDANHA :—" I oppose this clause which does away with the Council of Affiliated Colleges. The Act of 1923 was passed with some definite object as stated in the preamble and one of the objects is this :

' And whereas it is desirable by the concentration and co-ordination of resources for higher teaching and research at suitable centres outside the limits of the university to prepare for the institution of new universities . . . '

" Distinction was also made between constituent colleges and affiliated colleges. This Bill wants to do away with the main objects of the Act of 1923. This Act has hardly been in operation for five years and now we are asked to do away with one main object of the Act, namely, the formation of university centres. The very definition of ' university centre ' was omitted in the original Bill, and it was due to the strenuous efforts of Sir Patro and my humble self that this definition of university centre was inserted in the Bill. The Council of Affiliated Colleges was formed with a view to carry out one of the main objects of the Act. It was formed on the recommendation of the Sadler Committee. They recommended that in addition to the other bodies of the university there should be a Council of Affiliated Colleges and that certain definite powers should be given to that

[Mr. J. A. Saldanha]

[9th October 1928]

body. Certain powers were clearly given to that body under section 27. I do not want to dwell on all the powers of the Council of Affiliated Colleges. One of them is to recommend to the Local Government through the Syndicate as to the financial provision that is to be made to the Affiliated Colleges. The other is in connexion with the Affiliated Colleges Fund mentioned in section 51. The control of the fund is given to this body. Now, Sir, it is stated in the Statement of Objects and Reasons that this body has been a clog in the wheel of the university and that this ought to be abolished. May I ask whether any opportunity was given to the Council of Affiliated Colleges to do its function? Was a fund constituted for the Affiliated Colleges? Did the Government provide funds for this purpose? Without the sinews of war, what is the use of having a body like the Council of Affiliated Colleges? Did Government provide funds for the fostering of university life in the mufassal? There are many colleges in the mufassal which in point of efficiency are quite as good as any college in the Presidency town. Having been given no opportunity either by the Senate or the Syndicate or the Government, is it fair to charge it as being a clog in the wheel, as obstructive and so on? It is worse than unfair. I have already given an amendment to this clause stating that the Council of Affiliated Colleges should be retained and that it should be invested with larger powers to do the functions assigned to it under the Act. The affiliated colleges contribute more than two-thirds of the funds of the university and more than two-thirds of the students read in the affiliated colleges. Thus they do so much to foster university life in the country. And yet this important limb of the university is sought to be abolished on flimsy grounds and the reasons given by the hon. Minister in his speech and in his Statement of Objects and Reasons are very unreasonable. The Senate which represents the expert view of the question has after careful consideration resolved to retain this body, and we must respect the opinion of the Senate. I appeal to the Council to retain the Council of Affiliated Colleges and give it ample powers, so that it may help to foster the development of university life in the mufassal. I want to know in what way the constituent colleges have helped more the development of university life. We have got the constituent colleges in Madras, and what have they done in the matter of inter-collegiate unions and university unions and such other matters as in the European universities? The old Act which created the Council of Affiliated Colleges was passed by the then Ministry with such a tremendous enthusiasm, and why should it not be allowed to work for another five years? I appeal to the House to retain the Council of Affiliated Colleges for at least another five years.

12-15 P.M. "Without giving this Council of Affiliated Colleges an opportunity, is it fair, Sir, that this Council should be abolished? I can give hon. Members many more reasons. But I will not detain hon. Members by a longer speech. My only appeal is that this question will not be treated as a party one, because it is not a party question at all. Mufassal colleges must have a separate Council; it will foster university life and bring about the existence of more universities."

* Rajkumar S. N. DORAI RAJA :—"Mr. President, Sir, I rise to second the motion moved by my hon. Friend, Mr. Saldanha . . ."

* The hon. the PRESIDENT :—"He has not moved any amendment. He is opposing clause 3 of the Bill."

9th October 1928]

* Rajkumar S. N. DORAI RAJA :—"Yes, Sir. The burden of the song of the two University Bills is that the Council of Affiliated Colleges must go. It is stated that the Council of Affiliated Colleges had not done anything very useful. The most useful body and the least complicated body is the Council of Affiliated Colleges. So long as the chief function of the Madras University is the affiliation of colleges, so long it is absolutely necessary, apart from justice and equity, that we should not abolish the Council of Affiliated Colleges."

"No serious attempt has been made to change the angle of vision of the Madras University. The burden of the song of these two Bills is that the Council of Affiliated Colleges must go. Restore it and these Bills are innocuous. The Senate has been reduced to a second rate body and the Syndicate's powers were enhanced, and we are seriously asked to vote for these Bills. Only the other day I read an amusing telegram with regard to the Ettayapuram Zamindar, 'Our Maharaja has been made Raja; congratulations to the Raja.' So, Sir, the Senate and the Council of Affiliated Colleges are practically dead and we are asked to congratulate the authors of these Bills."

"There is another difficulty for myself. I cannot understand the mentality or the mental reservations of those who say that this Council should be abolished. It is a question of the mufassal versus Madras. I do not want to refer to that point. There are hon. Members, especially my hon. Friend, the Member for the University, who will come down upon me for the insinuation. I am prepared for it. Whenever there is the question of Madras against mufassal, Madras stands to gain. I shall give you an instance. When Sir Patro and my humble self said at the time of the Select Committee meeting that a fund ought to be created for affiliated colleges, there was great opposition, and Dr. Meston and others wanted also to include the constituent colleges. So you see, Sir, that the bubble of impartiality was burst and it vanished into thin air."

Mr. P. ANJANEYULU :—"Mr. President, Sir, I support the amendment of my hon. Friend, Mr. Saldanha . . ."

The hon. the PRESIDENT :—"The hon. Member, Mr. Saldanha, has not moved any amendment. He is opposing clause 3."

Mr. P. ANJANEYULU :—"I also say that the words 'the Council of Affiliated Colleges' should not be omitted. Affiliated colleges form practically the ramification and the limbs of university life in the mufassal. If only proper opportunities are afforded to the affiliated colleges, if the Council of Affiliated Colleges is allowed to function properly, and if funds are placed at their disposal, I am perfectly sure that these possess all the germs which will, in future, develop into definite university centres themselves. In this vast country, concentration in special education may not always be possible. As my hon. Friend, Mr. Dorai Raja, put it, it seems to me that the Madras University neglects the mufassal. Mufassal colleges are already very much handicapped, and the Council of Affiliated Colleges must be retained for the purposes which were mentioned at the time when the Bill became an Act last time. The same matter was discussed at great length both in the Senate and when the Andhra University Bill was on the anvil of the Legislative Council. The Council of Affiliated Colleges would fulfil the function of imparting education in the mufassal to an extent which even the Madras or

[Mr. P. Anjaneyulu]

[9th October 1928]

the metropolitan colleges may not be able to do. They have a history and past of their own. It is not fair that the Council of Affiliated Colleges should, after a period of its existence, be removed from the statute now. I therefore oppose the clause."

* Mr. S. SATYAMURTI:—"Sir, it is very easy for the question being converted into the question of mufassal versus Madras. But I do not think it is. In spite of the attempt of my hon. Friend from Pudukkottah, I hope the House will not imagine that those who oppose and those who support the retention of this clause in the Bill are actuated by any feelings of Madras versus mufassal or the mufassal versus Madras. Sir, the real point is this. The University of Madras, as it is to-day constituted, is very largely a mufassal university and no man who cares for the future well-being of the university, as it is to-day, would like to take any step or would like to be a party to a step which will affect prejudicially or adversely the position of the mufassal or the affiliated colleges as they are known under the scheme of the University Act. But, Sir, this Council of Affiliated Colleges—I mean no offence to the members thereof—is a mere ornamental addition which has no powers whatever worth mentioning, and which has never exercised any functions or powers useful for the mufassal colleges as such. I am not suggesting for one moment that, if they were given real substantial powers, and if it were possible to reconcile those powers with the powers of the Academic Council and of the Senate on the other, it may not be possible to evolve a council which may fulfil some important functions with regard to mufassal colleges. But to those friends who think on those lines, I want to put only one question. Do we not know too much of the defects of diarchy here to try to plant it elsewhere? The whole scheme of the Academic Council on the one hand and the Council of Affiliated Colleges on the other is to create a kind of diarchy, and to say that the Academic Council will be the Reserved Half and that the Council of the Affiliated Colleges will be the Transferred Half. The Academic Council will have all powers, but the Council of Affiliated Colleges will have merely the semblance of powers; and five years have shown us that the interests of the affiliated colleges are absolutely safe in the hands of the Academic Council, in the hands of the Senate and, may I add, in the hands of the Syndicate. (One voice:—Question.) To my hon. Friend from Pudukkottah who said that the Syndicate was selfish or that the Syndicate is believed to be selfish, I would ask him respectfully to descend from the realm of speculation to the realm of facts, and to give a single instance to us where the interests of any mufassal college were sacrificed, either wholly or partially to the interests of any Madras college. That is an accusation, Sir, which I am prepared to deny as totally untrue. It is not true that the Syndicate or the Senate or the Academic Council has ever tried to differentiate between mufassal and Madras colleges. There is no reason for any such fear. But assuming for one moment, Mr. President, that there may be any such fear, may I invite your attention and that of my hon. Friends respectfully to section 27 of the existing Act, which we are now seeking to amend, which defines the powers of the Council of Affiliated Colleges? What are those powers? (a) To make proposals to the Syndicate or the Academic Council. Surely, not a power; it is a mere recommendatory power to make proposals to other bodies; (b) to appoint an executive committee of itself with no powers; the executive committee can have no more powers than the powers of the appointing authority; (c) to advise the Syndicate and the Academic Council on any matter affecting

9th October 1928]

[Mr. S. Satyamurti]

affiliated colleges; advice is no power; (d) to submit draft regulations and ordinances to the Academic Council or to the Syndicate as the case may be; submission of drafts is no power; (e) to advise the Syndicate on the affiliation of any institution; advice is no power; (f) to arrange in consultation with the colleges concerned for co-operation and reciprocity among affiliated colleges and for the concentration and co-ordination of resources for higher teaching in suitable localities, etc. . . . "

Mr. ABDUL HAMID KHAN:—"What about the Academic Council?"

* Mr. S. SATYAMURTI:—"Kindly read the Act."

Mr. ABDUL HAMID KHAN:—"I have read it."

* Mr. S. SATYAMURTI:—" (g) To make proposals to the Local Government; again making proposals; (h) to recommend names; (i) to advise the Academic Council. May I ask whether any body which has any of these or all these powers can be said to have any powers worth mentioning? It seems to me, Sir, that the creation of the Council of Affiliated Colleges was intended merely to satisfy sentiment. Five years' experience has shown to us that this Council has served and will serve no useful purpose. May I point out to you, Mr. President, that the last meeting of the Council of the Affiliated Colleges lasted for seven minutes? There was no agenda worth mentioning; one affiliation matter and one recommendation. The Council met and dispersed. Why do you want to keep on an ornamental body like that? But the representation of mufassal interests, if I may use that phrase on the university bodies, must be protected. Therefore, I want to provide for the representation of affiliated colleges on the Senate by ten elected representatives, and on the Syndicate by three elected representatives. I am as zealous as any hon. Member here that this statutory representation of the mufassal colleges ought to be preserved intact. The scheme of the Bill as amended by the Select Committee is that there shall be representation of mufassal colleges on the Syndicate as also on the Academic Council. So far as the Syndicate is concerned, the Select Committee Bill makes a provision for the representation of the Senate on the Syndicate which is eight members, of whom three members shall be teachers of affiliated colleges. Whereas, I have given notice of an amendment that the representation of the Senate on the Syndicate shall continue to be eight, but that the representation now provided for the Council of Affiliated Colleges on the Syndicate shall be continued by increasing the number of representatives of the Academic Council or the Syndicate from three to six and providing that three of these shall be teachers in affiliated colleges. The Academic Council, as you will notice, Sir, is a body largely consisting of teachers. Therefore, I submit that that is the appropriate electorate to get the teachers elected who have got the largest number of votes of the largest number of teachers in the mufassal colleges. Both under the scheme of the Select Committee Bill and under the scheme of the amendments of which I have given notice, the representation of the teachers of affiliated colleges on the Syndicate will remain unimpaired. So far as the representation of mufassal colleges on the Senate is concerned, the Select Committee Bill provides that the representation shall be by ten from the Academic Council of whom five shall be teachers of affiliated colleges. On the other hand, I have given notice of an amendment preserving the present number of ten by providing that the number of members to be elected by the Academic Council to the Senate shall be twenty, of whom ten shall

[Mr. S. Satyamurti]

[9th October 1928]

be teachers in affiliated colleges. Therefore, with these amendments the representation of the interests represented by the teachers of affiliated colleges will be exactly as it is to-day.

12-30
p.m.

"Moreover, when these mufassal colleges get stronger representation on the Academic Council and on the Senate as is provided in this Bill, you will find that the mufassal colleges will be in a much better position than they are to-day. This is very simple, Sir. Would hon. Members like to be members even completely of a powerless body, or would they like to be in an effective minority or a powerful body whereby their presence, by their influence and by their speeches, they can help to shape the decisions which will be binding on the university authorities? Of course, my hon. Friends may say that it is better to reign in Hell than serve in Heaven; I do not want to say anything on that aspect. But to those who represent mufassal colleges and their interests and want to have effective power in the shaping of the effective decisions of university authorities, I would say, I invite them respectfully to look at this side of the case, viz., that the amendments provide for effective un-reduced representation of the mufassal colleges, both on the Academic Council and on the Syndicate.

"Sir, I was somewhat surprised at the attitude of my hon. Friend from Pudukkottah; because when I read his dissenting minute carefully, I found that while he justified the retention in a particular form of an old clause of the Bill, he has said nothing in favour of the retention of the Council of Affiliated Colleges. He has signed the report in conjunction with my hon. and distinguished Friend, the author of the old Madras University Act, and therefore it cannot be a case of omission or neglect. I do not want to quarrel with my Friend on that account, but I only want to impress on this House that the Select Committee is unanimous, except for my hon. Friend from South Kanara, on this matter. No other member has raised any question with regard to the abolition of the Council of Affiliated Colleges. I only want to add that it is not a case of mufassal versus Madras. I am representing in this Council a constituency, the vast bulk of whom are in the mufassal and are connected with mufassal colleges, directly or indirectly. I have thought over this matter very carefully. It is because I believe that the mufassal colleges will for the first time come by their own and exercise the undoubted influence to which they are entitled, in the affairs of the university by allowing this make-shift of a Council of Affiliated Colleges to go—which serves nobody except mere sentiment—and by taking their rightful share in the shaping of the university affairs, that I ask the House to accept the retention of the clause as it stands. I only desire to add, as a mere matter of drafting, that the carrying or the failure to carry this amendment will not affect the existence or otherwise of the Council of Affiliated Colleges. Hon. Members will notice that the clause which this seeks to amend simply says that 'the first Chancellor, Pro-Chancellor and Vice-Chancellor of the University and the first members of the Senate, the Syndicate, the Academic Council and the Council of Affiliated Colleges and all persons who may hereafter become such officers or members so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of the University of Madras.' But it says 'hereafter.' Anyhow, that is a mere drafting point. I do not want to attach undue importance to it.

"I want the House to vote on this question in the full consciousness that the interests of the mufassal colleges have not been and cannot be served by

9th October 1928]

[Mr. S. Satyamurti]

this powerless Council, but will be better served by the increased representation provided for them in the Bill, as also under my amendment which I invite the House in advance to support, by means of which they may get adequate representation on the really effective bodies of the university."

* Mr. W. E. SMITH:—"Mr. President, while I am a member of one of the Madras Colleges and I have the privilege to be an elected member of the Council of Affiliated Colleges, I know the relationship subsisting between the General Academic Council and the various other bodies in the university, and believe that there is general agreement in academic circles that the Council of Affiliated Colleges is serving no useful academic purpose. I may even go so far as to say the Act of 1923 never anticipated that this Council of Affiliated Colleges should be a source of antagonism as it shows signs of becoming between the Madras colleges and the mufassal colleges. But this antagonism will, I am afraid, continue to exist so long as the Council of Affiliated Colleges exists. As Mr. Satyamurti has pointed out, the powers of this Council are only advisory, and there is no power of initiative now vested in it which is proposed to be taken away.

"I should like to make it clear in this connexion—and I think I can command the confidence of the House when I say that—that in the proposed Bill, the mufassal colleges will have greater representation in the Syndicate, the Academic Council, etc., than they have at present."

* Mr. F. E. CORLEY:—"I should just like to add a few words to what Mr. Smith has already put forward. I think it is a real privilege to be a member of this Council of Affiliated Colleges; but I should like to remind the House of a point which seems to me to be important in considering the question, viz., what was the genesis of this body. Those members who may have seen the earlier drafts out of which the Madras University Act itself was evolved eventually, may remember that the one feature of the proposal, which was strongly advocated by some and strongly opposed by some others, was to draw a sharp distinction between the Madras colleges and the colleges in the mufassal. The idea at that time was to take the colleges which were within a convenient distance from Fort St. George, viz., ten miles, and to develop them and them alone into something centralized. Whether this was to become a residential and teaching university was a question left to be decided later on; but the distinction which was then made between the constituent and affiliated colleges still exists. The original intention was nothing other than that the constituent colleges should be really represented on the Councils of the University. Now, had it been possible to provide for the mufassal colleges also in a similar fashion, allowing them to develop in due course as universities at suitable centres, thereby relieving Madras of its responsibility for the conduct of the colleges at a distance, there would have been no reason why the Madras University Act should not have retained this limitation allowing no colleges to have any part in it except those which were in Madras itself. But unfortunately, it was quite obvious as a matter of practical politics that it would not be possible to dispose of the colleges in the mufassal by the happy device of turning them in similar fashion, at an early date, into new universities. If the Madras colleges alone were to be converted into a University in which these mufassal colleges would have no share, but if they could not be detached from the Madras university to form separate universities of their own, it was thought that they would then be in a very unenviable position. We should all agree,

[Mr. F. E. Corley]

[9th October 1928]

whether we belong to Madras or to the mufassal, that such a position would be intolerable. If I really thought that the affiliated colleges depended upon this Council of Affiliated Colleges to protect their interests, I would not stir even a finger in the direction of disturbing the present arrangement and deleting this clause. But, as I said, there is another safeguard in all the drafts so far prepared and in the present Bill, to provide for the interests of the mufassal colleges and to secure the possibility of their development in course of time. At a later stage clauses were introduced giving the mufassal colleges representation in the Senate and in the Syndicate; they were also given—and that is very relevant to the present point—representation on the same terms in the Academic Council as the Madras colleges.

"The hon. Member for South Kanara speaking just now insisted that the affiliated colleges must be looked after by a separate council. Sauce for the goose is sauce for the gander!

12-45
p.m.

"If the affiliated colleges can only be adequately protected by a council set apart for their own rights, I say, Sir, by a parity of reasoning, the constituent colleges can only have their interests adequately looked after and protected by a council which represents constituent colleges and constituent colleges only. The idea of the authors of the Act was that the Academic Council should be entirely for the constituent colleges but when this purpose has been abandoned, and instead of being a council only of constituent colleges, it is made a council of all the colleges under the university constituent and affiliated, the Madras and mufassal colleges alike, I cannot see that there is any justification for the further protection by a separate council of affiliated colleges. It should be noted, Sir, that though the mufassal colleges individually are not quite in so good a position in the Academic Council as the Madras colleges, yet by reason of their much greater numbers, they are collectively stronger. I think I am right in saying that the mufassal members of the Academic Council considerably out-number the Madras members, and if the working majority in the Academic Council cannot adequately protect the interests of the mufassal colleges, I am afraid they are helpless. But, as a matter of fact, whatever needs to be done on behalf of the mufassal colleges can be done most effectively in and through the academic council. As Mr. Satyamurti reminded us just now, at the last meeting of the Council of Affiliated Colleges they had so little to do that the whole business was finished in less than ten minutes. I think I am right in saying that one unfortunate member arriving late was met by members coming down the stairs as the business was all over. The truth is that the affiliated colleges are in no deed of protection in the Academic Council. For my part I can only say, it is, under present conditions, better so. They meet in the same way as the Madras colleges and it simplifies business and creates better feeling. Mufassal colleges are so well represented and looked after in the Academic Council that it is simply unnecessary, I think I may say also, unreasonable to provide a separate body for them."

The question that clause 3 stand part of the Bill was put to the House and carried, and the clause was added to the Bill.

Clause 4.

* Mr. J. A. SALDANHA :—"I beg to move, Sir

"In lines 3 and 4, for the words "have the following powers" substitute the words "function and exercise through the Senate, the Academic Council, Council of Affiliated Colleges, the Senate"

[9th October 1928]

* The hon. the PRESIDENT :—"The hon. Member will have to move his amendment with the words 'Council of Affiliated Colleges' omitted, because the House has given its vote for its abolition."

* Mr. J. A. SALDANHA :—"Yes, Sir, in lines 3 and 4, for the words 'have the following powers' substitute the words 'function and exercise through the Senate, the Academic Council, the Senate, the Faculties, the Boards of Studies, and such other bodies as may be declared by the statutes to be authorities of the University with powers hereafter entrusted with'."

* The hon. the PRESIDENT :—"The hon. Member will not be in order if he moves the amendment with the words 'Council of Affiliated Colleges'."

* Mr. J. A. SALDANHA :—"I have omitted the words, Sir, and I omit all the other sub-clauses of clause 4-A except No. (1). My reasons are these. This is altogether a new section to be added and it is quite superfluous as pointed out by the Senate and by several eminent authorities of the University that it would lead to any amount of confusion and trouble. We have found it in the Select Committee that it created a lot of confusion. What is the reason? The University as a body is a big corporate body and it consists of a number of other bodies. The powers of the different bodies are given, as, the Senate can exercise such and such powers, the Syndicate so and so as well as several other bodies. It will be a good thing if all these are defined clearly. It is merely a question of artistic wording of the Act. I don't find any other Act in which these powers are enumerated in one section. Therefore as a matter of mere wording and of artistic phraseology of the whole Act, simply say that the University shall exercise, etc. That will save us the unnecessary enumeration of the powers of the several bodies of the University."

* The hon. the PRESIDENT (after a pause) :—"There is no seconder and so the motion falls through."

Mr. K. R. VENKATARAMA AYYAR :—"I am only asking that in line 4 of sub-clause (4) for the word 'Lectureships' the word 'Lecturerships' be substituted. It is perhaps a misprint and whichever is the more correct word may be put in on the advice of the two experts."

* The hon. the PRESIDENT :—"Even if it is a question of the correct word, the hon. Member should move his motion."

Mr. K. R. VENKATARAMA AYYAR :—"I move that for the word 'Lectureships', 'Lecturerships' be substituted."

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—"I second it."

* The hon. the PRESIDENT :—"The question is that in line 4 of sub-clause (4) for the word 'Lectureships' substitute the word 'Lecturerships'."

* Mr. W. E. SMITH :—"I think the word 'Lectureships' is more elegant than 'Lecturerships', nor is it suggested that the word 'Readerships' should be substituted for 'Readerships'."

* Mr. F. E. CORLEY :—"I venture to differ from my hon. Colleague. The word 'Lectureship' is an easier word to say than 'Lecturership', but I don't think it is more elegant. If we take Readership as an example, the word 'Reader' shows that it is not an office and if we add a termination 'ship' to it, it shows the office. I know there are ample precedents, but I am at one with the Mover that a change is desirable."

[9th October 1928]

The hon. Dr. P. SUBBARAYAN :—" I am at a loss to know what I have to say when I have two experts here and both of them differ; but I have looked at the dictionary and I have also consulted the Law (Drafting) Department and from the drafting point of view, they say that 'Lectureship' is more correct than 'Lecturership'."

* Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" In the original draft the word was 'Lecturership'. In the Select Committee the word 'lectureship' was introduced as one of the expert members considered that 'Lectureship' was better."

Mr. K. R. VENKATARAMA AYYAR :—" On the analogy of the word. . ."

* The hon. the PRESIDENT :—" The hon. Member has no right of making any speech. I have simply to put it to the vote of the House unless the hon. Member withdraws it."

The amendment was then put to the House and lost.

* Mr. BASHEER AHMED SAYEED SAHIB :—" I move, Sir, that the following sub-clauses be added at the end of clause 4 :—

(20) *To exercise due control over the quality of teaching given by the colleges which constitute the University or are affiliated to it.*

(21) *To foster the development of academic life and corporate unity as well in the colleges as in the University by so promoting co-operation among the colleges and between the University and the colleges as to utilize to the full the teaching resources available within the limits of the University.*

(22) *To accept bequests and transfers of movable or immovable properties made in favour of the University.*

" Mr. President, the reasons which moved me to include these three new clauses as additional powers to the University are that among the objects of the University it is mentioned in the preamble that with a view to establishing a teaching and residential university the function of the University is 'to continue to exercise due control over the quality of teaching given by colleges which are to constitute the University of Madras'; and also 'to foster the development of academic life' and so on. In order to enable the University to exercise these functions and to realize the objects stated in the preamble, it is quite necessary and reasonable that these powers should be specifically enumerated in the clauses relating to the powers of the University. Hence I move this amendment."

Sriman BISWANATH DAS Mahasayo :—" I second it, Sir."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, as for sub-clauses (20) and (21) which my hon. Friend wants to-day, these are provided in the preamble to the old Act itself. Therefore I don't think it is necessary to repeat them in clause 4; and with regard to sub-clause (22), this is specifically mentioned as one of the powers of the Syndicate—*vide* clause 20 of the Bill. Clause 4 (19) also gives powers to the University as are desirable to further the objects of the University. It does not therefore appear to be necessary to include the proposed sub-clauses."

The amendment was put to the House and lost.

Clause 4 was put, passed and added to the Bill.

[9th October 1928]

Clause 5.

The hon. Dr. P. SUBBARAYAN :—" Sir, I beg to move the following amendment— 1 p.m.

'In lines 5 and 6, for the words " (ii) after the word 'religious' . . . inserted" substitute the words " (ii) for the words 'relating to religious belief or profession' the words 'relating to religious belief or profession or political views' shall be substituted.'

" Sir, this appears to be more elegant than what was put forward by the Select Committee. The main idea that actuated the Select Committee was that they did not want to penalise any religious or other belief, and this amendment equally carries out that idea."

Mr. S. SATYAMURTI :—" I second it."

The amendment was put to the vote and carried.

Clause 5 as amended was then put, passed and added to the Bill.

Clauses 6 to 10.

Clauses 6, 7, 8, 9 and 10 were then consecutively put, passed and added to the Bill.

Clause 11.

* Mr. BASHEER AHMAD SAYEED SAHIB :—" I move, Sir :

'In sub-section (1) of section 11 of the Act, for the words " may be paid such salary as shall be prescribed", substitute the words 'the Senate shall decide at the commencement or end of every term of a Vice-Chancellor whether he should be a salaried or an honorary Vice-Chancellor, and if a salaried one what salary shall be paid to him'.

" Sir, the reason for moving this amendment is to provide for the appointment of an honorary vice-chancellor whenever it is possible for the University to do so. As the Act stands at present, it is not possible for any honorary vice-chancellor being appointed because the provision made in the Act is that he shall be a salaried officer. Also, if there is any honorary vice-chancellor ready and willing to offer his services to the University, there is no provision made for either deciding the salary or not deciding upon the salary and for a limit thereof in the present Act. I have therefore provided, Sir, that in the Bill there should be powers given to the Senate to appoint honorary vice-chancellors if such people are available and also to fix the salary only whenever it is necessary for the Senate to fix any salary for the vice-chancellor. According to the old Act and the old constitution of the University, the vice-chancellors have always been honorary ones and they have rendered the University as efficient a service as the paid vice-chancellors. There is no dearth of honorary vice-chancellors in our Presidency, and it is always possible for the University to save a lot of money by enlisting the services of vice-chancellors who are honorary and who are willing to serve the University. I therefore say, Sir, that the Senate of the University should reserve the power of appointing honorary vice-chancellors, and also to fix their salaries as and whenever the occasion arises."

* Sriman BISWANATH DAS Mahasayo :—" I have very great pleasure, Sir, in seconding the motion of my hon. Friend. Sir, the University is an autonomous body and if I have read the amending Bill aright, it proceeds on the basis that the University shall be the sole legislative body so far as"

[Sriman Biswanath Das Mahasaya] [9th October 1928]

giving effect to the provisions of the Act is concerned. It is a very enlightened body consisting of the elite of this province, and it is but fair that the power of fixing the pay of its chief executive officer should be given to it. This Council, under the Government of India Act, has practically got the power of appointing and fixing the salaries of Ministers. In the Calcutta Corporation Act, the Corporation has got the power of fixing the pay of its chief executive officer. Therefore we have got many precedents even under the various local Acts as also in the Government of India Act. It is therefore necessary and wise that we should follow the precedents and confer the power of fixing the pay of its chief executive officer, the vice-chancellor, upon the Senate and deciding whether the office shall be a salaried or honorary one.

"Then, there is also another important question that ought to weigh more with us. After the inauguration of the policy of appointing paid vice-chancellors, we have not been having people of outstanding capacity and merit to guide the deliberations of the Senates in any province. For instance, in place of Sir Ashutosh Mukherjee we have got Mr. Jadunath Sircar, because of the provision of having paid vice-chancellors. What is true of Bengal is true also of all Universities in other provinces. It is therefore wise that we should leave to the Senate the whole question of fixing the pay and also deciding the occasions when and whether they could get honorary workers who may be willing to give their time to the University and restore confidence in the administration of our University which confidence alone could make beneficent donors like Palit and Rashbihary to come out with their huge savings. With these words, I very strongly support the motion of my hon. Friend."

* Mr. W. E. SMITH :—"Mr. President, I do not think this amendment can be accepted in its present form. It provides that the Senate may decide to pay its vice-chancellor or not to pay him, either at the beginning or at the end of his term of office. It will be impossible to appoint a vice-chancellor and then wait till the end of his term of office before deciding whether he should be paid or not. The object of the mover is to get an honorary vice-chancellor appointed if possible, but I do not think it can be achieved by following this particular course. That is all what I want to say, and I do not propose to enter into the merits of the question of an honorary vice-chancellor."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, in the first place even though my hon. Friend there suggested that it should be in the power of the Senate to pay or not to pay its vice-chancellor, he has not suggested whether he should be a whole-time or part-time officer. I should like to point out to the House that, if the vice-chancellor is not going to be paid, we may not be able to get a suitable person. Human nature being what it is, at present it is impossible to find a whole-time officer without pay. Secondly, as the Act now stands, there is no compulsion on the Senate to pay its vice-chancellor. It only provides that the Senate *may* pay the vice-chancellor a salary. If they can get anybody who comes without pay, it will only be too pleased to accept the offer. For these reasons, the amendment as it stands cannot be accepted."

* Mr. C. GOPALA MENON :—"Mr. President, the Mover of the amendment has pointed out that there was a time when the work of the University was carried on by an honorary vice-chancellor. But to-day the work of the

9th October 1928]

[Mr. C. Gopala Menon]

University has very much widened and enlarged and if the administrative functions of the University are to be carried out efficiently, a paid vice-chancellor alone can do it. Otherwise the Registrar will not only be saddled with heavy work but will become all-powerful, and the honorary vice-chancellor would delegate much of the work to the Registrar. On these grounds, I oppose this amendment."

* Mr. S. SATYAMURTI :—"Sir, my sympathies are entirely with those who moved and supported this amendment. I am sure my hon. Friend, the Minister, and others who know the various distinguished men who have been honorary vice-chancellors of South Indian Universities or are paid, will agree with me that some of the most distinguished men in our public life, whether High Court Judges or distinguished educationists have rendered great service to the progress of University education in our province and elsewhere as honorary vice-chancellors. As my hon. Friend has pointed out, the name of Sir Ashutosh Mukherjee will live so long as the Calcutta University lives, and he was an honorary vice-chancellor of the Calcutta University. Confining myself for the present to our own province, I may mention among the honorary vice-chancellors who have rendered distinguished service to the University are Sir P. S. Sivaswami Ayyar, the late Sir K. Srinivasa Ayyangar, Sir John Wallis and Justice Oldfield. Three of them I had the honour of working with as vice-chancellors. One of them was vice-chancellor before I entered the Senate, and all of them I know took a keen and active interest in University affairs, devoted not less than two or three hours a day to University matters, and spent practically all their leisure time in attending to University work. I am not for one moment prepared to say that the institution of paid vice-chancellors has really improved that aspect of the vice-chancellor's work. Perhaps the purely clerical and administrative work of signing bills or receipts or checking registers is being done a little more regularly, at 11 a.m. instead of at about 4 p.m. or so. But as for giving a new orientation to our University ideals and marking mile-stones on the high road towards the ideal of higher education in the province, the new experiment has not attained unqualified success. But, Sir, I am afraid those of us who are on this side of the House have to answer the charge of the hon. the Minister that this amendment has not been given in a comprehensive form. Unfortunately, the Act, as it stands, provides, in spite of this amendment, that the vice-chancellor *shall* be a whole-time officer of the University, and although I can conceive of a possibility under which, say, for instance, a retired High Court Judge, a retired Executive Councillor or a retired Minister will be willing to come forward and be a part-time honorary vice-chancellor, I can conceive of no individual who will give his whole time statutorily to the duties of his office. Because members of the Senate like myself will then ask questions as to the hours when the vice-chancellor attends office, whether he attends office at 11 a.m. and leaves at 5 p.m., for as he is a whole-time officer, we can keep him to regular hours. But I think the Bill itself as it stands does not differ in substance from the effect of the amendment of my hon. Friend Mr. Basheer Ahmad Sayeed. The original Act provided that the vice-chancellor shall be paid such salary as may be prescribed by the statutes. The Bill now says that the officer may be paid such salary as may be prescribed by the statutes. It is open to the Senate to amend the existing statutes and say that no salary shall be paid to the vice-chancellor for the next three years. And then, if anybody is willing to come forward as a whole-time honorary vice-chancellor

[Mr. S. Satyamurti]

[9th October 1928]

there is nothing in the Bill against having such a whole-time honorary vice-chancellor. Even if my hon. Friend's amendment were carried, the effect would be that we can only have an honorary vice-chancellor, provided he is willing to work as a whole-time officer. So, I do not think it will really alter the existing position whether the amendment is passed or is not passed. But I rose merely to point out that the experiment of having paid-vice-chancellors has not been an unqualified success, and that the result of having honorary vice-chancellors has been on the whole satisfactory, especially in our province; and I sincerely hope that in Madras also we shall not give up the practice of having at least occasionally honorary vice-chancellors, provided we get good and enthusiastic men, either educationists or non-educationists who take a keen interest and enthusiastically work for the spread of University education in our province."

The amendment was put and declared carried.

A poll was demanded and the House divided thus :

1-15
p.m.

Ayes.

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| 1. Mr. Sami Venkatachalam Chetti. | 15. Mr. C. Obi Reddi. |
| 2. " S. Satyamurti. | 16. " C. Ramasomayajulu. |
| 3. " C. V. Venkataramana Ayyangar. | 17. " Basheer Ahmad Sayeed Sahib. |
| 4. " T. Adinarayana Chettiyar. | 18. " P. Bhaktavatsala Nayudu. |
| 5. " P. Anjaneyulu. | 19. Sriman Biswanath Das Mahasayo. |
| 6. " P. C. Venkatapathi Raju. | 20. Mr. A. Kalaswara Rao. |
| 7. " Abdul Hamid Khan. | 21. " R. Srinivasa Ayyangar. |
| 8. " C. S. Govindaraja Mudaliyar. | 22. " K. Koti Reddi. |
| 9. " G. Harisavottama Rao. | 23. " V. Kameswara Rao Nayudu. |
| 10. " C. S. Muthuranga Mudaliyar. | 24. " L. K. Tulashiram. |
| 11. " K. V. R. Swami. | 25. " C. Marudavanam Pillai. |
| 12. " D. Narayana Raju. | 26. " K. V. Krishnaswami Nayakar. |
| 13. K. Uppi Sahib Bahadur. | 27. " C. Venkatarangam Nayudu. |
| 14. Mr. K. R. Karant. | 28. " B. Venkataratnam. |

Noes.

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| 1. The hon. Sir. Norman Marjoribanks. | 26. Mr. A. B. Shetty. |
| 2. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 27. " J. Bheemayya. |
| 3. " Mr. T. E. Moir. | 28. " J. A. Davis. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 29. " B. Foulkes. |
| 5. " Dr. P. Subbarayan. | 30. " P. J. Gnanavaram Pillai. |
| 6. " Mr. S. Muthiah Mudaliyar. | 31. " Mahmud Sohammad Sahib. |
| 7. Mr. W. P. A. Soundara Pandia Nalar. | 32. " Muppil Nayar of Kavalappara. |
| 8. " S. Subrahmanya Moopanar. | 33. Rao Bahadur C. V. Anantakrishna Ayyar. |
| 9. " Daniel Thomas. | 34. Mr. C. B. Cottarell. |
| 10. " S. Venkiah. | 35. " H. A. Watson. |
| 11. " Syed Ibrahim Sahib. | 36. " C. A. Soutor. |
| 12. Rai Sahib M. Hampayya. | 37. " S. H. Slater. |
| 13. The Zamindar of Singampatti. | 38. " A. McG. C. Tampoe. |
| 14. Mr. F. E. Corley. | 39. " C. W. E. Cotton. |
| 15. Mr. W. E. Smith. | 40. " V. Ch. John. |
| 16. Mr. J. Kuppuswami. | 41. " M. A. Manikkavelu Nayakar. |
| 17. Subadar-Major S. A. Nanjappah Bahadur. | 42. Syed Taj-ud-din Sahib Bahadur. |
| 18. Rao Bahadur O. M. Narayanan Namudripad. | 43. Mr. T. C. Srinivasa Ayyangar. |
| 19. Mr. T. M. Narayanaswami Pillai. | 44. " K. R. Venkatarama Ayyar. |
| 20. " K. Krishnan. | 45. " K. P. Raman Menon. |
| 21. " N. Siva Raj. | 46. " C. Gopala Menon. |
| 22. Rao Sahib L. C. Guruswami. | 47. " B. Ramachandra Reddi. |
| 23. Mr. V. I. Muniswami Pillai. | 48. Rao Bahadur C. S. Ratnasabhapathi Mudaliyar. |
| 24. " Abdul Wahab Sahib. | 49. Khan Bahadur Khalif-ul-Jah Sahib Bahadur. |
| 25. " H. B. Ari Gowdar. | 50. Mr. G. K. Premayya. |

9th October 1928]

Noes—cont.

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| 51. Mr. K. Ramachandra Padayachi. | 59. Muhammad Kadir Mohideen Sahib Bahadur. |
| 52. Rao Sahib R. Srinivasan. | 60. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 53. Rajkumar S. N. Dorai Raja. | 61. Rao Bahadur B. Muniswami Nayudu. |
| 54. Mr. S. Arpudaswami Udayar. | 62. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 55. The Zamindar of Kallikota. | 63. The Zamindar of Mirzapuram. |
| 56. The Raja of Panagal. | 64. Mr. A. V. Bhanaji Rao. |
| 57. Rao Bahadur Sir A. P. Patro. | |
| 58. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. | |

Ayes 28. Noes 64.

The amendment was lost.

Clause 11 was put, passed and added to the Bill.

Clause 12.

Mr. K. R. VENKATARAMA AYYAR :—" I move :

'In line 5 after the word "inserted" insert the words "the word 'at' occurring between the word 'address' and the words 'any meeting' shall be omitted".'

"In the original section as amended there are the words 'the right of addressing at the meeting'. I merely say that it should be 'addressing the meeting' for better English."

Mr. K. P. RAMAN MENON :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I have no objection to accept it."

The amendment was put and carried.

Clause 12 as amended was put, passed and added to the Bill.

Clause 13.

* Mr. BASHEER AHMAD SAYEED SAHIB :—" I move :

'In line 3, after the word "Registrar" insert the words "or Registrars".'

In line 3, omit the word "a".'

In line 4, for the word "officer" substitute the word "officers".'

"This is merely, Sir, to give facility for appointing more Registrars when the University so requires. There is one Registrar now and it may be that we may have more Registrars in course of time. In order to give power to the University to have more than one Registrar this amendment is sought to be made."

Sriman BISWANATH DAS MAHASAYO :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I cannot accept this amendment because I do not think there is any necessity to have plurality of Registrars."

The amendment was put and lost.

Clause 13 was then put, passed and added to the Bill.

Clause 14.

Clause 14 was also put, passed and added to the Bill.

Clause 15.

* Mr. C. N. MUTHURANGA MUDALIYAR :—" I move :

'In line 1 of Class III, item (1), omit the word "registered".'

[Mr. C. N. Muthuranga Mudaliyar] [9th October 1928]

"Sir, I have a double object in moving this amendment. By adopting this amendment, I propose to widen the electorate for the election to the Senate. Moreover these graduates have spent a lot of money for their education, and they should not be penalised by further indirect taxation in the shape of registration fees to get themselves registered in order to qualify themselves for the electorate. So I move for the omission of this word."

Mr. P. C. VENKATAPATHI RAJU :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I must oppose this amendment because I feel that the electorate really becomes more unwieldy. Besides in all university bodies there is usually a limit by which members of the university can become members of the convocation. For instance in Oxford you have got to take the M.A. degree before you can exercise the franchise. I think some distinction ought to be observed because in academical bodies a little maturity of judgment is required."

* Mr. G. HARISARVOTAMA RAO :—"I am surprised at the arguments advanced by the Chief Minister. I do not know if money matures judgment of men. Registration is a matter of money. It might have been some excuse if the franchise was restricted so as to make some revenue for the University. If there is any meaning in giving the graduates the privilege of voting, all graduates must be treated alike whether they get themselves registered or not. It should not be that there should be a premium placed on the quality of the graduates. The quality of the graduates should not be made into a quality dependent upon money. As for the custom that obtains in the older universities, there is certainly a custom that registered graduates are generally admitted to vote at elections for the university. I do not see why that particular custom should always be followed. If a large number of graduates are there coming in into the university by virtue of being the alumni, I do not see why they should be precluded from voting. I certainly feel that it would be much better to widen the electorate in these days of democracy. I therefore think that the amendment may stand."

The amendment was put and declared lost.

A poll was demanded and the House divided thus :—

1-30
p.m.

Ayes.

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|------------------------------------|---------------------------------------|
| 1. Rajkumar S. N. Dorai Raja. | 19. Mr. C. Ramasomayajulu. |
| 2. Mr. Sami Venkatachalam Chetti. | 20. " Busheer Ahmad Sayood Sahib. |
| 3. " S. Satyanurti. | 21. " P. Bhaktavatsala Nayudu. |
| 4. " C. V. Venkataramana Ayyangar. | 22. Sriman Biswanath Das Mahasaya. |
| 5. " T. Adinarayana Chettiyar. | 23. Mr. A. Kaleswara Rao. |
| 6. " P. Anjaneyulu. | 24. " R. Srinivasa Ayyangar. |
| 7. " P. C. Venkatapathi Raju. | 25. " K. Koti Reddi. |
| 8. " J. A. Saldanha. | 26. " V. Kameswara Rao Nayudu. |
| 9. " Abdul Hamid Khan. | 27. " L. K. Talasirani. |
| 10. " C. S. Govindaraja Mudaliyar. | 28. " C. Marudavanam Pillai. |
| 11. " G. Harisarvottama Rao. | 29. " K. V. Krishnaswami Nayakar. |
| 12. " C. N. Muthuranga Mudaliyar. | 30. " C. Venkatarangam Nayudu. |
| 13. " K. V. R. Swami. | 31. " B. Venkataratnam. |
| 14. " D. Narayana Raju. | 32. " A. Ranganatha Mudaliyar. |
| 15. Dr. B. S. Mallayya. | 33. " Ramanath Goenka. |
| 16. Mr. K. Uppi Sahib Bahadur. | 34. " R. Nagan Gowda. |
| 17. " K. R. Karant. | 35. The Zamindar of Gollapalli. |
| 18. " C. Obi Reddi. | 36. Mr. C. R. Parthasarathi Ayyangar. |

9th October 1928]

Noes

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| 1. The hon. Sir Norman Macjoribanks. | 32. Mr. S. Subrahmanya Moopnar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 33. " Daniel Thomas. |
| 3. " Mr. T. E. Moir. | 34. " S. Venkayya. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 35. Nattam Dabash Khadir Sahib Syed Ibrahim Sahib Bahadur. |
| 5. " Mr. S. Muthiah Mudaliyar. | 36. Rai Sahib M. Hampayya. |
| 6. " Dr. P. Subbarayan. | 37. The Zamindar of Singampatti. |
| 7. Mr. C. E. Cotterell. | 38. Mr. W. E. Smith. |
| 8. " H. A. Watson. | 39. " F. E. Corley. |
| 9. " C. A. Souter. | 40. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 10. " S. H. Slater. | 41. Mr. G. R. Premayya. |
| 11. " A. McG. C. Tampoe. | 42. " K. Ramachandra Padayachi. |
| 12. " C. W. E. Cotton. | 43. Rao Sahib R. Srinivasan. |
| 13. " V. Ch. John. | 44. Mr. S. Arpudaswami Udayar. |
| 14. " M. A. Manikkavelu Nayakar. | 45. The Zamindar of Kallikota. |
| 15. Syed Tajudin Sahib Bahadur. | 46. The Raja of Panagal. |
| 16. Abdul Wahab Sahib Bahadur. | 47. Rao Bahadur Sir A. P. Patro. |
| 17. Mr. H. B. Ari Gowder. | 48. Mr. P. T. Rajan. |
| 18. " A. B. Shetty. | 49. Khan Bahadur Abdul Razaek Sahib Bahadur. |
| 19. " J. Bheemayya. | 50. Mahamud Kadir Mohideen Sahib Bahadur. |
| 20. " J. A. Davis. | 51. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 21. " R. Foulkes. | 52. Rao Bahadur B. Muniswami Nayudu. |
| 22. " Gnanavanam Pillai. | 53. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 23. Mahmud Sehamnad Sahib Bahadur. | 54. Mr. A. B. Bhanuji Rao. |
| 24. Mr. J. Kuppuswami. | 55. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 25. Sabadar-Major S. A. Nanjappa Bahadur. | 56. Mr. B. Ramachandra Reddi. |
| 26. Rao Bahadur O. M. Narayanan Namudripad. | 57. " C. Gopala Menon. |
| 27. Mr. T. M. Narayanaswami Pillai. | |
| 28. " K. Krishnan. | |
| 29. " N. Siva Raj. | |
| 30. " V. I. Muniswami Pillai. | |
| 31. " W. P. A. Soundara Pandia Nadar. | |

Ayes 36. Noes 57.

The amendment was lost. The House then adjourned for lunch.

After Lunch (2-30 p.m.)

V

ADJOURNMENT MOTION re SEIZURE OF COPIES OF BHARATHI'S SONGS BY THE POLICE.

* Mr. S. SATYAMURTI :—"Mr. President, Sir, I beg leave to move that the business of this House do stand adjourned to consider a matter of urgent public importance, namely, the recent action of the City Police in entering upon and searching the premises of the Hindi Prachar Sabha on the High Road, Triplicane, for copies of Bharathi's songs, and seizing nearly two thousand copies of the same."

"Sir, in support of this motion, I do not think I need advance elaborate or detailed arguments. For, I know, Sir, I am not exaggerating the feeling of any Member of this House who is a Tamilian, or who knows Tamil, or who is a patriot, or who is not afraid of patriotism, when I say that one wants no

[Mr. S. Satyamurti]

[9th October 1928]

arguments to support this vote of censure on the action of the Madras Government in having acquiesced in or directed the City Police to seize what will remain, in spite of the Madras Government's activities, so long as the Tamil language lasts or a single Tamilian exists, as the most priceless and patriotic songs in that great language.

"Sir, the late Subrahmanya Bharathi was a man on whose tongue, to use the language of romance for half a minute, the Goddess Saraswathi can honestly be believed to have danced the dance of patriotism. If he had been born in any free country, why in any country of the world except India, that man would have been made the Poet-Laureate of that country, would have been given honours and titles by a Government which knows how to respond to the feelings of the people, and would have lived and died among the most honoured of the nation. But, Sir, being the slave country that we are, he had to live as an exile in Pondicherry, enjoying the hospitality of the French Government, and die a broken wreck, because he found no use for himself under the auspices of this Government. But, Sir, martyrs and patriots before him have gone to the same fate. Subrahmanya Bharathi lived and died a patriot. I want to repeat, Mr. President, that so long as the Tamil language lasts, you may confiscate all the copies which exist—even as our sacred Vedas were handed down from generation to generation, for acons, without a single piece of writing, by the memory of our ancient Hindu ancestors, even as Macaulay was able to repeat every line of Milton's 'Paradise Lost', I have no doubt, that so long as a single Tamilian lives, these songs will remain the priceless heritage of the Tamil race. I can inform this House, Mr. President, after this ill-advised action of the Government, we are starting a propaganda for getting by heart every song of Subrahmanya Bharathi, and although the hon. the Law Member and the hon. the Home Member may between them confiscate every printed word of those patriotic songs, human ingenuity has not yet invented any machinery which is able to confiscate thoughts and memories. Thoughts and memories will flourish, and wherever the hon. the Law Member or the Home Member goes, they will hear only these songs sung, and they will have to apply cotton wool to their ears if they want to save themselves from being polluted by hearing these brave and patriotic songs.

"Sir, the origin of this action is not even complimentary to this Government. This Government is here governing the bulk of the Tamilians in whose language these poems are written. These poems are a quarter of a century old. For nearly twenty-five years, these songs have been sung throughout the province, and I appeal to my hon. Friend the Chief Minister, who I know is a very good student of Tamil, whether he has not heard and enjoyed these songs, whether he has not heard and felt his pulse beat quicker, and his blood run warmer in his veins, when these magnificent, soul-stirring songs were sung. I am sorry my two other friends who crossed the floor are not here. If they were here, they dare not contradict me when I say that some of the election methods by which they came to this very Council, which gave them the opportunity to cross the floor and become Ministers, were these patriotic songs sung by boys and girls in public meetings. Sir, do you know that in this Tamil country, if you want to get up a magnificent meeting, if you want to sustain the interest of the audience, the most usual method is to get

9th October 1928]

[Mr. S. Satyamurti]

these songs sung? I wish I had the voice to sing a few of those songs here, which will melt even the stony hearts of the hon. the Law Member and the Home Member. I will read some of them, and even a prosaic reading of these songs will melt the hearts of these people.

"Sir, it seems to me that for this Government to obey the dictates of the Burma Government, as if they have no opinion of their own in the matter, is inconsistent with a Government which has any sense of self-respect about it. Sir, the origin of this is the notification published by the Burma Government at Rangoon on the 7th August 1928 in the Police Department.

They say: 'In exercise of the powers conferred by section 99-A of the Code of Criminal Procedure, 1898, the Governor in Council hereby declares to be forfeited to His Majesty all copies wherever found of the booklet in Tamil entitled "The National Songs, Parts I and II" composed and published by C. Subrahmanya Bharathi in the Bharathi's Asramam at Triplicane, Madras, on the ground that it contains seditious matter, the publication of which is punishable under section 124-A of the Indian Penal Code as tending to excite disaffection towards the Government established by law in British India.'

Sir, section 99-A of the Criminal Procedure Code, which is one of the effects of the recommendations of Press Act Repeal Committee, over which some of our countrymen went enthusiastic, says when a local Government passes the order the police may seize the same wherever found in British India and any magistrate may authorize any Police officer to enter upon and search for the same in any premises. Now, I want to know from the hon. the Law Member or whoever is in charge of this department and is going to reply to me, why this notification was published in the *Fort St. George Gazette*, dated 11th September 1928. Is there any rule by which notifications of local Government are automatically republished in the *Fort St. George Gazette*? I know of no such rule. The only rule or practice I know of is that the resolutions and notifications of the Government of India published in the *Gazette of India* are republished by the Madras Government in the *Fort St. George Gazette* for the information and guidance of the people of this province. There is no rule which requires, so far as I know, the republication in the *Fort St. George Gazette* of this order of the Burma Government. I should like to know why the local Government published this order.

"The next stage, Sir, comes when the Police applied for a warrant before the Chief Presidency Magistrate to search those premises and to seize those copies. The application was made by Mr. Saptur Hussain, Inspector, Intelligence Department. The application says: 'I beg to submit that under notification, in G.O. Mis. No. 739, Public, dated the 7th August 1928 of the local Government, Burma, republished by the local Government of Madras in the *Fort St. George Gazette*, dated 11th September 1928, the booklet styled 'the National Songs', Parts I and II by C. Subrahmanya Bharathi have been forfeited to His Majesty under section 99-A of Criminal Procedure Code. I request this Honourable Court to issue a warrant authorizing me to enter upon and search for the same in (1) Hindi Prachar Press, Triplicane, (2) Bharathi's Asramam, Talayari street, (3) O.N. Dandapani and Company, where such booklets are reasonably suspected to be stored.' With regard to this application for warrant, Mr. President, I want to know whether this action was taken by the Commissioner of Police at his own instance and on his own

[Mr. S. Satyamurti]

[9th October 1928]

responsibility, or whether the Member of Government in charge of the Police had any knowledge or notice of it. If he had no knowledge or notice of it, I want to know whether it is the policy of the Madras Government that in first-class political matters like this, seizure of proscribed literature under orders of another local Government, the Police are going to be allowed to act on their own responsibility, without so much as 'by your leave' of the Government. Then, Sir, I want to know whether the order was applied for by the Police after taking the permission of the Government or at least letting them know that they propose to do it. On that, Sir, the Chief Presidency Magistrate passed this order—

Whereas complaint has been made before me of the possession of undermentioned proscribed booklets and it has been made to appear to me that the production of the copies of the said booklets is essential to the inquiry now being made into the said offence

"It is not clear, Sir, what the offence referred to is. Whatever it is, the facts are the Police did apply for and the Magistrate issued a warrant, and as many as two thousand copies of this book have been seized and forfeited to His Majesty and kept in the Record office of the Chief Presidency Magistrate.

"Apart from the political or literary aspect of this matter, Mr. President, there is the human aspect about it. This man, Subrahmanya Bharathi, as I have said, died a broken man, a poor man, leaving behind him a widow and two daughters whose only means of subsistence is the proceeds of the sales of these books, and some friends have offered themselves to publish these books and to remit the profits out of those sales for the maintenance of this family of this great but poor man. As a consequence, the Bharathi Asramam and the Hindi Prachar Sabha in Triplicane are spending and have spent money on this publication, and after selling these publications they are going to send the profits for the maintenance of the widow and the daughters of this great and patriotic man. Is it consistent with charity or good sense or even ultimately the sense of honour of this Government that they should seek to deprive a widow and two fatherless children of their only means of subsistence in order that they may pursue the Burma Government's vendetta against high and patriotic literature of this kind? Apart from anything else, that must appeal to every hon. Member of this House. Are you going to punish the widow and the daughters of Subrahmanya Bharathi, because he wrote patriotic songs, and punish them in this mean and despicable manner by depriving them of their livelihood? It is mean; it is contemptible; it is unworthy of any Government which wants to call itself civilized or self-respecting or honourable.

"Then, I want to point out, Mr. President, that in this matter, the anomalies and absurdities of dyarchy have been shown in excelsis. My hon. Friend the Chief Minister, a few months ago, in answer to questions on the floor of this House, said that his Government had no objection to the teaching or singing of Bharathi's songs in Government and aided schools in our Presidency. Look at the action of the hon. the Education Minister. He knows Tamil, he knows the songs, and the Council thanks him for his act of patriotism by which he allowed these songs to be sung in the schools provided by the Government. He sits there, he is still the Chief Minister and the most powerful Minister; he makes and unmakes ministries at his will; and

2-45
p.m.

9th October 1928]

[Mr. S. Satyamurti]

yet with all his great powers of formation, destruction and reorganization, this great minister is unable to influence his two Colleagues who are now sitting to the right and left of him, the hon. the Home Member and the hon. the Law Member, who do not say a word to the Chief Minister but listen to the Burma Police directing the Madras Police to seize by warrant and forfeit to His Majesty those very books which the hon. the Chief Minister thinks furnish the intellectual pabulum to our young children and on which they could be reared as honourable citizens; but when it comes to the reserved half it is to be forfeited (laughter). I do not know whether it is a matter for laughter or tears. That is for him to decide. But if I were the hon. the Chief Minister, I would rather be a dog and bay at the moon than be such a Minister as to be compelled to look on when his own Colleagues snap their fingers at him saying 'You may sing Bharathi's songs in schools and colleges but we will forfeit them.' I will not say anything more about him; for he is the only good man in the whole piece. Let us go to the villains of the piece, the hon. the Home Member and the hon. the Law Member, and both of them are Indians. I believe they have not given up their claim to be called Indians. The hon. the Law Member was till the other day sitting on this side or that side of the House, and I know he is a very good speaker in Malayalam, one who is listened to with respect. Supposing there are patriotic songs in Malayalam of the nature I am going to read presently, does he think that he will forfeit those songs because a neighbouring Government called them seditious? And what about the Home Member? He represents Islamic culture there; he is there to protect Islamic interests; he is there, not for any other reason, but to see that the great Islamic culture is preserved intact from the invasion of the secular Government. Is it consistent with Islamic culture which is based on democracy, charity and free thinking, that he should be a party to this deliberate and wicked attempt at poisoning the intellect of the nation at its very fountain source and telling the people, 'You shall not become patriotic, you shall not become proud of your country, you shall not love your country, but you always shout with me that we will be slaves, that Britain shall rule over the waves'? If that is their attitude, I can understand their action. If on the other hand these gentlemen claim to be patriots, I put it to my friend the Law Member—he is not a lawyer listening to the arguments of another lawyer on the other side vigorously taking notes and answering argument by counter-argument, that he should keep his heart open, his brains open, if he can, to listen to us and convert himself and have the courage to get up and say 'Mr. President, I am ashamed of the action of the Madras Government; I shall recall the order.' I do not think he will rise to that occasion, but still I hope he will offer to do so. (A voice: Hoping against hope!)

"Then, Sir, what are these songs? I am not going to dwell on their seditious nature, under your ruling. I merely want to tell the House these are songs with the like of which one is familiar in English literature, such as praising the country, praising her natural beauties, praising her great heroes and heroines, praising her great achievements, expressing unmitigated love for the motherland, expressing joy in her present and hope in her future. Are these things unworthy of any nation? These books have been proscribed, I have got copies here and I can make a present of them to the hon. the Home Member or the Law Member, I will make a present of them to the Council Library, and if the police want them they can go and search there and

[Mr. S. Satyamurti]

[9th October 1928]

take them. I shall read from the first book of songs in order to convince the House that there was no need for the Government to confiscate this literature—

மெ—எங்கள்

வந்தேமாதரம் என்போம்
மானிலத்தாயை வணங்குகுது மென்போம் (வந்தே).
ஜாதிமதங்களைப் பாரோம்—உயர்
ஜன்மமித் தேசத்தி லெய்தினராயின்
சேவையாயினு மொன்றே—அன்றி
வேறு குலத்தினராயினு மொன்றே (வந்தே).
சனப் பறையர்களுளும்—அவர்
எம்முடன் வாழ்ந்திருப்பவ ரன்றோ ?
சனத்தராய் விடுவாரோ ? பிற
தேசத்தார்போற் பல தங்குழைப்பாரோ (வந்தே).

“We will worship our Mother, we will not mind to which caste or which religion, our fellow citizens belong; if they are born in this country, all of them are our brothers even if they are called Pariahs; are they foreigners ?

ஒன்றுபட்டால் உணடுவாழ்வே
நம்மில் ஒற்றுமை நீங்கில் அனைவர்க்கும் தாழ்வே
நன்றிது தேர்ந்திடல் வேண்டும்
இந்த ஞானம் வந்தார்பின் நமக்கெதுவேண்டும் ? (வந்தே).

“I commend these lines to the particular attention of the hon. the Law Member and the Chief Minister and the Home Member. If we are united we can live; if we are not united we are all equally humiliated, Treasury Bench and the opposition alike. (Laughter.) Then I appeal to the Tamilians. Have you heard any more inspiring lines than these ? I have not.

செந்தமிழ் நாடெனும் பேராகிலே—இன்பத்
தேன் வந்துபாயுது காகிலிலே—எங்கள்
தந்தையர் நாடென்ற பேச்சிலிலே—ஒரு
சத்திபிறக்குது மூச்சிலிலே—எங்கள் (செந்தமிழ்).

“I do not know, Sir, if there is any Tamilian in this House or outside whose heart will not melt at these songs. I ask them to remember this, that these songs are now declared forfeited to His Majesty by the action of a government which are to a certain extent kept in those treasury benches by us. The music of it is so great that even a halting reader of those songs like myself can make an appeal to the members here.

ஒங்குவளர்ந்ததோர் கம்பம்—அதன்
உச்சியின்மேல் வந்தேமாதரமென்றே
பாங்கினெழுதித்திகழும்—செய்ய
பட்டொளி வீசிப்பரந்தது பாரீர் (தாயின்).

“Look at this great flag of the mother on which are written the words ‘Vandemataram.’

“Also may I commend these lines to the hon. the Minister for Excise—
வீர சுதந்திரம் வேண்டி நின்றார் பின்னர்
வேறொன்று கொள்வாரோ ?—என்றும்
ஆரமு துண்ணுதற் காசை கொண்டார் கள்ளில்
அறிவைச் செலுத்து வாரோ ?

9th October 1928]

[Mr. S. Satyamurti]

“Those who have once striven for complete independence will not go after the other things afterwards. Those who hunger after divine nectar will not run after toddy.

வந்தேமாதரமென்று வணங்கியபின்
மாயத்தை வணங்குவரோ
வந்தேமாதர மென்றேதாரக
மென்பதை மறப்பாரோ ?

“Will they forget that Vandemataram song is the only life-giving song for us; and as for the beautiful Tamil language, this is what Subrahmanya Bharathi wrote :

யாமறிந்த மொழிகளிலே தமிழ் மொழிபோல்
இனிதாவ தெங்கும் காணோம்
பாமரராய், விலங்குகளாய், உலகனைத்தும்
இகழ்ச்சி சொலப் பான்மை கெட்டு
நாமமது தமிழரேன கொண்டிங்கு
வாழ்ந்திடுதல் நன்றோ ? சொல்வீர் !
தேமதுரத் தமிழோசை உலகமெலாம்
பரவும் வகை செய்தல் வேண்டும்.

“Why is this song forfeited ? I have listened to the hon. the Law Member shouting here yesterday; he has not even read these songs, but still he has forfeited the book. I can understand if the Government has chosen one of these songs or two and said that those songs should be forfeited. They have not done anything of the kind. These two volumes consist of some of the most moving songs on our religion and letters, apart from pure patriotism.

“I shall finish by referring to similar songs in English literature which Englishmen sing in their country, which they sing even in our own country in private dinner parties and other places. They sing of the glories of England ‘Britain shall rule the waves, Britain shall never be slaves’—but Indians shall always be slaves. That is the burden of their songs, if they are to be judged by the results of their actions. Lord Tennyson sang :

‘At her girdle clash
The golden keys of the East and West;
Her mailed hand keeps the keys
Of such teeming destinies.’

William Blake wrote.

‘Their mighty wings stretch from East to West
Their nest is in the sea, but they shall roam
Like eagles for the prey.’

Then England's message in Parker's words :

‘Then courage, all brave mariners
And never be dismayed
Then be bold—work for gold
When the stormy winds do blow.’

“Lord Tennyson says :

‘The fleet of England is her all in all,
Her fleet is in your hands,
And in her fleet her fate.’

[Mr. S. Satyamurti]

[9th October 1928]

"I want to point out three capital differences between the English nationalistic literature and ours. English nationalistic literature boasts of its own strength and speaks of the confusion and destruction of their enemies. 'God save the King, send victorious, happy and glorious and confound his enemies.' That is the Englishman's song. The Englishmen's psychology is that God has to deal with only two categories, England and her subjects on the one hand and her enemies on the other. That is, God must give up all His other work and constantly save England and confound her enemies. Humanity has come under these two categories, England and her subjects on the one hand or England and her enemies on the other. Whereas the message of Subrahmanya Bharathi is the message of all races, of poets, philosophers and seers of all nations. **लोकाः समस्ताः सुखिनो भवन्तु** is our motto. Let India be free and happy and the other nations of the world be free and happy. Is it for preaching this message of peace on earth and goodwill to all men that the Madras Government which does not understand the A B C of patriotism or nationalism have ventured to lay its profane hand on this sacred literature? We are constantly told that we are a nation of many races and creeds. Bharathi was a Brahman by birth, and I appeal to non-Brahmans in the South—several of them were his friends and I do not want to name them—to say whether throughout his literature, there is a single trace of caste or communal bias or superiority or inferiority. He talks only of Indians as a whole, he knows no distinction of class or creed, race or religion. He is the most cosmopolitan that I know of among modern authors. Is it for preaching this harmony among men that his books are sought to be forfeited by this Government? It seems to me that this action of the Government cannot be justified on any basis whatever, either of duty or of reason.

"I have only one word, Mr. President. This motion is going to be pressed to a division. This motion, I know, will be passed. But I also know that the present Government, constituted as it is, will not listen to the united voice of this House. But the matter is not going to end here. It is a challenge to the literary genius of the Tamil race; it is a challenge to the self-respect of those whose mother tongue is Tamil. It is a challenge to all those patriotic citizens here and elsewhere who value intellectual freedom and value patriotism. I appeal to them all to see to it that this battle does not end here, but is taken to the hustings, and every elected member who votes against this motion, let him remember that the moment he rises to support the action of the Government, his fate as an elected member is sealed for once and for all. I appeal to the Tamil friends on the Treasury benches to see that this order is revoked. I have great pleasure in making this motion."

3 p.m.

* Mr. C. N. MUTHURANGA MUDALIYAR :—"Mr. President, Sir, I have great pleasure in seconding this motion. The action taken under section 99-A is not obligatory on the police or the magistrate. This action under section 99-A has not originated with the Madras Government. It was an order issued by the Burma Government and the Government of Madras immediately sprang it on the Madras public. The Government of Madras should not have taken such a precipitate action on the order issued by the Burma Government. The Burma Government cannot be expected to understand Tamil better than the Madras Government which can boast of at least two Tamil-knowing Members on the Treasury bench. The late Mr. Subrahmanya Bharathi

[9th October 1928] [Mr. C. N. Muthuranga Mudaliyar]

is adored in South India as a national asset and as a king of poets. He is one who has sacrificed his all on the altar of his motherland. His songs are soul-stirring ones and the most popular in South India. It is sung in all public meetings and public functions. Even at the recent Law Dinner held at Ootacamund, I understand that the hon. the Law Member showed particular eagerness to hear those songs sung and that they were accordingly sung and were appreciated by the hon. the Law Member as well as by the hon. the Chief Minister, and the Minister for Excise along with other officials. They have been introduced in many Taluk Board and Municipal schools and are being sung popularly for the last fifteen years. When nothing has happened so far as a result of it, and when the Madras Government has itself found nothing objectionable in them for so long a time, they should not have taken such a hasty action on the order of the Burma Government and seized the volumes containing the Bharathi songs. Yesterday, Sir, when this motion was being moved, the hon. the Law Member said that seizure was only in the Bharathi Asramam. I may say for his information that it is not confined to the Bharathi Asramam. The books at the Dandapani Company also have been seized and, any day, other places might be searched and books seized. I hope he will put an end to these seizures. The Madras Government have exhibited absolute want of discretion and judgment in this matter. They have thrown an affront and an insult to the Tamil reading public who will not take it lying down. The Government should retrace its steps if it cares for the feelings and opinion of the people. If the Government hoped to check the national aspiration of the people of South India by this action of theirs, they are entirely mistaken. I would appeal to the hon. the Law Member, who was till recently the floor leader of the Justice party, which stands for Tamil culture, to rescind the order of seizure and give back the books to the owners concerned. May I appeal to my friends of the democratic party of which the hon. the Law Member himself belongs, to join us in effectively condemning this deliberate inroad of the Government on the expression of national feeling? I appeal to the House to vote for the motion."

* Mr. T. ADINARAYANA CHETTIYAR :—"Sir, I have great pleasure, nay, I feel it a privilege to add my voice to the very eloquent words of the hon. Member for the University in support of this motion. Sir, I think it does not require, at any rate it should not require, much persuasion from these benches to the hon. the Law Member and the hon. the Home Member to take very early steps to hasten back from the ill-advised, unpatriotic and unwise step they have taken at a weak moment in connexion with this matter. Sir, I say this for many reasons and among them this is one: They happen to be Indians and whatever limitations they may be under and whatever benefits they may get by this action during the remainder of their tenure of office, it is at any rate our duty to remind them of the longer and darker period during which they will stand condemned not only by the public at large but by generation after generation yet to come if they do not retrace their steps. They might snap their fingers at us to-day. They have got their packed majority. But posterity is a thing which they cannot take in, in that easy manner. No statesman in the history of the world has ever succeeded in cheating posterity. Let them take note of that. There is also another implication from which they cannot escape. It would seem, Sir, that they are unpatriotic, weak vacillating and unnational enough not to hesitate to suppress

[Mr. T. Adinarayana Chettiyar] [9th October 1928]

the national literature of the Tamils and yet they are cowards not to take action till now and were to wait for the Burma Government to take the first step. They are cowards and wanted this pretext to take action in the matter. I do not attribute this evil motive to them. But they cannot escape the public attributing these motives to them. Therefore, in their own interest I would appeal to them, with all the earnestness I can command, to gracefully back out of the most unhappy situation which they have got themselves into.

"Sir, even if they wanted to suppress patriotic literature in this country—I would not be so uncharitable as to say that their object is that—I can tell them that they can never succeed. In no country in the world have such measures succeeded. No Minister however strong and however wicked he may be, has succeeded in putting down national aspirations, especially through suppression of literature. May I present to the hon. Members, a page from the history of Irish politics where, not for a century or for fifty years, but for nearly eight hundred years, the hand of Britain tried to put down or stifle if not kill the national aspirations of Irishmen separated from them by a narrow stretch of sea barely sixty miles long? They suppressed every bit of Irish literature. But what happened? Publications appeared like mushrooms from every village and hamlet of Ireland. Sir, obliging countries like Germany, United States and France produced bundles and bales of such proscribed literature and smuggled them into the ports of Ireland which are numerous and near each other. Sir, the daily press was suppressed. Sir, one evening one paper was suppressed, but the next morning the paper reappeared under a different name. Where it was printed or published nobody knew. But every morning as punctually as the 'London Times' or its Dublin prototype the 'Irish Times' was printed and delivered at the doors of Irishmen. Not only that. Every little urchin, every woman and every street beggar began to sing proscribed songs. In the courts, in the railway carriages, in front of the police stations, in the schools, etc., these songs were sung. When the school authorities proscribed them, the songs were sung before the school hours and after the school hours in the presence of the headmaster himself. So much so, it became a pestilence and Government almost became impossible. Not only that, Sir. Such a policy of repression gave birth to a new set of literature. I will give you one example. I am referring to that immortal play called 'The Rising of the Moon,' published by that great patriot and poet Lady Gregory. When the policy of suppression of the so-called seditious literature was at its height in Ireland, there was a famous patriotic singer who could sing those mellifluous songs in a soul-stirring manner. That ballad singer was in requisition everywhere. No funeral and no marriage feast was complete without that famous ballad singer of Ireland. He went and sang before the very Sessions Court. The authorities tried to send him away but he would not go and sang before the Judge and the Jury. A proclamation was issued for his arrest and the whole police force in Ireland was hunting after him. The man was hiding for some time under a barrel waiting for a boat to take him to another country where the long arm of the police would not reach him. At the same time, there was waiting for him like a hunter the chief police officer of Ireland. This ballad singer appeared just at the time when the boat was approaching the shore. The police officer saw him and asked who he was.

9th October 1928] [Mr. T. Adinarayana Chettiyar]

He said 'I am a poor ballad singer' and began to sing a few songs purposely substituting wrong words for the correct ones to test the mind of the police officer. He succeeded in his attempt. The police officer forgetting his duty for the moment remembering that after all he was an Irishman began to correct the ballad singer and say 'You have misplaced this word there, and that word here.' Then the ballad singer turned round and said: 'You, Sir, appear to be a police officer. How come you to know the hunted Irish rebels' song?' He said: 'Yes, I am a police officer; but there was a time when I was a young boy in Ireland in a far-off village born and bred among the millions of Irishmen. There, from my mother's lips and from my grandmother's lips, I heard these songs and they are imprinted in my memory. When you sang them wrongly they began to jar upon my ears and that is why I am correcting you.' Therefore, when my hon. Friend, Mr. Tulasiram, is going to sing Bharathi's stanzas I hope the hon. Dr. P. Subbarayan or the hon. Mr. Krishnan Nair (in spite of his ignorance of Tamil) will correct him and say 'You ought to sing in this tune. You ought not to sing in that tune.' I am sorry I cannot sing. So, people may wear the garb of the Government office for some time, but they cannot stifle, they cannot kill the bubbling enthusiasm or patriotism which they had before they crossed the floor in this House. Sir, this ill-advised step should be retraced by the hon. Members if they are still desirous of being regarded as Indians. You cannot suppress altogether by one ukase of your pen the political aspirations of the vast millions from whom you came and to whom at the end of your term of office you will have to return. Sir, do not think these gilded benches are your eternal rest or your lasting rest. Sir, if not you, your children will have to live in this land. Sir, I ask the hon. the Law Member to try this experiment. Suppress to-day the songs of Vallathol (Malayalam poet) and go back to your native Palghat and see what a reception awaits you there. No, this cannot be done. In the East or in the West, in the North or in the South, among no nation in the world, has such a suppression of the natural aspirations of the people succeeded and will succeed. And, thank God, it shall not succeed.

"Sir, you know the Andhras. They are as inflammable as the Tamils when their patriotic passions are excited.

"When in 1921 the burning patriotism of the Andhras found its expression in the undying national literature of the time, what were the songs that were sung in those days? I am sorry I am not able to sing those songs any more than the hon. Mr. Muthiah Mudaliyar. But these songs contributed very largely to the promotion of mass education. It is not the schools of Dr. P. Subbarayan, not even at the rate of one school for every five hundred of the population or the school with Rs. 1,000 type design building but it is the national songs sung even by the beggars and the poor that contributed largely to the political education of the Andhras in 1920 and 1921. The famous poem *Dandalu Dandal* was proscribed but every professional *Nagaswaram* man in the Telugu country took it up."

The hon. the PRESIDENT:—"The hon. Member has exceeded his time limit."

MR. T. ADINARAYANA CHETTIYAR:—"I shall finish soon. Take another instance, the song, మా పాదముల చూచి వెళ్ళి పోవలెను. When the author was placed

[Mr. T. Adinarayana Chettiyar] [9th October 1928]

before judge who ultimately convicted him, he said, 'Let me go to jail, it does not matter. But please let me sing the song once more.' So saying he sang the song and while he was singing he was led to the jail. Therefore, Sir, if you persist in this action, you may find some of us, members of this Council, representatives of the people, the poorest of the poor, sing these songs here everyday when the hon. the President comes to the chamber and sing them again at the end of the day when the hon. the President goes out of the Chamber. (Hear, hear.) You may push us out, you may bring your sergeants, but you will be surprised if we do not persist in adopting this effective method by which we will regain our patrimony."

The hon. the PRESIDENT :—"The hon. Member is requested to resume his seat."

Mr. Chavadi K. SUBRAMANIA PILLAI :—"Mr. President, Sir, I support the motion. These songs have been openly sung in our schools and on our public platforms for a long number of years. The Government of Madras did not take any action of their own accord. They have now acted as the executioners at the bidding of Burma Government without giving a verdict of their own. Undoubtedly the Government of the Tamil Province of Madras would have more quickly discovered the poisonous element, if any in these Tamil songs than the Government of Burma. It is sad that a reactionary policy is adopted by the Madras Government on the eve of the advent of so called reforms, unless the object of the Government is to the growth of nationalism and the patriotic passion, it is the duty of the Government to undo the wrong of seizure by the Police and to leave the Government of Burma to run amuck unassisted."

Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, this is one of the matters which shows the soul-less nature of the Government machinery. The order is made by the Burma Government; this Government reproduces it in the *Fort St. George Gazette* and the Police forthwith ask for a warrant. The magistrate issues the warrant and the books are seized. Not a moment's consideration is given to the matter by anybody responsible for the administration of this department of work either the hon. the Law Member or the Home Member. They must have had time enough before this motion came up for discussion here to see that justice was done to those involved. These songs have been in existence for thirty years and they have been sung all over the country. I am acquainted with some of those songs and being an Andhra I cannot claim an erudite knowledge of it. As one who has had something to do with Tamil while I was in the City of Madras I feel bound to say that the most enchanting songs I have heard are found in these volumes. There is nothing that a Government can do which will offend the self-respect of the nation more than proscribing its literature. This is literature of the first-rate and it has been claimed to be the literature of the highest order and has been introduced in schools and colleges. Under the circumstances the authorities should have deeply considered the matter before they took such action. The whole of the Bengal Partition agitation and the *Vande Mataram* agitation arose out of the fact that an order regarding the vernacular of Bengal had offended the population. Similarly, I am certain that if the Government go on at this rate and confiscate Bharathi's songs, the whole of Tamil land must be in revolt. Government will have to thank themselves if

[Mr. G. Harisarvottama Rao] 9th October 1928]

the whole of Tamil Nad to a man stands up and says, 'Here are our songs which have been proscribed and we shall sing them; we shall insist upon singing them; we shall see what the Government does.' I shall not be surprised if such a movement should be set on foot if this motion should get defeated in this House by the efforts of the hon. the Law Member or the Member in charge of the Police. I am certain that the members of the House are alive to their responsibilities and that this motion will not be lost. Government are responsible for this motion coming into the Council. They had notice of it and it was open to them to have withdrawn the notification or issued a communiqué. In fact both the hon. the Home Member and the Law Member have been sitting quiet while the Police were having their own way, though both of them know some one South Indian language or other. That is a commentary on the system of Government which obtains in this country. The soul-lessness of it is very clear. To proscribe poetry of the highest order which has been in existence for so many years is worse than sedition itself. It is sedition against the whole spirit of the nation, against the very soul of the nation.

"Now, Sir, these books have been in existence for the past thirty years and owing to the fact that the songs appeal to all lovers of Tamil literature and catch the imagination of the people and evoke their admiration, they have run through many editions. Supposing an innocent publisher prints lakhs and millions of copies of these, is it open to the Government or any authority at this stage, to confiscate the books? Who is to bear the loss? It is most uncharitable and most unjust. I therefore feel that this adjournment motion must have the support of both the hon. the Law Member and the Home Member. Of course if they do not vote with us, they may remain neutral or even now accept the motion and rectify the mistake. Perhaps it is too much for them, because the system of Government is such. If they were consulted privately, I am certain that they would vote with us and I have no doubt whatever about that. They have no courage to press their views on the Government. If they have the courage to do the right thing by the people, it is well they are not there. They are there only to abet the bureaucracy which has its own way of doing things. When they come out of their offices, the country will tell them that what they did was absolutely unpatriotic and that they deserved the censure of the nation. I hope, Sir, that this motion will bring the Government to its senses and that we shall have a speedy remedy in this matter and that the nation will be spared the great humiliation of witnessing one of its brightest jewels being attempted to be sent to oblivion by a bureaucratic Government."

* Mr. N. SIVA RAJ :—"I was somewhat surprised that the learned Member for the University should have thought it fit to make an insinuation against the nominated members of this House. He made his appeal only to the elected members of this House and I am afraid that this is an indiscretion of which he is capable now and then. I resent the insinuation, if it is any insinuation suggesting as it does that he alone has got the monopoly of wisdom and patriotism, and forgetting for the moment that we the representatives of the depressed classes form also the sons of the soil, perhaps the real sons of the soil. Another aspect of the insinuation is that it does little credit to the intelligence of the nominated members as if they cannot appreciate the

[Mr. N. Siva Raj]

[9th October 1928]

excellence and popularity of Subramanya Bharathi's Tamil songs. The action of the Madras Government in this matter seems to be one which, though we invariably support its action, we cannot do so now. (Hear, hear), because, Sir, it was dictated neither by reason nor by duty as the hon. Member for the University said. It would certainly have been their duty to proscribe songs of this kind if they preached disaffection against the Government. But so far as my knowledge goes, I have not been able to see that there is any suggestion of disaffection against the Government in these songs.

3-30
p.m.

"I do not think that their action is now reasonable, the Government themselves having freely allowed the circulation of the books previously and having introduced the songs in certain schools already. It is for these reasons I find it difficult to withhold my support to the motion."

* Mr. S. SATYAMURTI :—"On a matter of personal explanation, Sir. I want to say that I meant no insinuation against the nominated Members. I was referring to elected Members because there is sanction behind them. If there were any unconscious insinuation I tender my apologies to my hon. Friends, the nominated Members."

* Mr. T. C. SRINIVASA AYYANGAR :—"Mr. President, Sir, I am really glad that my hon. Friend Mr. Siva Raj has supported the motion. The illustrious Tiruvalluvar says that from whomsoever a good matter may come, it is part of wisdom to appreciate it. Therefore whether it is Subramanya Bharathi or any other writer who came with a message of new hope to the Tamil land, all are welcome, and should be welcomed by all alike.

"Now, Sir, it is really a tragic act that after 20 years when the people, high and low, learned and unlearned, all have taken to a new message and a newer line of song and after all these years, it was left to this Government to take the cue from the Government of Burma where Tamil is not the language of the land to proscribe this book. I am sorry, Sir, that the custodians of the advancement and enlightenment of this part of the country should not have thought of preserving and patronizing the poets who have produced fine literature. Yesterday we heard a great deal about patronizing a book on the South Indian birds. Should we not now think that the duty of the Government is, if not to patronize the book and take it as a Government publication and broadcast it, not to proscribe it and not to authorize the Police officers to take away those books? The direct result of the action of the Government will be that it would stand in the way of the sustenance of the widow and her daughter. The books have been in the land for such a length of time that not only the literate population of the country have this book but even the illiterate section of our countrymen have got these songs by heart; and what are the means of the Government to see that these songs which were got by heart are not sung. I may say that, among the literary treasures of the land, Bharathi's songs are the foremost. During the last 50 years beginning with the time when Rajam Ayyar began to write in Tamil prose and Madaviah of Tinnevely followed him and Sundaram Pillai of Trivandrum began to give expression to modern ideas in Tamil poetry, a race of writers, both as lyric poets and as ordinary literary poets arose in the land and enriched the literature and among those names Bharathi's name will always be cherished. I believe the Government of Madras were misled apparently, and that they

9th October 1928]

[Mr. T. C. Srinivasa Ayyangar]

were not correctly informed of the value the people attach to the book. I do not desire to emphasize the political aspect of the songs. I only refer to the literary aspect of them. Carlyle once put himself a question whether the Englishman would like to lose the Indian Empire or Shakespeare; and answered that he would lose the Indian Empire rather than Shakespeare. Will the Tamil land lose the songs of Bharathi? I am sure they will not. I hope the Treasury Bench will take note of the feeling of the people. Have the Government asked the Tamil Ministers, the Education Minister and the Public Health Minister? They think that diarchy still has some value. Diarchy has, we are seeing now, in all sides been failing. If they had only been asked I do not know whether they would have allowed the Government to proscribe the book. What are the songs which are considered objectionable? Have they been classified? I submit, Sir, that in this action of the Government no part of the House can support the Government."

* Mr. T. K. CHIDAMBARANATHA MUDALIYAR :—"Mr. President, Sir. The other day we had a very regrettable surprise when we read in the papers that the Madras Police were busying themselves with the seizure of some books published in the name of Subramanya Bharathi. These books have been in our midst for more than two decades and we have been listening all the years to the songs contained in them, and the country has not been in any way disturbed thereby. The songs have reference only to events that occurred some twenty years back, and therefore belong to a historic past. As such, they cannot be expected to have any inflammatory influence on the public. As a thing of the past they are not of much value for our present political purposes. But they have their own value for literary and other æsthetic purposes.

"In this connexion, I may be permitted to refer to the passage in Carlyle to which my hon. Friend, Mr. T. C. Srinivasa Ayyangar, just now referred. Carlyle says, if he were given an alternative, he would have Shakespeare and allow the Indian Empire to go; and incidentally, in that passage says, that the Indian Empire must some day go. Suppose for this statement of Carlyle, the Madras Police busy themselves with seizing all the copies of 'Heroes and Hero worship' in the Madras book depots, what would happen? Forthwith the prodigious sides of John Bull would be split with laughter! How is the present performance of the Madras Police different.

"Small little girls, robed in picturesque and variegated colours often have their roundelays of kolattam, singing the inspiring songs of Bharathi; and we have listened to them and they produce only a peaceful and peace giving effect. Nothing of the sordid and the egoistic often associated with politics enters our head.

"Now, Sir, by the seizure of Bharathi's songs, have the Madras Police rescued the land from any dangerous disturbance and secured peace? They have, on the other hand, irritated the public and the whole Tamil world is burning with indignation. Is it the song books of Bharathi that are inflammatory? No, Sir, it is the action of the Madras Police that is inflammatory.

"So long as no one Member in our body asserts its existence so long is our body healthy, in the same way the society or the body politic is healthy so long as no one department is asserting itself in any unnecessary manner.

[Mr. T. K. Chidambaranatha Mudaliyar] [9th October 1928]

The Madras Police, I regret to say, has been asserting its existence in all too morbid a manner. I therefore, Sir, heartily support the motion before the House."

* **MR. MAHMUD SCHAMNAD SAHIB** :—"Sir, I am very much thankful to my hon. Friend, Mr. Satyamurti for the excellent speech delivered just a while ago and if oratory can have any effect, I think the whole House must vote with him. But I am sorry I do not know Tamil myself. Therefore I cannot very well appreciate the songs and the patriotic feelings contained in those songs. I wish that Mr. Satyamurti had given me those books, so that I can have them read to me. If the facts are as he says that they do not contain anything objectionable, the Government have acted wrongly. I am waiting what hon. Members on the other side have got to say on this point. When senior lawyers are arguing, juniors have simply to wait and see. If the Government had proscribed any of the patriotic Malayalam songs, I would certainly have stood up and said 'no'. As they are Tamil songs, I cannot say all at once one way or the other. I shall wait and see. The oratory of my hon. Friend, Mr. Satyamurti, has very well impressed me."

MR. RAMANATH GOENKA :—"Mr. President, Sir, I am an occasional speaker and I have no desire to speak on every motion before the House. But this is a matter on which I have been actuated to speak by my real desire and from my heart of hearts. I am not a Tamil scholar; I do not know even the A, B, C of the Tamil language. From what I have already heard of Bharathi's songs and from what hon. Members have said on this occasion, I would say that the Tamilians of this Province have every right to sing these songs. As a Member of the Committee of the Hindi Prachar Sabha, I want to say that these books were published by that Sabha at their own cost whose workers beg from door to door to educate the people of Madras in Hindustani. They stand to lose to the extent of not less than Rs. 2,000.

"Yesterday, the Government brought forward a motion for the sanction of a sum of Rs. 4,000 for a book regarding South Indian birds. This sum of Rs. 4,000 has been in my opinion thrown into the Bay of Bengal. It was the duty of the Government to publish the songs of Bharathi and broadcast them; it was for them to distribute free copies to illiterate masses to read them. My hon. Friends on the opposite benches said yesterday that those books would be useful to the agriculturists. I cannot really understand what agriculturists have got to do with those books. If the agriculturists have got to do with any songs they are Bharathi's songs and Bharathi's songs alone.

"I am surprised at the action of my hon. Friend, Diwan Bahadur Krishnan Nayar. I had great hopes of him. (Laughter.) I do still have great hopes. I myself congratulated him when he was made the Law Member. I thought he would be one who would really carry out the duties of his office. But unfortunately, Mr. President, I see that the hon. the Law Member has not carried out my expectations. As a true Law Member he should have protested against the order of the Burma Government. He ought to have said 'you might proscribe the book; but we do not find any reason why it should be proscribed here.' It was not done; not only that; all the books have been taken away by the Police.

9th October 1928]

[Mr. Ramanath Goenka]

"I request the hon. the Law Member, Dr. Subbarayan and Mr. Muthiah Mudaliyar, the new Minister, to support us; and if they do not do so, we will have to form a different opinion of them. As was pointed out by my hon. Friend, Mr. Satyamurti, the hon. Dr. Subbarayan, in answer to a question put by some hon. Member of this House, said that he would recommend these books to be taught in schools in the Madras Presidency. On the one hand the hon. the Education Minister says that he wants these books to be taught in the schools of Madras; on the other hand the hon. the Law Member says that he does not want these books and that they contain seditious matter. I find that not a single speech has been made in support of the action of the Government in proscribing and confiscating these books. The feeling in this House and outside it is unanimous that the action of the Government is wrong.

"My friend, Mr. Schamnad, tried his very best to pull something here and there, but even he said 'No, no, I cannot form any opinion either way now.' I have not heard a single speech so far against the motion and I am only waiting for the speech of my hon. Friend, the Law Member, as to how he will justify this action. Perhaps the only thing he will say is that because the Rangoon Government did it, he had also to do it. That is not the right course for him to take. Either he should justify his position or he should say that he has done a wrong thing and that he would rectify it. Those are the only two things for him to say—either he should say that these books are seditious or he should say that he has committed a mistake.

"Mr. President, the whole House is unanimous on the motion of Mr. Satyamurti that these books should not be confiscated and that the copies which have already been proscribed should be restored. Mr. President, I am pleased to see that by this motion and by this confiscation the prestige of Bharathi's songs has been increased. People who have not yet bought a copy will buy one now to see what it contains, and even I, who do not know Tamil, will ask some one of my friends to buy one for me in order to see what is in that book. Like that, there will be many more people who will buy a copy each. Therefore I say, as a matter of fact, that the hon. the Law Member and the hon. the Home Member have done a great service to the country and to the Madras Presidency in confiscating these books and afterwards saying that these books do not contain seditious matter and that therefore they are open to the public. I wish that my friends in the House would rise to the occasion and support this motion, and I am also waiting to see if the Treasury bench would support this motion."

MR. S. N. DORAI RAJA :—"I am very glad, Sir, that the learned Member for the University was good enough to withdraw the insinuation that only the elected Members of the Madras Legislative Council would be patriotic. Now he has amply made amends for his lapse. I am quite prepared to accept his apology. (Laughter.) Even nominated Members of the Legislature are quite capable of being patriotic. I am perfectly certain that the hon. the Law Member will get up and say that the proscription will now cease."

* **MR. DANIEL THOMAS** :—"Mr. President, Sir, there is an old saying to the effect 'Let me make a people's songs and I do not care who makes the laws.' That is a true and not extravagant tribute to the hold of national

3-45
p.m.

[Mr. Daniel Thomas]

[9th October 1928]

songs on the hearts and affections and thoughts of a nation. Laws are made and laws are unmade; but the songs of a nation are a precious heritage which are handed down from generation to generation. All of us, at least the Tamilians, are keen on the renaissance of the Tamil literature. We know that Tamil was a great language, that Tamil was world-famous many centuries ago and we are anxious that our Tamil literature in the present age should revive something of its ancient traditions and glories. It was in this age of expectation, in this age of anxious desire, that Subrahmanya Bharathi was born and sung these songs. It was as it were as a response to the prayers and the heart-felt desires of a number of Tamilian scholars, learned and unlearned people, rich and poor, of all classes and creeds. And for the last twenty years the name of Subrahmanya Bharathi has been a household word in Tinnevely. Our children learn and sing those songs and the street-people sing the songs of Subrahmanya Bharathi when they go in procession in the streets. Recently, I visited a friend of mine, a Christian by religion, a man immersed in legal practice, who has no thoughts, no leisure for anything like politics. That man possessed a complete set of Bharathi's songs and he read some select passages from the works to me. That shows what an intimate hold Bharathi's songs have over the people, not alone Tamil scholars, but even over the ordinary man in Tinnevely. It appears to me, Sir, that the Government of Madras have been ill-advised in launching on this action. As has been pointed out by various members, these songs have been on the market for the last twenty years and have been allowed to be sung, learnt and kept in intimate possession by the Tamil-knowing people. And now at a late stage, for the Government of Madras to come and proscribe all the books at a particular place is an action which will not even achieve their own purposes and objects. How are they going to proscribe the songs of Bharathi? Are they going to attach the thousands of copies found in all the homes which possess these copies? After all, even assuming that the Government are able to actually proscribe the publication of these books, can they proscribe the spirit of the man, the genius of the man? I remember a pamphlet by Milton in defence of unlicensed printing. One of the most classic passages there is that where he says that the work of a genius is as it were the precious life-blood of a master which is handed on as a heritage from generation to generation. In fact, as my hon. Friend remarked, the action of the Madras Government has only tended to give a greater vogue and re-awakened life to the songs which are already dear to the hearts of the people. I therefore believe, as my hon. Friend has expressed, that the hon. the Law Member will come forward and acknowledge that the action that has been taken has not been sound and that there will be no such action in the future."

* Mr. J. A. DAVIS :—" Mr. President, Sir, Members such as myself find ourselves in a very difficult situation. Recently the hon. the Education Minister permitted the songs to be sung in schools and no doubt he gave very careful consideration to the matter before he did so. Such being the case no doubt the Chief Minister in justification of his action will be able to induce the Law Member to do something in the matter of throwing oil over the present troubled waters. It will be unfortunate if this resolution is pressed to the vote to-day. I have the greatest sympathy for those lovers of Tamil literature who find these songs proscribed. Since the two hon. Members

9th October 1928]

[Mr. J. A. Davis]

of the same Government are divided on this issue, namely, one declaring that the songs are suitable to be sung in schools and the other taking the responsibility for the seizure of these songs by the Police, it is very difficult for me to record my vote in this matter. The hon. the Law Member would be well advised to see that the difficult situation brought about by the order of the Burma Government is eased and that the matter is talked out."

* Mr. V. I. MUNISWAMI PILLAI :—" Mr. President, Sir, as one interested in Tamil literature and coming out of a community which has immensely contributed to the Tamil literature in this country, I think I will be failing in my duty if I were not to speak a few words in support of the motion before the House. Sir, those gentlemen in this House who know the valuable volumes that have been added to the Tamil literature by Tiruvalluvar will certainly say that the depressed classes, especially the Adi-Dravida people, have a great liking for Tamil. Sir, the other day in a very big public meeting in Ootacamund under the presidency of the hon. Mr. Muthiah Mudaliyar, a head pandit of the Presidency College delivered a very eloquent lecture on the greatness of Tamil, and the hon. the Second Minister was kind enough to say to the public that every attempt must be made to bring home to the people the greatness of Tamil literature. And I am sure now that the hon. the Second Minister will hold the same view to-day and give us his support. Sir, coming to Madras on the 4th October, I had the opportunity of attending the Select Committee meeting of the Annamalai University Bill. There, Sir, the hon. Members who sat in committee were unanimous in giving adequate representation to the members of the Tamil Sangam of Madura and the Karanthai Tamil Sangam. These things go to show that the interest evinced by the Members of the Legislative Council towards Tamil literature is very great. Sir, as members of the depressed classes, we have to vote in favour of this particular motion, and the Government should not on that account take it that we are against the Government; for this is a matter in which we should do our duty. In these circumstances, Sir, I heartily support the motion."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, we have listened to a large number of impassioned and poetic speeches. With your permission and with the permission of the House, let me state a few facts in prosaic language; and the facts themselves are very simple. What actually took place was this: The Burma Government—we do not know the reasons which prompted them to take that action—the Burma Government published that notification which has been referred to more than once on the floor of this House this afternoon. According to an order of the Government of India which lays down that such notifications when they are issued by one Local Government should be published by other Local Governments, as a routine matter, this Government, I mean the office of this Government, sent that notification for republication in the Gazette . . ."

Mr. S. SATYAMURTI :—" Some clerk, I suppose?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not blame the office or the clerk who sent it. It was a duty, as I said, to send that, according to the notification of the Government of India."

Mr. S. SATYAMURTI :—" Where is that notification? What is the number and what is the date of that notification?"

[9th October 1928]

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is a confidential one, Sir. (Laughter.) (Voices: 'There it is.') We, Members of the Government, did not interrupt the speakers on the other side, even including my Friend, Mr. Satyamurti, who made all sorts of irrelevant remarks when he made his speech."

Mr. S. SATYAMURTI:—"That is for you, Sir, Mr. President."

* p.m. The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"At least they should have the ordinary courtesy of allowing the spokesman of the Government to finish what he has to say. Now, I was saying, Sir, on behalf of the Government, that I am not in the least inclined to blame my office or the office of the Government for having in the usual course published this notification in the Government Gazette of this Presidency. Then, what took place was this. When this notification appeared in the Gazette, without any special instruction from my hon. Friend, the Home Member, or any other Member of Government—I refer to that point for this reason, namely, that my Friend, Mr. Satyamurti, was asking, 'Did the Home Member authorize it, did he issue instructions for the seizure?' The Police asked for a warrant from the Magistrate, for the search and seizure of these books. I may say, Sir, that under the terms of section 99-A, the Police, even without a warrant from the Magistrate, have the authority to seize these books and they applied to the Magistrate for the issue of the warrant. The Magistrate issued the warrant and on their own authority and on the authority of the Chief Presidency Magistrate the Police searched for and seized these books. Of course, we represent our subordinate officers also including the Police and the Magistracy. The question is whether the subordinate officers of the Government, the Police and the Magistrate, erred in either seizing these books or in issuing a search warrant. I cannot in the least blame them. In fact, what are they to do? Are they to sit in judgment on the wisdom or otherwise of the Government of Burma? The Police, in the ordinary course of their duties, thought that they were bound to apply to the Magistrate for a warrant, and after getting the warrant they thought that they were bound to search these books and seize them. (Voices: 'Oh! Are they bound?') So, I am not inclined to blame them. My hon. Friends on the other side, and particularly my Friend, Mr. Satyamurti, were attributing motives to the Government, motives particularly to my Friend, the Home Member, and to myself. I am not disturbed. My hon. Friend (turning to the Home Member) is capable of bearing anything on his broad shoulders. (Laughter.) He also possesses an equanimity of mind which will prevent him from being disturbed by anything; and I do not want to speak anything of myself, except this, that I too am not in the least disturbed. (Laughter.)

"So that the facts are simple; we, the Members of the Government, either individually or collectively, have done nothing which requires condemnation by this Council. Now, how does the position stand? My friends themselves, or their adherents, or their sympathisers have taken the matter to the court. So, by your ruling we are prevented from dealing with the question of sedition. The High Court will decide that these are either seditious or not. If the High Court decides that these are seditious, then the action of the Burma Government will be justified and no further action will be necessary. On the other hand, if the High Court decides that these are not seditious,—in fact the

9th October 1928]

[Mr. M. Krishnan Nayar]

High Court will go only into the question whether these are seditious or not—then the notification of the Government of Burma which was republished in our Government Gazette stands cancelled, so that there is nothing to be done at this stage. In fact, we are prohibited from doing anything at this stage. When the matter is before the High Court, the Government, or for the matter of that any other person, is prevented from doing anything. As my hon. Friend, Mr. Satyamurti, stated that my Friend Dr. Subbarayan, in answer to a question, had stated that he would introduce these books as text-books in some of the schools and some of my other friends in the Council have stated that these books are already being used as text-books in some of the taluk board schools. What does it show? That fact, namely, that my hon. Friend has promised that he would introduce these books as text-books in some of the schools, shows that this Government has no ill-feeling whatever in this matter. If they wanted to take action on Bharathi's songs, they ought to have done so during the last twenty years. On the other hand, a Member of Government is prepared, according to my hon. Friend, to introduce these books as text-books; that shows that the Government certainly have no ill-feeling whatever. Again my Friend, Mr. Satyamurti, said that the action of the Madras Government has deprived the widow and the poor daughter of Bharathi of their means of livelihood, because it was by the sale of these books that they were maintaining themselves. I am sorry for the widow, and I am equally sorry for the daughter. In fact, I am sorry for all poor widows and daughters. (Laughter.) Does my friend insinuate that the Government did that act with the express purpose of depriving the poor widow and daughter of Bharathi of their means of livelihood? Government have absolutely no motive to deprive the widow or the daughter of any person of the means of their livelihood. As I said, these are the prosaic facts connected with this and I have nothing more to add."

Mr. K. V. R. SWAMI:—"What about future action?"

Mr. L. K. TULASIRAM:—"Mr. President, Sir, I was under the impression that the hon. Member would not treat the matter so lightly or so light-heartedly as he has treated the question. Sir, our complaint against the Government is this. Bharathi's songs are the precious gems of Tamil literature, the assets of the Tamils, just like Tirukkural or Sri Krishna's Bhagavat Gita. Bharathi's songs are being learnt by heart. More than 60 per cent of the school children know these songs by heart. There is not a man either in the school or on a public platform or on the reception of a Minister where these songs are not sung. Bharathi—I classify him as a real divine poet. His books have really been a revelation; they are a message to the people of South India, especially the people of the Madras Presidency. The testimony that has been borne by my hon. Friend, Mr. T. C. Srinivasa Ayyangar, who is the greatest authority on Tamil literature, and who represents the Tamil Sangam, the highest culture of our Tamil land, and the testimony given by Mr. Chidambaramanatha Mudaliyar, a cultured student of Kamban, and the testimony given by Mr. Siva Raj, one of the seven Members of the committee to co-operate with the Simon Commission and a descendent of Tiruvalluvar, and the testimony given by Mr. V. I. Muniswami Pillai of the depressed classes—all these testimonies go to show that the hon. the Law Member did not do his duty in withdrawing this order.

[Mr. L. K. Tulasiram]

[9th October 1928]

"Sir, as regards Bharathi's songs, you may really proscribe the books, you may take them away. They are being written in manuscripts and all the students are learning them by heart. I know in Pudumandapam, the price of these books which was something like 6 annas, cannot be got now for Re. 1. The books are in great demand and everybody, who never thought of Bharathi, now goes in for it, saying 'Have you got Bharathi, first part or second part?' What has your order done? It has opened the real sense of the people. They have become alive to the value of the songs of Bharathi. It is now more and more in the mind of every man. Sir, I am not a born Tamilian, but as an ardent student of Tamil literature, I have heard these songs sung in the streets, that touched not only my heart, but there are people who are actually carried away by the patriotic feelings. Sir, it is this song that I heard sung in the streets which touched the chord of my heart.

1. செந்தமிழ்நாடெனும் போதிலிலே—இன்பத்
தேன்வந்து பாயுது காதிலிலே—எங்கள்
தந்தையர் நாடென்ற பேச்சிலிலே—ஒரு
சக்திபிறக்குது மூச்சிலிலே—எங்கள்
(செந்தமிழ்)

2. வேதம் நிறைந்த தமிழ்நாடு—உயர்
வீரம் செறிந்த தமிழ்நாடு—நல்ல
காதல்புரியும் அரம்பையர் போலினங்
கன்னியர் சூழ்ந்த தமிழ்நாடு.
(செந்தமிழ்)

3. காவிரி தென்பெண்ணை பாலாறு—தமிழ்
கண்டதோர் வையை பொருளைநதி—யென
மேவிய யாறுபல வோடத்—திரு
மேனிசெழித்த தமிழ்நாடு.
(செந்தமிழ்)

"Is there anything higher in your Keates, Wordsworth, Tennyson, or in your Browning?"

4. முத்தமிழ் மாமுனிரீள் வரையே—நின்று
மொய்யம்புறக் காக்குந் தமிழ்நாடு—செல்வம்
எத்தனை யுண்டு புவிமீதே—அவை
யாவும் படைத்த தமிழ்நாடு.
(செந்தமிழ்)

5. நீலத் திராக்கட லோரத்திலே—நின்று
நித்தந்தவஞ் செய்குமரி யெல்லே—வட
மாலவன் குன்றும் இவற்றிடையே—புகழ்
மண்டிக் கிடக்குந் தமிழ்நாடு.
(செந்தமிழ்)

6. கல்வி சிறந்த தமிழ்நாடு—புகழ்க்
கம்பன் பிறந்த தமிழ்நாடு—நல்ல
பல்விதமாயின சாத்திரத்தின் மணம்
பாரொங்கும் வீசுந் தமிழ்நாடு.
(செந்தமிழ்)

7. வள்ளுவன் தன்னை உலகினுக்கே—தந்து
வான்புகழ் கொண்ட தமிழ்நாடு—நெஞ்சை
அள்ளும் சிலப்பதிகாரமென்றோர் மணி
யாரம் படைத்த தமிழ்நாடு.
(செந்தமிழ்)

9th October 1928]

[Mr. L. K. Tulasiram]

8. சிங்களம் புட்பகம் சாவக—மாதிய
தீவு பலவினுஞ் சென்றேறி—அங்கு
தங்கள் புலிக்கொடி மீன்கொடியும் நின்று
சால்புறக் கண்டவர் தாய்நாடு.
(செந்தமிழ்)

9. விண்ணை யடிக்கும் தலையிமயம்—எனும்
வெற்பை யடிக்கும் திறனுடையார்—சமர்
பண்ணிக் கவிங்கத் திருள்கொடுத்தார் தமிழ்ப்
பார்த்திவர் கன்ற தமிழ்நாடு.
(செந்தமிழ்)

10. சீன மிசிரம் யவனரகம்—இன்னும்
தேசம் பலவும் புகழ்வீசிக்—கலை
ஞானம் படைத்தொழில் வாணிபமும் மிக
நன்று வளர்த்த தமிழ்நாடு.
(செந்தமிழ்)

விடுதலை!

விடுதலை!

விடுதலை!

1. பறையருக்குமிங்கு தீயர் புலையருக்கும் விடுதலை
பரவரோடு குறவருக்கு மறவருக்கும் விடுதலை
திறமைகொண்டு தீமையற்ற தொழில்புரிந்து யாவரும்!
தேர்ந்தகல்வி, ஞானமெய்தி வாழ்வமிந்த நாட்டிலே. (விடுதலை)

2. எழையென்றும் அடிமையென்றும் எவனுமில்லை ஜாதியில்
இழிவுகொண்டு மனிதரென்ப திந்தியாவில் இல்லையே
வாழிகல்வி செல்வமெய்தி மனமகிழ்ந்து கூடியே
மனிதர்யாரு மொருநிகர் ஸமானமாக வாழ்வமே. (விடுதலை)

3. மாதர்தம்மை யழிவுசெய்யு மடமையைக்கொளுத்துவோம்,
வையவாழ்வு தன்னிலெந்த வகையிலும் நமக்குளே,
தாதரென்ற நிலைமைமாறி யாண்களோடு பெண்களும்
சரிசிகர், ஸமானமாக வாழ்வமிந்த நாட்டிலே. (விடுதலை)

"Sir, you proscribe this book. I have great respect for Malayalam, as it consists of ancient Tamil. Your Padi-guaru is nothing but ancient Tamil. It means the sun-setting direction. Take every word of Malayalam; it is ancient Tamil. So I think the hon. Law Member who hails from Kerala will at least give his thoughts before proscribing these gems of Tamil literature. It touches my heart, because you will only put your hand not on the Tamils but on the Tamil literature, on the Tamil classics, the Tamil poetry and above all the divine songs of Bharathi. Bharathi is not an ordinary individual. You cannot proscribe Bharathi's songs. You may as well proscribe our dress, our manners, customs, but you cannot take away our culture. You see that the whole House is unanimous on this matter. Members on that side of the House, the members of the depressed classes, members of the Justice party, members of the Congress party, have all been unanimous in condemning this high-handed action of Government. I only say

[Mr. L. K. Tulasiram] [9th October 1928]

that the action of the Burma Government reminds me of the story of (Gangadhara Mandayo) கங்காதரா மாண்டாயோ. The Burma Government said 'கங்காதரா மாண்டாயோ'; the hon. Law Member said கங்காதரா மாண்டாயோ. What is the effect of கங்காதரா மாண்டாயோ? Gangadhara was the name of a donkey of a washerman who was in a palace. Everybody thought that Gangadhara was a very great man. The Burma Government who do not know anything of Tamil and cannot understand the meaning of Tamil songs proscribed Bharathi's songs. Why not the learned Government and the hon. Member ask them, "why should you think that it is seditious; it has not been seditious for the last 35 years"? It is not sedition; it is pure milk and honey and this you call poison. It is something like 'Gangadhara Mandayo.' The question of 'Gangadhara' should not be applied here. You will be doing a great service to the country specially to the Tamil Nadu. I would therefore appeal to the Government to withdraw this poisonous order and save the reputation of Tamilnad and Tamil culture."

* Mr. T. M. NARAYANASWAMI PILLAI:—"Sir, when I listened to the speech of the hon. the Law Member, I thought really that he made no point in defence of the action taken by the Government. He plainly confessed that no responsibility could be fathered upon him. He said that it was done by somebody in the office."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I take full responsibility for the action of the office, Sir." (Cries of 'Oh, Oh.')

Mr. T. M. NARAYANASWAMI PILLAI:—"Yes. He takes the responsibility by saying that it was done by somebody in the office in the ordinary discharge of routine duties. (Hear, hear.) It appeared to me as though he certainly accepted the version given against the action of the Government, at any rate he did not deny it. The burden of the various speeches shows that Bharathi was a great national poet. He came up with a new message of hope, a new inspiration. He is the author of the Tamil Renaissance. Now this action of the Government is a great insult to the Tamil literature. (Hear, hear.) It acts as a fatal blow to the growth of Tamil literature. (Hear, hear.) And therefore people who are interested in Tamil land and Tamil literature said that this order of the Government ought to be withdrawn. Of course, if the Government have come forward with the plea that these are false, untrue and wrong, we could very well have understood them. If really the seizure was effected without instructions from either the Law Member or the Home Member, now when we have brought the matter to their notice, it is up to them to see that the order is withdrawn. Of course the suggestion is made that the matter is pending in the High Court. But I say that the decision of the High Court is invited only when there is a dispute. Only then it is a matter which ought to go to the High Court. If the order is withdrawn, there is no need to go to the High Court at all. (Hear, hear.) I am not aware of any obligation under law which prohibits this Government from passing any order when they feel that a particular order is wrong and unjust. If the Madras Government feel that any subordinate of theirs even without instructions from the superiors has carried out an order, it may be, no doubt, in discharge of his duties, and if the Government feel that that action is wrong, where is the objection to withdraw it? (Hear, hear.) Where is the obligation to submit it to the

9th October 1928] [Mr. T. M. Narayanaswami Pillai]

decision of the High Court? All discussion has proceeded on the supposition that the Government have no views regarding the seditious nature or otherwise of these songs. If they are really inclined to agree with us that Bharathi is really a national poet who brought us a new message and inspiration, let them say that those songs ought not to be prohibited. These songs were rightly introduced by the other half of the Government into schools. So, I say there is no need to test the seditious nature of these songs in the High Court. I have no need to take up the time of the House any more. This is a matter on which we, Tamilians, feel keenly and we request the hon. the Law Member to see that our request is satisfied by withdrawing the order."

Mr. K. V. KRISHNASWAMI NAYAKAR then spoke in Tamil:—

* "அக்கிராசனாதிபதி அவர்களே! நான்கு வேதங்களுக்குச் சமானமாய் எங்களால் போற்றப்படும் எங்கள் சுப்பிரமணிய பாரதியாரின் அருமை யான பாடல்களை பறிமுதல் செய்த அரசாங்கத்தாரின் அக்கிரமச் செய்கையை எந்த தமிழன், எந்த இந்தியன் கண்டிக்காமலிருக்கமுடியும்! தேசபக்தி ததும்பும் அப்பாடல்களைக் கேட்டிராத தமிழருண்டோ! சென்ற பதினைந்து ஆண்டுகளாய் தமிழ் நாட்டிலுள்ள கிராமங்களிலெல்லாம் பாரதியாரின் தேசிய பாட்டுகள் பாடப்பட்டு வருகின்றன. தாலூகா போர்டு, முனிசிபல் பள்ளிக்கூடங்களிலும் மாணவர்களுக்கு இப்பாடல்கள் கற்பிக்கப்பட்டு வருகின்றன. இவ்வளவு காலம், இப்பாடல்களில் கெடுதல் ஒன்றும் காணாமல் இருந்த நம் அரசாங்கத்தார், கிட்ரென்று, பர்மா கவர்ன்மென்டார் இந்த பாடல்களுக்கு ஆட்சேபிக்கிறார்களென்ற காரணத்தால் மாத்திரம், பாடல்களை பறிமுதல் செய்ய உத்திரவிட்டது மிகவும் விர்தையாயிருக்கிறது. நமது சென்னை கவர்ன்மென்டாருக்கு சுய புத்தியும் சுய மரியாதையுமில்லையாவென்று நான் கேட்கிறேன். சட்டப்படி பர்மா கவர்ன்மென்டாருடைய உத்திரவு சென்னை கவர்ன்மென்டாரைக் கட்டுப்படுத்தவில்லை. அப்படியிருக்க, சென்னையிலுள்ள மாஜிஸ்திரேட்டும், போலீஸும் பாரதியாரின் பாடல்களைப் பறிமுதல் செய்வதும், நம் தமிழ்மந்திரிகளும், நமது இந்திய சட்டமெம்பரும், போலீஸ் மெம்பரும், அதைப் பார்த்துக்கொண்டு இருப்பதும், இந்த சபையில், சட்ட மெம்பர் தானும் போலீஸ் மெம்பரும் ஒன்றும் செய்யவில்லையென்று முதலில் சொல்லுவதும், பிறகு, தன் உத்தியோகஸ்தர்கள் செய்த செய்கைகளுக்கு தான் ஜவாப்தாரிதானென்று சொல்லுவதும், இந்த அரசாங்கத்தின் ஊழல்களைக் காட்டுகிறது. கனம் போலீஸ் மெம்பரும் கனம் சட்ட மெம்பரும் சென்னை போலீஸ் கமிஷனருடைய அடிமைகளாவென்று நான் கேட்கிறேன். இந்த முக்கியமான விஷயத்தில், கனம் சட்ட மெம்பர்; இந்தியன் என்று சொல்லிக்கொள்ளும் இவர், பேசியமாதிரி இவ்விடத்திலுள்ள இந்திய அங்கத்தினர்களுக்கே அவமானத்தைத் தரக்கூடியதாயிருக்கிறது.

"அக்கிராசனாதிபதி அவர்களே! கவர்ன்மென்டாரின் செய்கை தமிழர்களையும் அவர்களின் பாஷையையும் பற்றியது. பிராமணரல்லாதவர் சட்ட மெம்பராய் நியமிக்கப்பட்டால் எண்ணிறந்த நன்மைகள் தமிழர்களுக்கு விளையுமென்று சிலரால் சொல்லப்பட்டது. அவ்வித நன்மைகளில் இது ஒன்றாவென்று நான் கனம் சட்ட மெம்பரைக் கேட்கிறேன். நம் சுதந்திரத்தைப்பற்றியும், ஒற்றுமையைப்பற்றியும், தேசபக்தி

[Mr. K. V. Krishnaswami Nayakar] [9th October 1928]

தியைப்பற்றியும் பாடுவதில் சட்ட மெம்பருக்கு ஆட்சேபனை யிருந்தால், அவர் வெளிப்படையாய்ச் சொல்லட்டும். பாரதியாரின் சிறந்த பாட்டுகளில் ஒன்றை நான் தங்கள் அனுமதியுடன் பாடுகிறேன். இதில் அரசாங்கத்தாருக்கு எவ்வித ஆட்சேபனை யிருக்கக்கூடும் என்று இந்த சபையோரே சொல்லட்டும்.

“வீரசுதந்திரம் வேண்டி நின்றார் பின்னர்
வேறொன்று கொள்வாரோ?—என்றும்
ஆரமு துண்ணுதற் காசை கொண்டார் கள்ளில்
அறிவைச் செலுத்து வாரோ?”

(வீர.)

புகழுநல் லறமுமே டன்றியெல்லாம் வெறும்
பொய்யென்று கண்டாரேல்—அவர்
இகழுறு மீனத்தொண் டியற்றியும் வாழ்வதற்
கிச்சையுற் றிருப்பாரோ?

(வீர.)

பிறந்தவர் யாவரு மிறப்ப துறுதியெனும்
பெற்றியை யறிந்தாரேல்—மானம்
துறந்தற மறந்தும்பின் னுயிர்கொண்டு வாழ்வது
சுகமென்று மதிப்பாரோ?

(வீர.)

மானுட ஜன்மம் பெறுவதற் கரிதெனும்
வாய்மையை யுணர்ந்தாரேல்—அவர்
ஊனுடல் தீயினு முண்மை நிலைத்வற
உடன்படு மாறுளதோ?

(வீர.)

விண்ணி லிரவிதனை விற்றுவிட் டெவரும் போய்
மின்மினி கொள்வாரோ?—
கண்ணிலு மிரிய சுதந்திரம் போனபின்
கைகட்டிப் பிழைப்பாரோ?

(வீர.)

மண்ணின் பங்களை விரும்பிச் சுதந்திரத்தில்
மாண்பினை யிழப்பாரோ?
கண்ணிரண்டும் விற்றுச் சுதந்திரம் வாங்கினாற்
கைகொட்டிச் சிரியாரோ?

(வீர.)

வந்தேமாதர மென்று வணங்கிய பின்
மாயத்தை வணங்கு வாரோ?
வந்தே மாதர மொன்றே தாரக
மென்பதை மறப்பாரோ?

(வீர.)

“அக்கிராசனாகியவர்களை! இவ்வித சுதந்தரப் பாட்டைப் பாடுவதில் நம் அரசாங்கத்தாருக்கு ஆட்சேபனை யுண்டானால், அவர்களின் மனப்பான்மை வெட்டவெளிச்சமாய் நமக்குத் தெரிந்துவிட்டது. ஆனால் இந்த சபையிலிருந்து நான் அரசாங்கத்தாருக்கு ஒன்று தெரிவித்துக்கொள்ளுகிறேன். அவர்கள் நம் கவிசிரேஷ்டரான சுப்பிரமணிய பாரதியாரின் பாடல்களைப் பறிமுதல் செய்யலாம்; அந்தப் பாட்டுகளைப் பாடுகிறவர்களையெல்லாம் கைதி செய்யலாம். ஆனால் தமிழர்களின் தேசிய உணர்ச்சியையும், அவர்களுடைய சுதந்திர தாகத்தையும் எந்த அரசாங்கத்தாரும் அடக்கமுடியாது. இந்த விஷயத்தில் இச்சனை

[9th October 1928] [Mr. K. V. Krishnaswami Nayakar]

யிலுள்ள சர்வ கட்சியினரும் ஒருமைப்பட்டு பேசுவதே அதற்கு அறிஞர் யாகும். அரசாங்கத்தார் என்ன செய்தபோதிலும், தமிழரும், மற்ற இந்தியரும் சுதந்திரப்போரில் மனந்தளராமல் முன்னணியில் நின்று பாரதியாரைப் பின்பற்றி யுத்தம் செய்யவேண்டுமென்று நான் அவர்களைக் கேட்டுக்கொள்ளுகிறேன். இந்த வார்த்தைகளுடன், எனது நண்பர் ஸ்ரீமான் சத்யமூர்த்தி பிரேரேபித்த தீர்மானத்தை நான் முழுமனதுடன் ஆதரிக்கிறேன். வந்தேமாதரம்!”

Mr. C. V. VENKATARAMANA AYYANGAR:—“I move that the question be now put.”

The motion was put and carried.

The hon. the PRESIDENT:—“The question is that the business of the House be now adjourned.”

The motion was declared lost.”

A poll was demanded which was taken with the following result :

Ayes.

- | | |
|---|--|
| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 40. Mr. P. Baktavatsulu Nayudu. |
| 2. Diwan Bahadur P. Kesava Pillai. | 41. Sriman Biswanath Das Mahasayo. |
| 3. Mr. H. B. Ari Gowder. | 42. Mr. A. Kaleswara Rao. |
| 4. „ A. B. Shetty. | 43. „ R. Srinivasa Ayyangar. |
| 5. „ J. Kuppuswami. | 44. „ K. Koti Reddi. |
| 6. Rao Bahadur O. M. Narayanan Nam- | 45. „ V. Kameswara Rao Nayudu. |
| budripad. | 46. „ L. K. Tulasiram. |
| 7. Mr. T. M. Narayanaswami Pillai. | 47. „ C. Marudavanam Pillai. |
| 8. „ N. Siva Raj. | 48. „ K. V. Krishnaswami Nayakar. |
| 9. „ V. I. Muniswami Pillai. | 49. „ C. Venkatarangam Nayudu. |
| 10. „ W. P. A. Soundara Pandia Nadar. | 50. „ B. Venkataratnam. |
| 11. „ Daniel Thomas. | 51. „ K. S. Sivasubrahmanya Ayyar. |
| 12. „ S. V. Vanavudaya Goundar. | 52. „ A. Ranganadha Mudaliyar. |
| 13. Syed Ibrahim Sahib Bahadur. | 53. Diwan Bahadur R. N. Arogyaswami |
| 14. Rai Sahib M. Hampayya. | Mudaliyar. |
| 15. The Zamindar of Singampatti. | 54. Mr. Ramanath Goenka. |
| 16. Rajkumar S. N. Dorai Raja. | 55. „ R. Nagan Gowda. |
| 17. Mr. K. Ramachandra Padayachi. | 56. The Zamindar of Gollapalli. |
| 18. Khan Bahadur P. Khalif-ul-lah Sahib | 57. Mr. C. R. Parthasarathi Ayyangar. |
| Bahadur. | 58. „ T. C. Srinivasa Ayyangar. |
| 19. Mr. Sami Venkatachalam Chetti. | 59. „ P. Siva Rao. |
| 20. „ S. Satyamurti. | 60. Chavadi K. Subrahmanya Pillai. |
| 21. „ C. V. Venkataramana Ayyangar. | 61. Mr. C. Gopala Menon. |
| 22. „ T. Adinarayana Chettiyar. | 62. „ B. Ramachandra Reddi. |
| 23. „ P. Anjaneyulu. | 63. Rao Bahadur C. S. Ratnasabapathi Mada- |
| 24. „ P. C. Venkatapathi Raju. | liyar. |
| 25. „ J. A. Saldanha. | 64. The Raja of Panagal. |
| 26. „ Abdul Hamid Khan. | 65. Sir A. P. Patro. |
| 27. „ G. S. Govindaraja Mudaliyar. | 66. Mr. P. T. Rajan. |
| 28. „ G. Harisarvottama Rao. | 67. „ T. K. Chidambaranatha Mudaliyar. |
| 29. „ C. N. Muthuranga Mudaliyar. | 68. Khan Bahadur S. K. Abdul Basak Sahib |
| 30. „ K. V. R. Swami. | Bahadur. |
| 31. K. P. V. S. Muhammad Meera Ravuttar | 69. Muhammad Khadir Mohideen Sahib Baha- |
| „ Bahadur. | dur. |
| 32. Mr. D. Narayana Raju. | 70. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 33. Dr. B. S. Mallayya. | 71. Rao Bahadur B. Muniswami Nayudu. |
| 34. K.-Uppi Sahib Bahadur. | 72. Diwan Bahadur A. M. M. Murugappa |
| 35. Mr. K. B. Karant. | Chettiyar. |
| 36. „ C. Obi Reddi. | 73. The Zamindar of Mirzapuram. |
| 37. „ A. Parasurama Rao Pantulu. | 74. Mr. A. V. Bhanaji Rao. |
| 38. „ C. Ramasomayajulu. | 75. „ K. P. Raman Menon. |
| 39. „ Basheer Ahmad Sayeed. | 76. „ K. R. Venkatarama Ayyar. |

[9th October 1928]

Noes.

- | | |
|---|------------------------------|
| 1. The hon. Sir Norman Marjoribanks. | 6. Mr. H. A. Watson. |
| 2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 7. „ C. A. Souter. |
| 3. „ Mr. T. E. Moir. | 8. „ S. H. Slater. |
| 4. „ Diwan Bahadur M. Krishnan Nayar. | 9. „ A. McG. C. Tampoe. |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar. | 10. „ C. W. E. Cotton. |
| | 11. „ R. Foulkes. |
| | 12. Rao Sahib R. Srinivasan. |

Neutral.

- | | |
|---------------------------------------|--|
| 1. The hon. Mr. S. Muthiah Mudaliyar. | 9. Mr. Muppil Nayar of Kavalappara alias Kunnaran Raman. |
| 2. „ Dr. P. Subbarayan. | 10. Subedar Major S. A. Nanjappa Bahadur. |
| 3. The Maharaja of Jeypore. | 11. Mr. K. Krishnan. |
| 4. Mr. V. Ch. John. | 12. „ M. V. Gangadhara Siva. |
| 5. „ M. A. Manikkavelu Nayakar. | 13. „ S. Subramanya Mooppanar. |
| 6. Syed Tajudin Sahib Bahadur. | 14. „ S. Arpudawami Udayar. |
| 7. Mr. J. Bheemayya. | 15. „ G. R. Premayya. |
| 8. „ J. A. Davis. | |

Ayes 76. Noes 12. Neutral 15.

The motion was carried.

The result of the division was received with loud and prolonged cries of 'Vande Mataram' from the Opposition benches.

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

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

9th October 1928]

APPENDIX I.

[Vide answer to question No. 423 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 9th October 1928, page 140 supra.]

Statement showing specially malarial tracts in the Presidency.

(1) Vizagapatam district.

Name of range.	Number of villages infected.
Narasipatam	In the whole taluk.
Yellamanchili	About 85 villages.
Chodavaram	About 15 villages.
Anakapalle	About 12 villages.
Vizagapatam	About 7 villages.
Jame (Samalkot taluk)	Vizzinigiri.
Vizianagram .. ..	.. ..
Chipurupalli	Whole range.
Rajam	Do.
Parvatipur	About 50 villages
Bobbili	Almost all the range.
Salur	About 16 villages.
Gajapatinagaram	Do.

(2) Tinnevely district.

There are no pronounced malarial areas in Tinnevely district. However, the following unions are slightly infected :—

(1) Kayalpatnam. | (2) Kulasekarapatnam.

Free distribution of quinine is recommended.

(3) Madura district.

Name of taluk.	Village.
1. Kodaikanal	{ Tandikudi.
	{ Pulathur.
2. Periyakulam	Cumbum valley.
3. Melur	Sendurai firka.

(4) Chingleput district.

Pulicat regions are mostly affected with malaria and they constitute —(1 to 6).

- | | |
|------------------|-------------------|
| 1. Coromandel. | 6. Karungali. |
| 2. Kalanji. | 7. Ennore. |
| 3. Kattupalli. | 8. Kathivakkam. |
| 4. Puludivakkam. | 9. Tiruvottiyur. |
| 5. Pulicat. | 10. Sathankuppam. |

(5) Kistna district.

- | | |
|---------------------------|--|
| 1. Kovvur taluk. | 4. Nuzvid division. |
| 2. Kamavarapukota taluk. | 5. Tiruvur division. |
| 3. Chintalapudi division. | 6. Nandigama taluk, including Jaggayyapeta division. |

[9th October 1928]

(6) Malabar district.

Name of taluk.	Health Inspector's range.	Name of malarious place.
Chirakkal	Chirakkal	Kuvveri, Tadukatuva, Natuvili, Chuzhall, Peringodum, Vayakkara Pattiyar, Kalliyadu, Eruvessi, Kannilianni, Srikantapuram, Nitiyanga.
Kottayam	Tellicherry	Chittariparamba, Kannanam, Kolayadi, Vakkulam, Tholambra, Sivapuram, Thillankeri, Moshakkunu, Aralam, Payamanad, Manathana.
Kurumbranad	Badagara	Kuttiyadi, Kavilampara, Kayakudi, Mukeri, Velam, Cherapuram, Arur, Navipet, Valayam, Velleiyode, Vanimal, Chekkid, Parakadavu.
Kurumbranad	Quilandy	Paleri, Chengot, Perumbra, Kayannu, Unnikulam, Iyyad, Pannangad, Balasseri, Kallod, Mathuvannercha.
Wynaad	Wynaad	The whole of Wynaad.
Calicut	Calicut	Puthuppadi, Kedavar, Koodathai, Puthur, Kodiyathur, Thiruvambadi, Pannikode, Elathil, Kumar-mallur.
Ernad	Tirurangadi	Chengottur, Indianur.
Do.	Manjeri	Pandhaluri, Urgantteri, Kizhuparamba, Tripanchi, Mambad, Nilambur, Amarambalam, Edavanna, Kalikavu, Karuvarakundu, Chattangottupuram, Vellayur, Perakamanna, Urakam, Melmuri, Checode, Puthur.
Walluvanad	Perintalmanna	Karuvambalam, Muruknad, Kolathur, Pangu, Pushakatti, Eravimangalam, Pathaikara, Thashekode, Edathanathukara, Thiruvashunkunnu, Ariyur, Kumaramputhur, Tenkara, Attapadi, Pottaseri, Thachampara, Kalladikode, Karimba.
Do.	Ottapalam	Kalladikode, Karimba.
Palghat	Palghat	Eastern portion of Pudukseri near Valayur.
Do.	Alathur	Slopes in Akathethara and Kadukankunnu.
Ponnani	Tirur	Muthalamada, Kizhakkethara, Payyalur, Panangattiri, Vandazhi, Kizhakkancheri, Vadakkancheri, Kannambra, Tholanur, Mamuri, Marakkara, Vadakkumpuram, Edayur.

(7) Ramnad district.

1. Mandapam, Pamban, Rameswaram, Ramnad, Devipatam, Keelakkarai, Uppur.

(8) Nilgiri district.

Name of hamlet.	Name of village.
Kokkapuram	Sholur.
Kukkathora, Narikombai, Siklu	Kukkal.
Annahutti, Ebbanad	Ebbanad.
Sigur	Hullatti.
Kurumerpadi, Kavilkombai, Mutri	Barliar.
Kunnampana, Tattapaliyam, Sundapatti, Kakka-gundoo, Benchu Kalloor, Nadukalloor, Vallari-kombai, Habbakambay, Vomakindi.	Jikkannaraj.
Lakkeynalley, Burnside, Cooffenair, Karadigundoo, Halakorai, Kolikarai.	Konnakorai.
Areaka, Madanad, Rapari Valley, Droog, Mannar.	Hullikkal.

[9th October 1928]

Names of villages in Coonoor and Ootacamund taluks that are wholly unhealthy.

Hallimayar, Kallampaleyam, Nathipuram, Coonoor taluk.
Kadinamalai, Arakkadoo, Kokkodoor.
Kinnakorai, Masinagudi Ootacamund taluk.

The whole of Gudalur taluk.

(9) Salem district.

Name of taluk.	Number of specially malarious villages.
Hosur	About 130 villages, i.e., all villages south of Denkanikottai and villages all round Thalli.
Attur	Chinnakalrayan Hills, Periakalrayan Hills, Pachamalai Hills, Noyyamalai Hills and Manmalai—Total population of 13,189.
Namakkal	Belukurichi, Valavanthikombai, Pallambarai, Bommasamundram, Pudukombai and Nadukombai—Total population of 6,200.
Omalar	Kalnayakampatti, Pottanari-Nallagoundampatti, Kanavari Pudur, Veppilai—Total population of about 5,000.
Uttangarai	One hundred and thirty-five main villages with a total population of 152,740.
Dharmapuri	Papinaickenpatti, Kadagathur, Kolagathur, Naduhalli, Naickanahalli, Semmanahalli, Sebada-kuppam, Kuppur, Settikarai, Vathuvanahalli, Pikkili, Vepilamadampatti, Tippireddipatti, Kondagapatti, Mitta Reddihalli, Thoppur—Total population of about 16,400.
Krishnagiri	Mathur and hamlets. Marapanaickenpatti and hamlets. Mookampatti and hamlets. Gendigampatti and hamlets. Sinarhalli and hamlets—Total population of about 4,100.
Salem	Almost all the villages in the Shevaroy Hills and about 30 villages in the plains—Total population of about 30,000.
Rasipuram	Ayilpatti, Mullakurichi, Karkudalpatti, Matharnttu, Naraikinar, Parapan Solai, Unnanthangal, Mangalapuram, Eswarammurthipalaiyam, Thiminaickenpatti, Kundini Nadu, Alathur Nadu, Tirupuli Nadu, Edapuli Nadu, Bail Nadu, Sithur Nadu, Perkarai Nadu, Ariyagoundampatti, Namagiripatti, Kalkurichi, Pallipatti, Pudupatti, Gedamalai (hamlet of Kullankulam)—Total population of about 33,000.
Tiruchengodu	Parts of Poolampatti, Chittur, Adayur and the whole of Pakkanad villages—Total population of about 5,300.

[9th October 1928]

Name of taluk.	Number of specially malarious villages.
(10) Bellary district.	
Adoni taluk ...	Rampuram, Kachapuram, Madavaram, Nadirkairvadi, Manchala, Satanur, Naranapuram.
Bellary taluk ...	Rupengudi, Tolamamadi, Asundi, Chaganur, Sidiginamola, Moka, Hiray Hadagalli, Kyadigahal, Nalludi, Janikunta.
Hadagalli taluk ..	Bachigondanahalli, Halagapuram, Hampasagaram, Hirehadahalli, Hiresobati, Holal, Hyrada, Kadlabalu, Kattibennur, Kumbinakeri, Magal, Mahajanadhalli, Mallankeri, Sonna, Tambrahalli, Varadapuram.
Harpanahalli range ...	Hiremagalgeri, Punabagatta, Kallugudi, Kyarakatti, Kanchikeri, Anijikeri, Yadihalli, Siraganahalli, Aligilavada, Togirakatta, Tamalapuram, Hirekolachi, Hagarannuru, Singrihalli, Mannarmusalavada.
Hospet range ...	Kampli, Muddapur No. 2, Muddapur No. 10, Kamalapur, Narayanadeverkeri, Kanivi Basapuram, Aviveri, Danayakankeri, Bukkasagar, Deroji, Suggenahalli.
Kudligi range ...	Kudligi, Gujapuram, Kandakal, Thimalapur, Chorannur, Gudekota, Kalingeri, Anakanahal, Devaramallapur, Gijinahalli, Hirekeriyaginhalli, Amaradevaragudda, Kasapur, Udihalu, Yekkegundi, Gandakommanhalli, Minkeri, Hurlihal, Hudai, Bandri, Mallapur, Hulikuntla, Halasagar, Appianahalli, Tonashigeri, Gollalinganahalli, Gundihaholi.
Rayadrug range ...	Nagalapuram, Hulikallu, Rangasamudram, Gollapalli, Tallakera, Bhupasamudram, Kallugodu, Rachmeri, Veparalla, Udeyagolam, Benikal, Bidurukuntam, Uddihal, Untakal, Elangi.
Siruguppa range ...	Siruguppa, Ibrahimapuram, Bagavadi, Desannur, Tekkalakota, Motta Sugur, Kuriganur, Talur, Nadivi, Raravi, Karivanam, Santha Kullur, Rowdur.
Alur taluk ...	Kenchigerebelagal, Honnuru, Nagarakanivi, Marlamadiki, Muddatanur, Kogiltotta, Balluru, Siddapuram, Gulyam, Jangamarahosahalli.

(11) Guntur district.

Palnad taluk—Macherla firka having about 15 villages; Veludurti firka having about 20 villages.

Ongole taluk—Chimakurti and surrounding villages of about 15 in number.

Sattenapalle taluk—Bellamkonda firka having about 30 villages; Achampet firka having about 20 villages.

Vinukonda taluk—Remedicherla firka having about 25 villages.

9th October 1928]

(12) South Arcot district.

Vriddhachalam town. Some villages in the western half of Vriddhachalam taluk (ranges—Tittagudi and Vriddhachalam). The villages in the western portion of Kallakurichi taluk. Kallakurichi range near the hills, villages in the south-western corners of Ulundurpet range, i.e., southern extreme of Kallakurichi taluk and south-western extreme of Tirukkoyilur taluk.

Some villages in Gingee range, Gingee taluk.

(13) Ganjam district.

Berkampur range ..	Hirandimolo—50 villages.
Ichhapuram ...	Godo Muttan—50 villages.
Aska ...	Jorodo estate—50 villages.
Surada ...	Pudumari and surrounding villages—25 villages.
	Bodogodo and Bodokhimedi zamindari villages—100 villages.
Russellkonda ...	Latipade and villages around—50 villages.
	Villages bordering the Agency. Mojjagada Mutta, Kukkuluba Mutta, Tharasingi Mutta, Korchili Mutta—200 villages.
Purushottapur ...	Pandripada Malaiahs—30 villages.
Hiramandalam ...	Dhoratanam villages and those beyond Kotturu—150 villages.
Parlakimedi ...	Gendri, Hariba and Godo Muttas—50 villages.

(14) North Arcot district.

Most of the Javadi hill villages and also the villages situated at the foot of the above hill may generally be considered as specially malarious.

Chengam division, Alangayam firka, Kuppam division, Mahrattipalaiyam firka; a portion of Polur taluk, Tanipadi and Vettavalam firka.

(15) Cuddapah district.

Taluk.	Firka.	Population.
Jammalamadugu ...	Thalamanchipatnam ...	13,279
Badvel ...	Kalasapad ...	15,023
	Parumamilla ...	28,330
Sidhout ...	Obalum ...	18,422
Rajampet ...	Chitvel ...	29,953
	Kodur ...	145,579
Pulivendla ...	Pulivadala ...	18,632

(16) Godavari district.

Polavaram, Chodavaram, Yellavaram divisions and Bhadrachalam and Nagur taluks may be considered as malarious.

(17) Coimbatore district.

The whole of Talavadi firka; Burgur hills, Kanur firka; Kottur, Arthanaipalaiyam, Vettaikaranpudur, Anamalais; parts of Thomdamuthur firka in Coimbatore are malarious.

The District Health Officer promises a further list.

[9th October 1928]

(18) Chittoor district.	
Palmaner taluk ...	Pandhayalamadugu, Gonumakulapalli, Chintamakulapalli, Maddanapalli, Bandapalli, Peddur, Theortham, Nellipatla.
Chendragiri ...	Mamandur, Karakambadi, Krishnapuram, Torumalai Hills.
Punganur division ...	Nadimpalli, Irikapenta, Somala, Avulapalli, Sadam and surrounding villages.
Madanapalle taluk ..	Nimmanapalli, Agraharam, Malepad, Devalcheruvu, Badikayalapalli, Kandukur, Tsadam, Rangasamudram and Pulikallu
Vayalpad taluk ...	Usthakayalapenta, Devarakonda, Mellacheruvu, Motumallela, Bodavandlapalli, Peddamallela, Talapala, Udavamanikkam, Guttapoliyam, Gillelamma, Maddalacheruvu, Avuvaripalli, Pasalavandlapalli, Yenugondapoliyam, Nuthanakalva and Settivaripalli.

(19) South Kanara district.

Uppinangadi taluk ...	All the villages in the revenue firkas of Kokkada, Uppinangadi, Sullia and Beltangadi. The villages of Veerakamba, Vitalapadnur, Kanyana Karopady in Vittal firka. The villages of Mani, Madnur, Keyyuru, Koltiga and Aryappu and Ulavimogaru in Puttur firka—Total number 139.
Karkal ...	All the villages in the revenue firkas of Ajekar and Venur—Total number 52.
Coondapoor ...	All the villages of Vandse firka. The villages of Yelagita, Herur, Kaltodu, Kollur, Golihole, Jadkal, Mudnuru, Hallihole, Badakere, Hebbige, Kotesbirur and Nagodi in Baindur firka.
Kasaragod ...	The villages of Muliya, Karadka, Adur I, Adur II and Delampady in Kasaragod firka. The villages of Maloth and Panathady in Hosdrug firka. The villages of Kinnanur, Eleri East and Eleri West in Charnathur firka.

(20) Tanjore district.

There are no malarial areas in this district where free distribution of quinine is necessary.

(21) Anantapur district.

The whole of Kadiri taluk and the portions of Penukonda and Hindupur taluks. A block consisting of the adjacent portions of Anantapur, Gooty and Tadpatri taluks and another block consisting of adjacent portions of Gooty and Anantapur taluks in the west are malarial and require free distribution of quinine.

9th October 1928]

(22) Trichinopoly district.	
Kulittalai taluk ...	Kadavur.
Musiri taluk ...	Thalugai, Sobanapuram, Thembaranadu, Osarapalli, Nattuvalampatti and Uthurajakombai, hamlet of Pachaperumalpatti.
	Ottampatti and Puthur, hamlets of Chickathabur.
	Kambainadu, Vannadu, T. Varasarajapuram, Venkadathanur, Vallur, Alagapuri, Pillai-palaiyam.
Perambalur taluk ...	Adaikampatti, hamlet of Elanthalapatti.
	Kalarampatti.
	Ammapalaiyam.
(23) Nellore district.	
Gudur taluk ...	Pudirayadoruvu, Reddipalem Bit I, Reddipalem Bit II, Chandrasikuppam, Kakaramula, Pambali, Dugeraipatnam, Chimalapadu, Konduru, Karlapudi, Siddhabavaram, Kanupura East and Temmenapatnam, Valamedu, Puchilapalli, Pamanji and Kottapatnam villages.
Venkatagiri division ...	Beriketa, Doravaripalem, Chengalapalem, Kondaledu, Kalavanga, Rattamala, Chenugari-palem, Nattaropalem, Pulijeerikuppam, Koradi, Damaraya, Pamirangam, Kadapatra, Atakani-tippa, Venada, Irkam, Valambedu, Karijathana, Kudini, Muguru, Karaikadu, Velukadu, Kummarapalem, Burudangari, Kottapalem, Yellore, Velungazudapalli and Kotapalur.
Udayagiri ...	Udayagiri, Sitharampuram, Peddareddipalli, Somalaregadu, Duttalur, Naginenigunta, Maripad.
Kanigiri ..	Mopad, Bothagudur and Kothapalli, Kambaldine, Appanambapuram and Kattakindapalli.
Darsi division ...	Pathakanur, Peddanilapallu, Purimetla, Basava-puram, Avulathanda, Lakavaram and Choulapalam.
Podili division ...	Thallamalla, Thadivaripalli, Podili and Choulan-palem.
Atmakur taluk ...	Atmakur, Kaluvoya and Anantasagaram.
Nellore taluk ...	Anikapalli, Survepalli and Venkatachalasatram.
Kandukur taluk ...	Ankabupalapuram and Peddammapalam.
A pound of quinine may be supplied to the Health Inspectors of Kavali, Kovur and Rakur for use in their respective ranges.	
(24) Kurnool district.	
Kurnool taluk ...	Kalwa and villages surrounding Kalwa and Balagal.
Pattikonda taluk ...	Devanakonda firka.
Dhone taluk ...	Dhone and the villages surrounding Dhone.
Nandyal taluk ...	Villages bordering Nallamalais, Ohelamma, Gazulapalli, Thimmapuram, Honkaram and Bhogeswaram.
Nandikotkur taluk ...	Atmakur firka, especially those villages near the Nallamalais.

[9th October 1928]

(24) Kurnool district— <i>cont.</i>		
Koilkuntla	...	Kolimargundla firka, Thimmanayanipet, Boyala, Tadpatri, Tallamadugu, Errahguntla and Uppalur.
Owk firka	...	Owk and Nossam.
Sirvel range	...	Villages bordering Nallamalais, Rudravaram, Mettupalli, Bachapalli and Sirvel.
Giddalur	...	Komarole firka, Cumbum firka and Cumbum.
Markapur	...	Villages bordering Nallamalais, Dornal and Pullacheruvu, Tipurantakam, Dupadu, Cuddapah, Kurnool and Canal side villages.

G.O. No. 1059, P.H., dated 14th May 1928.

READ—the following paper:—

From the Director of Public Health, dated 18th September 1927,
No. 530-8/26.

Order—No. 1059, P.H., dated 14th May 1928.

In 1915 the Government sanctioned as an experimental measure the sale of quinine at a rate less than one-third of the market value through (i) postmasters, (ii) schoolmasters, (iii) Revenue Inspectors, (iv) village headmen and (v) vaccinators. This scheme did not work satisfactorily and it was discontinued in the year 1914. The Government have since then had under consideration the question of distributing quinine, free of cost, in specially malarious parts of the Presidency. It was at first suggested that the distribution should be made by local bodies, but many of the local bodies concerned were not prepared to meet the expenditure involved. In view of this fact, and of the fact that the question of imperializing the Cinchona department was then under the consideration of the Government of India, no further action was taken in the matter.

2 The question of imperializing the Cinchona department has been dropped and the Director of Public Health now recommends that quinine should be distributed free in certain specially malarious parts of this Presidency, the entire expenditure involved being met from Provincial funds. The areas selected by the Director of Public Health for the purpose are the following taluks:—

(1) Kollegal, (2) Cuddapah, (3) Rayachoti, (4) Kanigiri, (5) Udayagiri, (6) Hospet, (7) Uppinangadi, (8) Karkal, (9) Koilkuntla and (10) Ponneri.

After a careful examination of the question, in consultation with the Surgeon-General and the Director of Public Health, the Government have decided to accept the proposals made, and to sanction, with effect from 1st April 1928, the free distribution of quinine in the ten taluks specified. The question of extending the scheme to other specially malarious areas will be considered after experience has been gained of its working in the areas now selected. The Special Malaria Officer will be instructed to watch closely the working of the scheme and to submit a report in the matter at the end of the year.

3. With reference to the quantity of quinine to be utilized and the method of distribution, the Government proceed to pass the following orders:—

(i) Five thousand pounds of quinine will be allotted for the purpose in the first instance and will be distributed in 'treatment' packets containing

[9th October 1928]

twenty 5-grain tablets. The tablets will be given a special tint to facilitate detection, in the event of their being sold to speculators or others. The tubes and boxes to contain the tablets will be prepared in the Government Press. Each treatment packet will contain a leaflet in the language of the district, giving directions for the use of the drug.

(ii) Quinine will be supplied under this scheme to all the existing medical institutions in the areas concerned,—Government hospitals, local fund and municipal hospitals and dispensaries and rural dispensaries. To supplement this agency and to enable persons living at some distance from medical institutions to receive a supply of the drug in their villages when required, the Health Inspectors employed in these areas will also be provided with a number of packets for distribution, under the supervision of the District Health Officer, in the course of their tours. The tahsildars, deputy tahsildars, the sub-magistrates and the forest rangers employed in the areas concerned will similarly be supplied with stocks of the drug for distribution. The Collectors, Revenue Divisional Officers and the Forest Officers of the districts concerned will be required to exercise control over the work of these officers in the matter of distribution. In addition to the above agencies, missionaries and social workers within the areas selected will also be entrusted with the work of distribution. A statement showing the number of agencies, which it is proposed to employ for the purpose, is appended to the order. The Director of Public Health and the persons entrusted with the work of distribution are requested to see that an accurate record is maintained of all the 'treatments' issued and of the persons to whom they are issued.

4. The expenditure involved on account of this scheme will be met from the provision made for the purpose in the Civil Budget Estimate for 1928-29 under "33-c. Public Health—Expenses in connexion with Epidemic diseases—ii. Other Epidemics—Supplies and Services—Voted—Apparatus and Materials." The expenditure to be incurred in the preparation of the tubes and boxes required to contain the quinine tablets and in the printing of the leaflets will be met from the sanctioned appropriation under "46-R.C. Stationery and Printing—Government Presses—Madras and Ootacamund."

(By order of the Government, Ministry of Public Health)

S. RANGANATHAN,
Deputy Secretary to Government.

To the Director of Public Health.

- „ the Surgeon-General.
- „ the Director of Agriculture.
- „ the Chief Conservator of Forests.
- „ the Inspector-General of Prisons.
- „ all Collectors.
- „ all Presidents of District Boards.
- „ all Presidents of Taluk Boards.
- „ all Chairmen of Municipal Councils.
- „ the Accountant-General (through the Finance Department).
- „ the Finance Department.
- „ the Revenue Department.
- „ the Law (General) Department.
- „ the Development Department.
- „ the Inspector of Municipal Councils and Local Boards.
- „ the Librarian, Legislative Council Office.
- „ the Missionaries and Social workers referred to in the Annexure (through the Director of Public Health).

[Appendix

[9th October 1928]

Appendix

Name of taluk.	Number of villages.	Hospitals.	Dispensaries—Government or other.	Rural dispensaries.	Health Inspectors.	Missionary bodies.	Voluntary Workers Association.	Tahsildars.	Deputy Tahsildars.	Sub-Magistrates.	Forest Rangers.
1. Kollegal ..	89	1 (Local and Municipal).	1 (Local Fund Dispensary).	Nil.	1	American Faith Mission ..	..	1	..	..	1
2. Cuddapah.	109	1 Government Headquarters Hospital.	..	Vallur ..	1	London Mission. Rauakrishna Samaj. Pushpagiri Matt. Muthyala Seshier's Choultry.	..	1	1	1	2
3. Rayachoti.	113	..	3 (Local Fund Dispensary).	Nil.	1	....	..	1	1	..	2
4. Kanigiri ..	211	1 (Local and Municipal).	2 (Local Fund Dispensary).	(1) Guruvaypeta, (2) Potakamuru.	1	Rev. T. V. Witter, Kanigiri	..	1	..	..	1
5. Udayagiri (Atnakur taluk).	136	Do.	..	Nil.	1	Rev. F. W. Stait	..	1	..	..	1
6. Hospet ..	127	1 (Municipal).	2 (Local Fund Dispensary).	(1) Kamalapur, (2) Narayana-devarakeri, (3) Kottur.	1	London Mission Society	(1) Theosophical Society. (2) Gorakhsanu Sabha.	1	..	1	1
7. Uppinangadi.	182	2 (Local and Municipal).:	1 (Local Fund Dispensary).	(1) Kadaba, (2) Vittel, (3) Mandaye.	1	Rev. Sequeira, Kokkadu, and other Roman Catholic Missionaries at Badyar, Kokkada, Beltangadi and Vittal, President of the South Kanara Indian Christian Civil League, Rev. Fr. F. Coati, S.J., Roman Catholic Missionary, Mudabidri P.O., Rev. L. P. D'Souza, Roman Catholic Priest, Kardy, Church, Varkody P.O., Rev. P. L. Botelho, Parish Priest Vittal.	..	1	..	1	2

9th October 1928]

Name of taluk.	Number of villages.	Hospitals.	Dispensaries—Government or other.	Rural dispensaries.	Health Inspectors.	Missionary bodies.	Voluntary Workers Association.	Tahsildars.	Deputy Tahsildars.	Sub-Magistrates.	Forest Rangers.
8. Karkal ..	106	1 (Local and Municipal).	1 (Local Fund Dispensary).	(1) Naravi, (2) Hebri.	1	R. C. Mission, Naravi, Evangelical Mission, Karkal.	..	1	2	..	2
9. Ponneri ..	467	..	1 (Local Fund Dispensary).	Nil.	2	....	..	1	1	1	1
10. Koilkuntla.	86	1 Government Taluk Headquarters Hospital.	..	(1) Owk, (2) Nossam.	1	S.P.G. Mission, Rev. P. M. Simon.	..	..	..	..	..

[9th October 1928]

APPENDIX II.

[Vide answer to question No. 427 asked by Mr. K. Uppi Sahib at the meeting of the Legislative Council held on the 9th October 1928, page 145 supra.]

List showing the names of the orphanages with the number of children in each for whom boarding grants were distributed in 1926-27.

Serial number and names of institution.	Number of orphan and non-orphan destitutes in each.
For Boys.	
Ganjam district—	
1. R.C. Orphanage, Surada	40
2. Board Middle School Orphanage, Berhampur	12
Vizagapatam district—	
3. C.B.M. Boarding Home, Bimlipatam	33
East Godavari district—	
4. Adi-Andhra Free Boarding Home, Pithapuram	28
5. U.L.C.M. Boarding Home, Yelleswaram	17
Kistna district—	
6. C.M.S. Boarding Home, Bezwada	42
7. St. Antony's R.C.M. Orphanage, Bezwada	54
8. St. Joseph's Orphanage, Gundala	69
9. Noble High School Boarding Home, Masulipatam	18
10. C.B.M. Boarding Home, Avanigadda	19
Guntur district—	
11. U.L.C.M. Boarding Home, Tenali	76
12. Do. Narasaraopet	24
13. Do. Chirala	94
14. Do. Repalle	30
15. Do. Sattenapalle	62
Kurnool district—	
16. A.B.M. Middle School Boarding Home, Bestwarpet	53
Cuddapah district—	
17. London Mission Boarding Home, Cuddapah	47
Anantapur district—	
18. Marthawat's Boys' Home, Hindupur	29
19. London Mission Boarding Home, Gooty	88
Nellore district—	
20. Christian Educational Boarding Home, Kanigiri, attached to the A.B.M. Middle School, Kanigiri (Secondary),	13
21. A.B.M. Boarding Home, Udayagiri	39
22. A.B.M. Middle School, Kavali	34
23. U.L.C.M. Orphanage, Taralupadu	47
Madras district—	
24. M.E.M. School and Orphanage, Kilpauk	58
25. Madras Tamil Mission Orphanage, Washermanpet	66
26. St. Francis Xavier's Boarding Home, Alwarpet	26
27. Society for the Protection of Children's Home, Tondiarpet	65

[9th October 1928]

List showing the names of the orphanages with the number of children in each for whom boarding grants were distributed in 1926-27—cont.

Serial number and name of institution.	Number of orphan and non-orphan destitutes in each.
For Boys—cont.	
Chingleput district—	
28. W.M. Orphanage, Poonamallee	18
29. W.M. Boarding Home, Madurantakam	28
Chittoor district—	
30. O.E.L.M. Boys' Orphanage, Puttur	53
31. Australian Presbyterian Mission Boys' Home, Pallipat	18
North Arcot district—	
32. A.A.M. Boys' Home, Arni	49
33. St. Andrew's Orphanage, Arkonam	33
34. Anjuman Orphanage, Melvesharam	45
South Arcot district—	
35. Danish Mission Orphanage, Fort Saint David	32
36. St. Joseph's Orphanage, Tindivanam	103
37. C.S.M. Orphanage, Chidambaram	34
Tanjore district—	
38. St. Francis Xavier's Orphanage, Tanjore	29
39. Don Bosco's Elementary Boarding School, Tanjore	17
40. Sentamil Vidyasala Orphanage, Erukkattucheri	10
Trichinopoly district—	
41. S.P.G. Boarding School Orphanage, Irungalur	39
42. St. Joseph's Industrial School Orphanage, Trichinopoly	43
43. The Madras Majlisul Ulma Orphanage, Trichinopoly.	54
Madura district—	
44. Birds' Nest Orphanage, Madura	28
45. C.S.M. Orphanage, Dindigul	15
46. St. Mary's Orphanage, Madura	38
47. C.S.M. Boys' Boarding Home, Ponnagaram	17
Ramnad district—	
48. S.M. Orphanage, Mount Zion	12
49. Marava Home, Ramnad (Elementary Section)	6
50. C.S.M. Boys' Boarding Home, Paramakudi	48
Tinnevely district—	
51. Sacred Heart Orphanage, Irudayakulam	14
52. St. Joseph's Orphanage for Boys, Adaikalapuram	64
53. St. John's Orphanage, Nazareth	49
54. Kshatriya Committee Orphanage, Vengadampatti	6
Coimbatore district—	
55. St. Michael's Orphanage, Coimbatore	115
56. London Mission Boys' Orphanage, Coimbatore	25
57. C.S.M. Orphanage, Coimbatore	31
58. London Mission Boys' Home, Erode	65
59. Wesleyan Mission Orphanage, Dharapuram	184

[9th October 1928]

List showing the names of the orphanages with the number of children in each for whom boarding grants were distributed in 1926-27—cont.

Serial number and name of institution.	Number of orphan and non-orphan destitutes in each.
<i>For Boys—cont.</i>	
Nilgiris district—	
60. Wesleyan Mission Boys' Orphanage, Kaity	24
Salem district—	
61. S.B.M. Boarding Home, Namakal	15
62. J.D.T. Islam Moplah Orphanage, Calicut	81
63. M.M. Orphanage, Paraperi	38
South Kanara—	
64. K.E.M. Boys' Orphanage, Udipi	48
65. St. Joseph's Asylum Orphanage, Mangalore	63
<i>For Girls.</i>	
<i>Northern Circle.</i>	
Ganjam district—	
66. R.C.M. Girls' Orphanage, Surada	25
Vizagapatam district—	
67. St. Joseph's Convent Orphanage, Waltair	69
68. C.B.M. Girls' Orphanage, Vizagapatam	60
<i>Ceded Districts Circle</i>	
Bellary district—	
69. St. Joseph's Orphanage, Bellary	55
Kurnool district—	
70. R.C.M. Boarding Home, Kurnool	36
71. A.B.M. Boarding School, Bestwarpet, Cumbum	25
Guntur district—	
72. St. Joseph's Orphanage, Guntur	118
73. St. Ann's Boarding Home, Phirangipuram	24
<i>Central Circle.</i>	
Nellore district—	
74. St. Joseph's Higher Elementary Boarding Home, Nellore	50
75. A.B.M. Elementary School, Kanigiri	31
Madras—	
76. St. Joseph's Indian Girls' Orphanage, Vepery	12
77. St. Lazarus Boarding Girls' School, Mylapore	33
78. Holy Family Orphanage, San Thome	94
79. St. Ann's Convent Orphanage, Rayapuram	45
80. Horriet Bond Skidmore Girls' Boarding School Vepery	47
Chingleput district—	
81. Mount Carmel Orphanage, Covelong	17
Chittoor district—	
82. A.A.M. Boarding School, Madanapalle	67

9th October 1928]

List showing the names of the orphanages with the number of children in each for whom boarding grants were distributed in 1926-27—cont.

Serial number and name of institution.	Number of orphan and non-orphan destitutes in each.
<i>For Girls—cont.</i>	
<i>Central Circle—cont.</i>	
North Arcot district—	
83. St. Mary's R. C. Panchama Orphanage, Vellore	11
84. St. Aloysius Convent Orphanage, Vettavalam	9
85. St. Antony's Orphanage, Chetput, Polur	12
South Arcot—	
86. St. Joseph's Orphanage, Tindivanam	49
87. St. Antony's Orphanage, Pudupalaiyam, Cuddalore	9
<i>Southern Circle.</i>	
Tanjore district—	
88. St. Paul's R.C. Girls' Orphanage, Mayavaram	12
89. St. Theresa's Girls' Orphanage, Tranquebar	41
90. E.Z.M. Boarding Home, Porayar	43
91. St. Mary's Girls' Orphanage, Vallam, Tanjore	13
Trichinopoly district—	
92. Holy Cross Orphanage, Trichinopoly	31
93. W. M. Girls' Orphanage, Woraiyur	12
94. C.S.M. Girls' Orphanage, Kamp Town, Trichinopoly.	38
95. W.M. Boarding Home, Karur	20
96. St. Ann's Orphanage, Cantonment, Trichinopoly	57
Madura district—	
97. A.M.C.C. Boarding Girls' School, Dindigul	138
98. Sacred Heart Girls' Orphanage, Srivilliputtur	185
99. Elliott Tuxford Girls' Orphanage, Megnanapuram	41
100. St. Joseph's Orphanage, Adaikalapuram	86
101. Indian Orphanage College, Palamcottah	10
102. St. Joseph's Indian Convent Orphanage, Madura	44
<i>Western Circle.</i>	
Nilgiris district—	
103. Nazareth Convent Orphanage, Ootacamund	91
104. Wesleyan Mission Orphanage, Kotagiri	18
Coimbatore district—	
105. Presentation Convent Orphanage, Coimbatore	21
106. Immaculate Conception Convent Orphanage, Coimbatore	82
107. London Mission Orphanage, Erode	49
108. London Mission Orphanage, Coimbatore	35
Salem district—	
109. Orphanage, Settippatti, Salem	28
110. St. Thomas' Orphanage, Koilur	13
111. Sacred Heart Convent Orphanage, Elathagiri	2
112. London Mission Boarding Home, Hastampatti	22
113. St. Gabriel's Orphanage, Minamballe Agraharam	5
114. St. Patrick's Orphanage, Shevapet	6

[9th October 1928]

List showing the names of the orphanages with the number of children in each for whom boarding grants were distributed in 1926-27—cont.

Serial number and name of institution.	Number of orphan and non-orphan destitutes in each.
<i>For Girls—cont.</i>	
<i>Western Circle—cont.</i>	
Malabar district—	
115. St. Joseph's Convent Orphanage, Calicut	30.
116. Malabar Mission Girls' Orphanage, Chombala	48
117. K.E.M. Girls' Orphanage, Moolky	68
118. St. Joseph's Convent Orphanage, Mangalore	77
<i>Southern Circle.</i>	
Madura district—	
119. Lucy Perry Noble Institute Orphanage, Rachanya- puram	89
Total, 119 orphanages. Number of children, 5,072.	

APPENDIX III.

[Vide answer to question No. 433 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 9th October 1928, page 149 supra.]

Memorandum.

The Madras Outports Landing and Shipping Fees Act which authorizes the levy of landing and shipping fees at ports, where the Act is introduced does not provide for the appointment of a committee to administer the Landing and Shipping Fund. The Landing and Shipping Fees Committee is therefore only an executive and administrative body exercising only such powers as have been entrusted to it by the Government. The Government have given the following powers to the Committee:—

(1) Any expenditure proposed to be incurred by the port authorities against the Landing and Shipping Fund should be referred for concurrence to the Landing and Shipping Fees Committee.

(2) The Landing and Shipping Fees Committee should be consulted as regards provision in the budget estimates of items of expenditure against the Landing and Shipping Fund.

(3) The Landing and Shipping Fees Committee may incur contingent charges within the sanctioned allotment for the year, provided their doing so is consistent with the orders of Government for the time being relating to any special items of expenditure.

(4) The Landing and Shipping Fees Committee may sanction refunds of landing and shipping fees, if they are satisfied that the refunds claimed are in order.

[9th October 1928]

2. A Port Conservancy Board is constituted under section 7 (1) of the Indian Ports Act and has got two sets of powers:—

(1) *Under the Indian Ports Act.*—As the Board is statutorily appointed a Conservator of the port, it exercises the powers vested in Port Conservators under Chapter III of the Indian Ports Act. These powers are mostly administrative and are exercised by the Board through the Local Port Officer.

The revenues collected under the Act are credited to the Minor Ports Fund which is administered by the Presidency Port Officer. The Port Conservancy Board has no control over the expenditure but the Presidency Port Officer consults it in regard to any expenditure on the port from the Minor Ports Fund.

(2) *Under the Madras Outports Landing and Shipping Fees Act.*—The Board is entrusted by the Government with the administration of the Landing and Shipping Fund, but in this capacity it has no legal status. The Government however give a Port Conservancy Board wider powers of expenditure from the Landing and Shipping Fees Fund than are given to Landing and Shipping Fees Committee.

3. The powers ordinarily exercised by a Port Conservancy Board are set forth below:—

4. The Board as thus constituted will be appointed, under section 7 (1) of Act XV of 1908, Conservator of the Port and as such will exercise all the powers specified in sections 8 to 16 of that Act. As Conservator of the Port, the Board is in administrative subordination to the Presidency Port Officer and will be entrusted with the supervision of all work such as maintenance and dredging, carried out at the cost either of the Landing and Shipping Fund or of the Minor Ports Fund and not specially entrusted to the Public Works Department.

5. The Port Officer will be appointed Deputy Conservator of the Port and the Board may from time to time delegate to him any of its powers as Conservator and may also modify or withdraw such delegation.

In cases of emergency the Deputy Conservator may in his discretion exercise any of the powers conferred by law on the Conservator, though the same has not been delegated to him. He should, however, report his action for the approval of the Board at their next meeting.

6. The Presidency Port Officer will consult the Board before framing his budget proposals in regard to Minor Ports Fund and will endeavour to embody its recommendations in the budget as far as possible.

7. The Board is empowered to sanction estimates for original works and repairs to buildings, docks and other property belonging to the Landing and Shipping Fund and not borne on the books of the Public Works Department, with the exception of launches, dredgers or boats up to a limit of Rs. 500 in each case, subject to the condition that allotment for the expenditure in question exists in the budget or that a reappropriation is made under proper sanction to meet it. Proposals as regards repairs and improvements to launches, dredgers and boards should be submitted by the Board for the approval of the Presidency Port Officer and the Government.

[9th October 1928

8. The Board is empowered to enter into contracts for the purchase or supply of stores and materials paid for from the Landing and Shipping Fund.

9. The previous approval of the Board is necessary for the payment of bills for supplies made and works executed at Madras under the orders of the Presidency Port Officer on behalf of the Landing and Shipping Fund.

10. The Board may, on the recommendation of the Port Officer, sanction the appointment or removal of menials such as peons, lascars, etc., paid for from the Landing and Shipping Fund, in cases where the appointment is non-pensionable and its maximum pay does not exceed Rs. 15 per mensem.

APPENDIX IV.

[Vide answer to question No. 439 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 9th October 1928, page 154 supra.]

G.O. No. 305, Finance, dated 1st April 1922.

The Government sanction, with effect from the 1st March 1921, the revision of the scales of pay of the clerical and menial establishments attached to the Government Press as shown in the annexed proposition statement. With effect from the same date, the above establishment will be ineligible for the temporary additions to pay sanctioned in G.O. No. 700, Finance, dated 2nd August 1920.

2. The rate of pay of Rs. 40—40—1½—55—1—65 fixed for the binding clerk on Rs. 15 will be admissible only to incumbents qualified under the examination rules. If the post is at any time filled up by one who is not qualified under the examination rules, the rate of pay admissible will be Rs. 23—23—23—1—35. The pay of the typist will be regulated by G.O. No. 1054, Finance, dated 20th October 1921.

3. This sanction is registered as No. 432 of 1921-22.

4. The Superintendent, Government Press, is requested to settle in consultation with the Accountant-General the rates of initial pay to be admitted to the existing incumbents in accordance with the rules printed in the annexure to G.O. No. 711, Finance, dated 11th July 1921.

5. With effect from the date of introduction of the revised scales of pay, officiating promotion will be admissible to the following posts :—

Publication Assistant	..	...	...	200—10—250
Head clerk	...	...	...	125-- 5—175
Accountant	..	...	...	85-- 4—125

(By order of the Governor in Council)

T. E. MOIR,
Acting Secretary to Government.

To the Superintendent, Government Press, Madras.
 „ Accountant-General.

9th October 1928]

Enclosure

Statement of proposition.

[illegible]

[9th October 1928]

Statement of proposition—*cont.*

Present scale.			Proposed scale.			
Number, designation and pay.			Number and designation.	Minimum.	Increment.	Maximum.
ACCOUNTS, PUBLICATION, STORE AND STOCK DEPARTMENTS— <i>cont.</i>			SERVANTS— <i>cont.</i>			
	RS.	A.		RS.	RS.	RS.
1 attender	15	0	1 attender	15	..	20
1 do.	15	0	1 do.	15	..	20
1 do.	15	0	1 do.	15	..	20
1 packer (8 + 7) ..	15	0	1 do.	15	..	20
1 attender	15	0	1 do.	15	..	20
1 do.	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
SERVANTS.						
1 attender (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (9 + 6) ..	15	0	1 do.	15	..	20
1 packer (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 head messenger (12 + 6) ..	18	0	1 messenger ..	15	..	20
1 messenger (12 + 6) ..	18	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (10 + 5) ..	15	0	1 do.	15	..	20
1 do. (9 + 6) ..	15	0	1 do.	15	..	20
1 gatekeeper and watchman (9 + 6) ..	15	0	1 do.	15	..	20
1 gatekeeper and watchman (9 + 6) ..	15	0	1 do.	15	..	20
1 gatekeeper and watchman (9 + 6) ..	15	0	1 do.	15	..	20
1 gatekeeper and watchman (9 + 6) ..	15	0	1 do.	15	..	20
1 cycle messenger (9 + 6) ..	15	0	1 do.	15	..	20
1 do. (9 + 6) ..	15	0	1 do.	15	..	20
1 messenger (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (8 + 7) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 do. (7 + 8) ..	15	0	1 do.	15	..	20
1 messenger, Penitentiary Branch) (7 + 8) ..	15	0	1 do.	15	..	20
98 Total ..	2,927	12	98	..	..	..

[9th October 1928]

G.O. No. 823, Finance, dated 3rd October 1922.

The scales and pay of the establishment of the Government Press in the technical branches will be revised as shown in the annexed statement. The revision will take effect from the 1st March 1922. This sanction has been registered as No. 152 of 1922-23.

2. With effect from the 1st March 1922, the establishments concerned are declared ineligible for the temporary additions to pay sanctioned in G.Os. No. 700, Finance, dated 2nd August 1920, and No. 780, Finance, dated 28th August 1920.

3. With effect from the same date, no officer may be appointed to officiate in a higher scale and allowed to draw enhanced pay on that account. The Government will, however, be prepared to consider proposals for removing this restriction in regard to particular posts if promotion to the posts involves the assumption of duties or responsibilities of greater importance or of a different character.

4. In giving effect to the revision, the Superintendent, Government Press, should be guided by the following subsidiary instructions:—

(a) The initial pay of the existing incumbents should be fixed in consultation with the Accountant-General, in accordance with the rules printed as an annexure to G.O. No. 711, Finance, dated 1st July 1921, but with the modification that one year's increment be allowed. In other words the officers concerned, though they draw no back pay, will be placed in the new scales at the point, which they would have reached had the revision been introduced with effect from 1st March 1921.

In the case, however, of workmen drawing a pay of Rs. 10 to Rs. 13, those who under G.O. No. 478, Finance, dated 20th May 1920, received no increase in emoluments over what they were eligible for under G.O. No. 16, Finance, dated 7th June 1919, or received an increase not exceeding eight annas may be started on a pay calculated as follows:—

Those who received no increase.—Initial pay as fixed according to G.O. No. 711, Finance, dated 1st July 1921, plus one rupee.

Those who received an increase not exceeding eight annas.—Initial pay as fixed according to G.O. No. 711, Finance, dated 1st July 1921, plus eight annas.

(b) Promotion from a lower to a higher scale, including selection scales, should not be made as a matter of course, but should depend entirely on efficiency.

(c) Proof reading branch.—The practice of taking apprentices should be abolished, the posts being merged in the regular line.

The confidential allowances of Rs. 20 and Rs. 10 will be continued and attached to the posts of two readers, the allowances being termed 'special pay' in future.

The personal allowances drawn by five graduates and one under-graduate will be discontinued, and merged in their pay, the allowances being taken into account in fixing their initial pay in the new time-scales. If appointments of graduates or under-graduates are found desirable hereafter, the Government will be prepared to start them on a higher initial pay than the minimum of the scale to which they are appointed.

[9th October 1928]

(d) *Supervising staff.*—The posts of head reader and overseer should be filled by men from outside if the men in the department are not efficient enough to justify their promotion to the posts now created.

(By order of the Governor in Council)

D. N. STRATHIE,
Acting Secretary to Government.

To the Superintendent, Government Press,
,, Accountant-General.
Copy to the Publicity Officer.

Annexure.

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised.

Present scale.				Proposed scale.			
Number, designation and salary.				Number and designation.	Minimum.	Increment.	Maximum.
RS.					RS.	RS.	RS.
EXAMINING DEPARTMENT.				PROOF-READING SECTION.			
<i>Permanent.</i>							
1 examiner	(100 + 25)			2 readers	100	5	150
1 do.	(90 + 22½)						
1 do.	(80 + 20)						
1 do.	(70 + 18)						
2 examiners	(65 + 18)						
3 do.	(60 + 18)			16 do.	60	4	100
3 do.	(55 + 16½)						
3 do.	(50 + 15)						
3 apprentice examiners ..	(40 + 12)						
2 do.	(25 + 10)						
2 do.	(20 + 10)						
3 examiners	(45 + 13½)						
6 proof-readers	(40 + 12)						
4 do.	(35 + 10½)						
3 do.	(30 + 10)						
3 do.	(25 + 10)						
3 do.	(20 + 10)						
1 gazette indexer	(20 + 10)						
1 proof-reader (Ootacamund Branch)	(30 + 10)						
1 proof-reader (Penitentiary Branch)	(25 + 10)			41 do.	30	2	60
<i>Day-extra staff transferred to permanent establishment.</i>							
1 proof-reader	(52)						
3 proof-readers	(45½)						
1 proof-reader	(39)						
1 do.	(35)						
2 proof-readers	(32)						
4 do.	(30)						

[9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.		Proposed scale			
Number, designation and salary.		Number and designation.	Minimum.	Increment.	Maximum.
RS.			RS.	RS.	RS.
EXAMINING DEPARTMENT—<i>cont.</i>		PROOF-READING SECTION—<i>cont.</i>			
<i>Permanent.</i>					
3 proof-readers	(15 + 7½)				
3 forme proof-readers	(14 + 7)				
3 do.	(13 + 6½)				
1 forme proof-reader	(12 + 6)				
3 reading boys	(15 + 7½)				
<i>Day-extra staff transferred to permanent establishment.</i>		22 copyholders ..	20	2	30
1 proof-reader	(28½)				
1 do.	(27)				
2 proof-readers	(25½)				
1 proof-reader	(24)				
2 proof-readers	(22½)				
1 proof-reader	(21)				
1 do.	(18)				
<i>Permanent.</i>					
3 forme proof-readers	(12 + 6)				
6 reading boys	(10 + 5)				
2 do.	(10 + 5)	67 copyholders ..	15	1	20
1 vernacular reading boy ..	(10 + 5)				
55 reading boys	(15)				
Confidential allowance ..	1 (20), 1 (10)	Special pay 1 (20), 1 (10)			30
PRESS AND MACHINE DEPARTMENT.		PRESS AND MACHINE SECTION.			
<i>Permanent.</i>					
2 machine-minders	(17 + 8½)				
3 do.	(16 + 8)				
4 do.	(15 + 7½)				
<i>Day-extra machine-minders transferred to permanent establishment.</i>		12 machine-minders	30	2	40
1 machine-minder	(24)				
2 machine-minders	(22½)				
<i>Permanent.</i>					
4 pressmen	(13 + 6½)				
10 do.	(12 + 6)				
6 do.	(11 + 5½)				
6 do.	(10 + 5)				
1 pressman	(21)				
6 pressmen	(15)	35 pressmen ..	20	1	36
1 pressman (Penitentiary Branch)	(10 + 5)				
1 pressman (Ootacamund Branch)	(10 + 5)				

[9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.		Proposed scale.			
Number, designation and salary.		Number and designation.	Minimum.	Increment.	Maximum.
RS.			RS.	RS.	RS.
PRESS AND MACHINE DEPARTMENT— <i>cont.</i>		PRESS AND MACHINE SECTION— <i>cont.</i>			
<i>Permanent—cont.</i>					
4 machine-minders	(14 + 7)				
5 do.	(13 + 6½)				
7 do.	(12 + 6)				
7 do.	(11 + 5½)				
1 machine-minder (Penitentiary Branch)	(12 + 8)				
2 machine-minders (Penitentiary Branch)	(11 + 5½)				
1 machine-minder (Ootacamund Branch)	(12 + 8)	64 machine-minder	20	1	30
8 machine-minders	(10 + 5)				
1 machine-minder	(21)				
7 machine-minders	(19½)				
8 do.	(18)				
8 do.	(16½)				
9 do.	(15)				
1 machine-minder	(15)				
4 roller casters	(10 + 5)	4 roller casters	15	1	20
85 layers-on	(15)	85 layers-on	15	1	20
8 forme-carriers and cleaners.	(15)	8 forme-carriers and cleaners	15	1	20
BINDING DEPARTMENT.		BINDING SECTION.			
<i>Permanent.</i>					
1 gilder	(17 + 8½)	5 binders	40	2	50
2 finishers	(16 + 8)				
2 binders	(15 + 7½)	5 do.	30	2	40
2 do.	(24)				
3 do.	(22½)				
2 do.	(14 + 7)				
2 do.	(13 + 6½)				
2 do.	(12 + 6)				
1 machine ruler	(12 + 6)				
1 do.	(11 + 6)				
1 machine cutter	(11 + 6)				
2 binders	(11 + 6)				
3 do.	(10 + 5)				
3 machine rulers	(10 + 5)				
1 machine cutter	(10 + 5)				
1 standing pressman	(10 + 5)				
1 binder (Ootacamund Branch)	(11 + 6)	60 do.	20	2	30
1 binder (Penitentiary Branch)	(10 + 5)				
<i>Day-extra men transferred to permanent establishment.</i>					
1 binder	(25½)				
1 do.	(22½)				
10 binders	(21)				
11 do.	(19½)				
14 do.	(18)				
2 do.	(17)				
21 do.	(17)				
91 do.	(15)	112 do.	15	1	30

9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.		Proposed scale.			
Number, designation and salary.		Number and designation.	Minimum.	Increment.	Maximum.
RS.			RS.	RS.	RS.
TYPE-FOUNDRY.		TYPE-FOUNDRY.			
<i>Permanent.</i>					
1 hand caster	(30 + 10)	1 rubber stamp maker	30	2	50
1 do.	(15 + 7½)	1 do.	30	2	50
1 engraver	(20 + 10)	1 engraver	30	2	50
1 punch cutter	(25 + 10)	2 punch cutters	30	2	50
1 do.	(20 + 10)	1 stereo and electro-typewriter	30	2	50
1 head stereo and electro-typewriter	(25 + 10)	2 stereo and electro-typewriters	30	2	50
1 electrotypewriter	20—1—25	1 punch cutter	15	1	30
1 stereotypewriter	(16 + 8)	1 type caster	15	1	30
1 punch cutter	(15 + 7½)	3 dressers	15	1	30
1 hand caster	(12 + 6)	5 stereo and electro-typewriters	15	1	30
1 dresser	(14 + 7)				
2 dressers	(12 + 6)				
1 stereotypewriter	(14 + 7)				
1 assistant electrotypewriter	(14 + 7)				
1 do.	(10 + 5)				
2 assistant stereotypewriters	(10 + 5)				
1 machine caster	(13 + 6½)				
6 machine casters	(10 + 5)				
<i>Day-extra men transferred to permanent establishment.</i>		10 type casters	15	1	30
2 type casters	(18)				
1 type caster	(17)				
18 finishers	(15)	18 finishers	15	1	30
7 type casters	(15)	7 type casters	15	1	30
2 engravers	(15)	2 engravers	15	1	30
EXAMINING DEPARTMENT.		SUPERVISING STAFF.			
1 head examiner	(150 + 30)	1 head reader	150	5	200
PRESS AND MACHINE DEPARTMENT.					
1 overseer	(150 + 30)	1 overseer	150	5	200
PENITENTIARY BRANCH.					
1 foreman	(120 + 25)	1 foreman	100	5	150
COMPOSING DEPARTMENT.					
1 type storekeeper	(100 + 25)	1 foreman	100	5	150
1 foreman	(75 + 18½)				
1 do.	(70 + 18)				
1 do.	(65 + 18)				
2 foremen	(60 + 18)				
1 foreman	(55 + 16½)				
2 foremen	(50 + 15)				
1 foreman	(71½)	11 foremen	60	4	100
BINDING DEPARTMENT.					
<i>Permanent.</i>					
1 foreman	(65 + 18)				
1 deputy foreman (Penitentiary Branch)	(60 + 18)				
14					

[9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.		Proposed scale.			
Number, designation and salary.		Number and designation.	Minimum.	Increment.	Maximum.
RS.			RS.	RS.	RS.
COMPOSING DEPARTMENT.					
1 foreman	(45 + 13½)				
2 foremen	(40 + 12)				
2 do.	(35 + 10½)				
2 deputy foremen	(30 + 10)				
BINDING DEPARTMENT.					
1 foreman	(45 + 13½)				
1 deputy foreman	(30 + 10)	11 foremen ..	30	2	60
TYPE-FOUNDRY.					
1 foreman	(40 + 12)				
ACCOUNTS AND PUBLICATION.					
1 assistant storekeeper	(30 + 10)				
PRESS AND MACHINE DEPARTMENT.					
1 machine maistri	(20 + 10)	1 assistant foreman ..	40	2	50
COMPOSING DEPARTMENT.					
1 imposer (Penitentiary Branch)	(25 + 10)				
1 assistant foreman (Penitentiary Branch)	(25 + 10)				
PRESS AND MACHINE DEPARTMENT.					
1 machine-minder	(20 + 10)				
1 machine maistri	(18 + 9)				
1 press maistri	(15 + 7½)				
COMPOSING DEPARTMENT.					
10 assistant foremen	(25 + 10)	22 assistant foremen ..	30		40
3 do.	(20 + 10)				
1 imposer	(20 + 10)				
1 do.	(15 + 7½)				
BINDING DEPARTMENT.					
1 assistant foreman	(20 + 10)				
1 imposer (Penitentiary Branch)	(20 + 10)				
COMPOSING DEPARTMENT.					
1 despatcher	(15 + 7½)	6 assistant foremen ..	15	1	30
2 despatchers	(13 + 6½)				
3 do.	(12 + 6)				

9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.		Proposed scale.			
Number, designation and salary.		Number and designation.	Minimum.	Increment.	Maximum.
RS.			RS.	RS.	RS.
PRESS AND MACHINE DEPARTMENT.					
1 mechanic	(40 + 12)				
1 do.	(25 + 10)				
1 mechanic (Penitentiary Branch)	(40 + 12)	6 mechanics ..	30	2	60
TYPE-FOUNDRY.					
1 mechanic	(35 + 10½)				
2 mechanics	(45½)				
PRESS AND MACHINE DEPARTMENT.					
1 mechanic	(15 + 7½)				
BINDING DEPARTMENT.					
1 mechanic	(17-1-22)	3 mechanics ..	15	1	30
TYPE-FOUNDRY.					
1 fitter	(12 + 6)				
<i>Day-extra men transferred to permanent establishment.</i>					
1 mechanic	(35)				
1 do.	(28½)	7 mechanics ..	15	1	30
2 mechanics	(24)				
1 mechanic	(30)				
1 do.	(25½)				
1 do.	(18)				
ELECTRICAL SECTION.					
1 electrician	(70-6-100)	1 head electrician ..	75	5	125
1 chief driver and maistri	(45 + 13½)	2 assistant electricians ..	30	2	60
1 second driver	(25 + 10)				
1 head fireman	(15 + 7½)	3 do. ..	15	1	30
1 second fireman	(12 + 6)				
1 assistant electrician	(10 + 5)				
ACCOUNTS AND PUBLICATION.					
1 head despatcher	(100 + 25)	1 head despatcher..	80	5	150
		Personal pay ..			5
COMPOSING DEPARTMENT.					
1 despatcher	(20 + 10)				
<i>Day-extra staff transferred to permanent establishment.</i>					
1 despatcher	(40)	5 despatchers ..	30	2	50
1 do.	(32)				
2 despatchers	(30)				
1 despatcher	(27)				
1 do.	(25½)				
1 do.	(24)	12 do. ..	15	1	30
2 despatchers	(22½)				
3 do.	(21)				
4 do.	(19½)				

[9th October 1928]

Statement showing the strength and scales of pay of the technical establishment of the Government Press as existing at present and as proposed to be revised—*cont.*

Present scale.				Proposed scale.			
Number, designation and salary.				Number and designation.	Minimum.	Increment.	Maximum.
RS.					RS.	RS.	RS.
ACCOUNTS AND PUBLICATION.				WAREHOUSEMEN.			
1 warehouseman	(50 + 15)	}	7 warehousemen ..	30	2	50	
1 do.	(20 + 10)						
1 computer	(30 + 10)						
3 computers	(20 + 10)						
PRESS AND MACHINE DEPARTMENT.							
1 press computer	(25 + 10)	}					
1 assistant press computer ..	(15 + 7½)						
1 counter	(8 + 7)						
ACCOUNTS AND PUBLICATION.				5 do. ..	15	1	30
1 warehouseman	(18 + 9)	}					
2 warehousemen	(16 + 8)						
1 warehouseman	(14 + 7)						
1 damper	(10 + 5)						
1 do.	(8 + 7)	}	10 do. ..	15	1	30	
2 counters	(9 + 6)						
4 warehousemen	(15)						
1 warehouseman	(11 + 6)						
TIME-KEEPERS.				TIME-KEEPERS.			
1 time and gate-keeper ..	(35 + 10½)	}	4 time-keepers ..	30	2	50	
3 time-keepers	(20 + 10)						
ACCOUNTS AND PUBLICATION.				COMPUTERS.			
1 compositor	(50 + 15)	}	1 head computer	60	2	80	
2 compositors	(30 + 10)						
1 compositor	(20 + 10)						
2 compositors	(15 + 7½)						
1 computer	(35 + 10½)	}	19 computers ..	40	2	60	
1 do.	(30 + 10)						
4 computers	(25 + 10)						
6 do.	(20 + 10)						
COMPOSING DEPARTMENT.							
2 assistant foremen ..	(25 + 10)						
OOTACAMUND BRANCH.				COMPOSITORS.			
1 compositor	(14 + 7)	}	6 compositors ..	20	1	30	
1 do.	(13 + 6½)						
2 compositors	(12 + 6)						
1 compositor	(10 + 5)						
1 do.	(6 + 9)						

9th October 1928]

APPENDIX V.

[Vide answer to question No. 441 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 9th October 1928, page 155 supra.]

G.O. No. 711, Finance, dated 11th July 1921.

The Government direct that the rules shown in the annexure to these proceedings be observed in fixing the initial pay in the time-scales that are to be introduced with effect from the 1st March 1921 under the scheme for the revision of pay of subordinate establishments in the Government offices in the Madras Presidency. All heads of departments are authorized to fix the initial pay of the subordinates under their control in accordance with these rules and after due consideration of seniority of the several individuals in the general establishment list.

2. Heads of departments are requested to report for the orders of Government the cases, if any, which are not fully covered by the rules now issued.

3. The initial pay of individuals already fixed should, if necessary, be revised in accordance with the rules herein laid down.

(By order of the Governor in Council)

P. L. MOORE,
Acting Secretary to Government.

To the Accountant-General.
" other heads of Departments under the Finance Department.

Copy to all Departments of the Secretariat.
" the Publicity Officer.

Annexure.

Rules to be observed in fixing the initial pay of present incumbents in the time-scales in the general reorganization scheme.

1. Existing incumbents will ordinarily enter the time-scales at the stage next above the lowest rate of salary per mensem drawn by them on any date within a period of three months prior to 1st March 1921 or their temporary pay on 28th February 1921 if that is greater, provided that if such salary or temporary pay represents any definite stage in the new scale, they should start at that stage. The term 'salary' includes substantive pay, temporary increase thereon under G.Os. No. 700, Financial, dated 2nd August 1920, and No. 780, Financial, dated 28th August 1920, acting allowance and personal allowance, if any.

2. Confidential allowances drawn by typists in certain offices will be treated as pay for purposes of rule 1 and will merge in pay when the revised scales are introduced. The allowances will cease to exist from the same date.

3. If the salary or temporary pay calculated as above exceeds in any case the maximum pay of the time-scale concerned, the difference will be treated as a personal allowance to be absorbed under article 61, Civil Service Regulations.

[9th October 1928]

4. If an individual holding a substantive post included in one time-scale has been, during the whole or a portion of the period of three months before 1st March 1921, acting in a post which after that date (1st March 1921) is provided for in a higher time-scale or on fixed pay and if under G.O. No. 1060, Financial, dated 17th December 1920, acting allowance will still be admissible after 1st March 1921 for officiating in such higher posts, he should during the period be considered to have acted in a lower grade vacant post, if any, in which acting allowance would not accrue according to the new rules.

5. The salary of subordinates on long leave or special duty should be taken at the amount which they would have drawn had they not been on long leave or on special duty.

6. If an individual failed to draw acting allowance during a portion of the period of three months before 1st March 1921 on the ground of transfer, he may, at the discretion of the head of the department, be considered to have drawn during joining time the acting allowance which he would have got but for his transfer. But in such case, the acting allowance drawn by another man in the vacancy so caused should be ignored if he would not have received it had the former not been on transfer.

7. The salary of subordinates who may have been temporarily reduced for a definite period during the three months 1st December 1920 to 1st March 1921, may, at the discretion of heads of departments, be taken at the normal amount, the increased emoluments consequent on the introduction of the revision accruing only from a date to be fixed by the head of the department. In such cases, the increased emoluments drawn by others owing to the temporary reduction of the senior man should not be taken into account.

8. In the case of promotions made during the period of three months in question for the sake of convenience and without taking into consideration seniority, etc., the salary of the individuals affected may be taken at the amount which they would have drawn had the promotions been made in the ordinary course.

9. The provisions of article 158, Civil Service Regulations, may be applied to those subordinates who may so desire.

10. When initial pay has been fixed according to the foregoing rules, the individual concerned will be considered to have entered the appropriate stage of the time-scale on 1st March 1921 and will be eligible for the next increment, if any, in the time-scale only after the expiry of the full period of stay provided for in the stage concerned.

9th October 1928]

APPENDIX VI.

[Vide answer to question No. 417 asked by Mr. C. Venkatarangam Nayudu at the meeting of the Legislative Council held on the 9th October 1928, page 160 supra.]

The overseer is in charge of the press and machine department and the electrical section; he also supervises the messengers and menial servants. He will watch the daily progress of work in the composing department, examining the strike order books of each section at least twice daily, and so arrange the press and machine work that there may be no delay in striking off papers and that the machine most suitable for printing a form economically is selected for it. He will bring to notice at once all cases when there is not a supply of full forms for large machines, when forms are sent in a bad condition for printing or incorrectly imposed; and when machines are running short of work. He will pass the first sheet of the best work, periodically compare the copies with the colour-sheets and teach the men the best methods of producing good work. He will see that the messengers leave at the proper time, that they take their parcels for delivery each evening, and that the night watchmen are on duty.

He will maintain registers of new employees and of applications for vacancies. He will see that all men under him are sent to the Surgeon of the district before they are brought on the permanent establishment; also that all other office rules and Government orders affecting his department are carried out.

The overseer will see that the messengers are drilled in the use of the fire-engine and buckets, also that the fire-buckets in the departments are kept filled with clean water. He will report men who use the water in the fire-buckets for other purposes. In case of fire he will apply for the assistance of the engines belonging to the Medical Store, Public Works Workshops and the Police division.

He is responsible that all machines, presses, bicycles, etc., are clean and in good order and will report immediately any breakage, etc. The overseer will send to the Superintendent daily a list of machines, etc., in all departments which are stopped for any cause.

He will see that the order books are carefully maintained, and that they are sent to the Account section for necessary action on the 28th of each month. He will personally prepare a list of men who are absent in the afternoon for the time-keeper.

He will make surprise visits to the press during nights and close holidays to see that all is safe and the watchmen are attending to their duties.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 10th October 1928.

The House met at 11 o'clock, Mr. 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, <i>Kt.</i> , The hon. Khan Bahadur Sir Muhammad. | Kumaraswami Reddiyar, Diwan Bahadur S. Kuppuswami, Mr. J. |
| Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P. Muthiah Mudaliyar, The hon. Mr. S. Abdul Razack Sahib Bahadur, Khan Bahadur S. K. | Mahmud Schammad Sahib Bahadur. Mallayya, Dr. B. S. Manikkavelu Nayakar, Mr. M. A. Marudavanam Pillai, Mr. C. Meera Ravuttar Bahadur, K. P. V. S. Muhammad. |
| Abdul Wahab Sahib Bahadur, Munshi. Adinarayana Chettiyar, Bar-at-Law, 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. | Muniswami Nayudu, Rao Bahadur D. Muniswami Pillai, Mr. V. I. Muppil Nayar of Kavalsppara, Mr. Murugappa Chettiyar, Diwan Bahadur A. M. M. Muthulakshmi Reddi, Dr. (Mrs.) (<i>Deputy President.</i>) |
| Arpudaswami Udayar, Mr. S. Basheer Ahmad Sayeed Sahib Bahadur. Bhaktavatsulu Nayudu, Mr. P. Bhanoji Rao, Mr. A. V. Bheemayya, Mr. J. Biswanath Das Matasayo, Sriman. Chidambaranatha Mudaliyar, Mr. T. K. Congreve, Mr. C. B. T. Cotterell, C.I.E., I.C.S., Mr. C. B. Cotton, C.I.E., I.C.S., Mr. C. W. E. Cunningham, Mr. C. B. Dorai Raja, Raj Kumar S. N. 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. Harisarvottama Rao, Mr. G. John, Mr. V. Ch. Katsawara Rao, Mr. A. Kameswara Rao Nayudu, Mr. V. Karant, Mr. K. R. Kesava Pillai, C.I.E., Diwan Bahadur P. Khadir Mohidin Sahib Bahadur, Muhammad. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. Koti Reddi, Bar-at-Law, Mr. K. Krishnan, Mr. K. Krishnaswami Nayakar, Mr. K. V. | Muthuranga Mudaliyar, Mr. C. N. Nagan Gowda, Mr. R. Nanjappa Bahadur, Subadar-Major S. A. Narayana Raju, 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, <i>Kt.</i> , Rao Bahadur Sir A. P. Premayya, Mr. G. R. Raja of Jeypore. Raja of Panagal, K.C.I.E. Rajan, Mr. P. T. Ramachandra Padayachi, Mr. K. Ramachandra Reddi, Mr. B. Ramalinga Reddi, Mr. C. Raman Menon, Mr. K. P. Ramanath Goenka, Mr. Ramasomayajulu, Mr. C. Ramjee Rao, Mr. V. Ramaswami Ayyar, Mr. U. Ranganatha Mudaliyar, Mr. A. Ratnasabhapatil Mudaliyar, Rao Bahadur C. Saldanha, Mr. J. A. Sami Venkatachalam Chetti, Mr. Sarabha Reddi, Mr. K. Satyanurti, Mr. S. Shetty, Mr. A. B. 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. |

[10th October 1928]

PRESENT—cont.

Smith, Mr. W. E.
 Soundarapandia Nadar, Mr. W. P. A.
 Souter, I.C.S., Mr. C. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasa Ayyangar, Mr. T. C.
 Srinivasan, Rao Sahib R.
 Subrahmanya Mooppanar, Mr. S.
 Subrahmanya Pillai, Mr. Chavadi K.
 Swami, Bar.-at-Law, Mr. K. V. R.
 Syed Ibrahim Sahib Bahadur, Nattam Dubast
 Kadir Sahib.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. McG. C.
 Thomas, Mr. Daniel.
 Tulasiram, Mr. L. K.

Uppi Sahib Bahadur, K.
 Vanavudaiya Gounder, Mr. S. V.
 Venkatapati Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarangam 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 Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Constitution of districts, divisions and taluks

Transfer of the Kangundi division in North Arcot district to Chittoor district.

* 456 Q.—Mr. C. VENKATARANGAM NAYUDU: Will the hon. the Revenue Member be pleased to state—

(a) whether the Government are contemplating to transfer the Kangundi division in North Arcot district to Chittoor district;

(b) whether the Government received representations from the people of the division against such transfer; and

(c) if the answer to question (a) is in the affirmative, will the Government defer passing orders till a full and open enquiry is made?

A.—(a) The question of transferring the Kangundi division to Chittoor district is and has for sometime been under the consideration of the Government.

(b) Yes.

(c) The proposal has been published in the Gazette for criticism and the Government have received representations both for and against the transfer and also a deputation in support of the objectors. They do not propose to make further enquiries as they are now in possession of all that is to be said for or against the transfer.

Mr. C. VENKATARANGAM NAYUDU:—"May I know for how many years this matter has been under the consideration of the Government?"

(The hon. the Revenue Member was not in his seat.)

The hon. the PRESIDENT:—"Shall we pass over till the hon. Member arrives?"

Mr. S. SATYAMURTI:—"Has he made any representations to you, Sir, that he would be late this morning?"

The hon. Mr. T. E. MOIR:—"I cannot answer that question."

Mr. S. SATYAMURTI:—"I want to raise a point, Sir. It is usual in the House of Commons that Members of the Treasury Bench send word to the Speaker when they attend late."

10th October 1928]

Mr. C. VENKATARANGAM NAYUDU:—"I have put the question to the Revenue Member and not to the Finance Member."

The hon. Sir NORMAN MARJORIBANKS:—"I am sorry, Sir, I am late and I apologise to you for coming late."

The hon. the PRESIDENT:—"The hon. Member will repeat his supplementary question."

Mr. C. VENKATARANGAM NAYUDU:—"May I know for how many years this matter has been under the consideration of the Government?"

The hon. Sir NORMAN MARJORIBANKS:—"I should think for the last two years, Sir."

Mr. C. VENKATARANGAM NAYUDU:—"May I ask him to state when a decision on this point is likely to be reached, Sir?"

The hon. Sir NORMAN MARJORIBANKS:—"I hope, Sir, soon. I cannot say definitely."

Mr. T. ADINARAYANA CHETTIYAR:—"May I ask the hon. the Revenue Member at whose instance the question was first mooted and for whose benefit it was sought to make this transfer?"

The hon. Sir NORMAN MARJORIBANKS:—"The question was mooted, Sir, by memorials from the people of the division and it is for the benefit of the people that a decision has to be arrived at as also to the advantage of the administration generally."

Mr. T. ADINARAYANA CHETTIYAR:—"Does the zamindar want this change particularly, Sir?"

The hon. Sir NORMAN MARJORIBANKS:—"I understand he is in favour of it."

Mr. T. ADINARAYANA CHETTIYAR:—"Is it a fact, Sir, that the zamindar is filing hundreds of summary suits every year and he wants to make it more expensive for the tenants by effecting a transfer so that they may not defend the suits since Tirupattur is near to them while Chittoor is far off?"

The hon. Sir NORMAN MARJORIBANKS:—"I am unable to say what his motives may be."

Mr. T. ADINARAYANA CHETTIYAR:—"Will the hon. the Revenue Member call for the statistics from the courts at Tirupattur as to the number of summary suits filed by the zamindar every year against his tenants?"

The hon. Sir NORMAN MARJORIBANKS:—"Yes, Sir, certainly."

Mr. S. SATYAMURTI:—"May I know what are the considerations which weigh with the Government in ordering these transfers from one district to another district, i.e., with reference to a transfer like this?"

The hon. Sir NORMAN MARJORIBANKS:—"If one district is heavy and another light, a transfer may be made to equalise the work. On the other hand, one tract may be more easily administered as part of one district than of another. There is also the linguistic consideration. An area that is entirely Telugu may more appropriately be in a Telugu district than in a Tamil one."

[10th October 1928]

Sriman BISWANATH DAS Mahasaya :—" May I know whether the Government will be pleased to enquire whether the allegations made by my hon. Friend Mr. Adinarayana Chettiyar have any foundation and if so, whether they would be pleased to make the necessary enquiry and take necessary action? "

The hon. Sir NORMAN MARJORIBANKS :—" I said I would call for the information."

Sriman BISWANATH DAS Mahasaya :—" And consult the convenience of the ryots also? "

The hon. Sir NORMAN MARJORIBANKS :—" I suppose that is the main consideration."

Irrigation

Supply of water to fields in the villages of Gollapudi, etc., by the Pumping scheme.

* 457 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have given permission to the ryots of the villages of Gollapudi, Guntupalli, etc., to irrigate lands by pumping the water of the Kistna at Thummalapalem near Ibharampatnam, Bezvada taluk;

(b) whether the ryots being unable to collect the necessary funds among themselves for constructing a pumping scheme have requested the Government to construct the pumping scheme and give water to their fields;

(c) how much water-rate they have offered to pay and how much towards the cost of the construction of the scheme; and

(d) whether the Government propose to undertake the scheme?

A.—(a) Yes.

(b) Yes.

(c) They have offered to pay a water-rate of Re. 1-4-0 per acre and a sum of Rs. 30 per acre on the area to be benefited, towards the cost of the scheme.

(d) The Government have called for a report from the Chief Engineer, and will consider the matter on receipt of his reply.

Mr. A. KALESWARA RAO :—" Is it not a fact that the ryots have offered to pay Rs. 12 per acre? "

The hon. Sir NORMAN MARJORIBANKS :—" The information given in the question is what the Government has. I will make enquiries regarding what the hon. Member has said."

Mr. A. KALESWARA RAO :—" May I know if the report of the Chief Engineer will be placed on the table of the House? "

The hon. Sir NORMAN MARJORIBANKS :—" That would be considered certainly when the report is received."

10th October 1928]

The irrigable ayacut of the Kistna Eastern delta.

* 458 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) what was the extent fixed as the irrigable ayacut of the Kistna Eastern delta before the shutters were raised at the Kistna Head Sluice;

(b) whether Government propose to extend the ayacut still further now that more water is available on account of the raising of the shutters; and

(c) if so, what steps are being taken by the Government?

A.—(a) The irrigable ayacut of the Kistna Eastern delta was fixed at 430,000 acres in 1924; the shutters were installed before the flood season of 1925.

(b) & (c) Observation for three years of the effect of the shutters has shown that there is sufficient surplus water to irrigate about 75,000 acres of early short crop (July to October), of which about 35,000 acres will be in the Kistna Eastern delta. The Chief Engineer (Irrigation) has applied for a special staff to work out detailed proposals and the question is now under the consideration of the Government.

Mr. A. KALESWARA RAO :—" Will the Government be pleased to call for the report of the Chief Engineer on this question? "

The hon. Sir NORMAN MARJORIBANKS :—" It is stated that he has applied for special staff to work out the detailed proposals. He will naturally report."

Mr. D. NABAYANA RAJU :—" When did he apply for the special staff? "

The hon. Sir NORMAN MARJORIBANKS :—" It must be quite recently. Apparently it has not been disposed of "

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know if the extent referred to in (b) and (c) relates to the Kistna Eastern delta or the whole delta? "

The hon. Sir NORMAN MARJORIBANKS :—" It is stated in the answer that out of the 75,000 acres about 35,000 will be in Kistna Eastern delta."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Apparently the whole question was with reference to the Eastern delta? "

The hon. Sir NORMAN MARJORIBANKS :—" If the hon. Member suggests that it is a mistake, I will examine that point."

Construction of the Mettur dam with cement or lime, Indian or foreign.

* 459 Q.—Mr. K. KOTI REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) what the Government have decided to use for the construction of the Mettur dam, lime or cement; and

(b) if it is cement, what cement the Government have decided to use, Indian or foreign?

A.—(a) Cement composed of 80 per cent of Portland cement and 20 per cent of surki is to be used for the construction of the dam.

(b) The cement is manufactured in India.

[10th October 1928]

Mr. T. ADINARAYANA CHETTIYAR :—“ As to the contract now placed, may I know the name of the particular firm, Sir ? ”

The hon. the PRESIDENT :—“ I do not find any reference to tenders and acceptances in this question. It only relates to the quality of cement to be used.”

Mr. T. ADINARAYANA CHETTIYAR :—“ The answer to (b) says that Indian cement will be used. I am only anxious to know whether the promoters of the firm are Indians or Europeans ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I think it would be better to put a separate question.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Will the hon. Member furnish the information without waiting for a formal question ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I will furnish it, Sir.”

Publishing of the Report of the Mettur Project Deputation Committee

* 460 Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Member for Revenue be pleased to state when the Government intend publishing the report of the Mettur Project Deputation Committee ?

A.—As soon as the Government Order on the report is ready.

Mr. B. RAMACHANDRA REDDI :—“ How long will Government take to pass orders ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I hoped it would be ready before this meeting. But circumstances prevented that and I now hope it will be ready in a week or so.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ Is it not a fact that if there is a further delay in accepting the recommendations of the committee, progress in the work will continue in the meanwhile ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I must ask the hon. Member to wait till he has had an opportunity of reading the Government Order.”

Mr. S. SATYAMURTI :—“ Seeing that this committee was appointed practically at the request of the House, may I know if Government has any intention of consulting the House before passing orders, and if not why not ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ One portion of the House asks that the orders may be expedited. Now the suggestion is that it should be deferred pending discussion of this House. I cannot say anything more now than that the Government Order will not prevent the House from pressing again any further points.”

Mr. S. SATYAMURTI :—“ Now that there has been some delay, may I ask whether the hon. Member accepts the recommendations as the recommendations of the House, in which case there is no need to discuss further ? If he does not accept them, may I know whether Government will consult the wishes of the House before passing their orders ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ It does not depend upon me. I must ask the member to wait.”

[10th October 1928]

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I ask the Government to publish the report and then discuss it in the House ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ It is a suggestion, Sir, which will be duly considered.”

Memorial submitted to His Excellency the Governor by ryots and mirasidars of Kadarambam parts.

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

(a) whether memorial was presented to His Excellency the Governor in the first week of September 1928, signed by a large number of the ryots and mirasidars of the Kadarambam parts of the Kulittalai and Trichinopoly taluks ;

(b) if so, what action the Government propose to take in the matter ;

(c) whether the Government have decided or propose to extend the area of irrigation in the Trichinopoly district by carrying out the Kattalai scheme ;

(d) whether they have decided or propose to reconsider the whole question in the light of the above memorial and modify the terms of the G.O. No. 1974 I., dated the 16th December 1926, so as to benefit the Trichinopoly district also under the Mettur scheme ; and

(e) whether more than 10,000 acres of wet lands were silted up during the floods of 1924 and whether the Government have any scheme for the utilization of the unused water for irrigating other lands ?

A.—(a) to (d) The memorial has been received and is under the consideration of the Government.

(e) The attention of the hon. Member is invited to the answer to clause (e) of question No. 506.

Mr. J. A. SALDANHA :—“ As to answers on all these points, may I take it that the Mettur Project will be utilized for the benefit of the lands of the memorialists ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ That is the question, Sir, which has to be investigated by the Engineers.”

Mr. S. ARPUDASWAMI UDAYAR :—“ With regard to the answer to (e), may I know, Sir, whether the consideration that is promised will be so comprehensive as to include the adoption of any other scheme than the one mentioned here ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I do not know which investigation the hon. Member refers to.”

Mr. S. ARPUDASWAMI UDAYAR :—“ With reference to (e), the answer is that the attention of the hon. Member is invited to clause (e) of 506.”

The hon. the PRESIDENT :—“ Apparently it must be clause (d) of 506.”

Mr. S. ARPUDASWAMI UDAYAR :—“ Yes. The answer from (a) to (d) is that the memorial has been received and is under the consideration of the Government. Then so far, the only scheme which is under consideration is the High Level channel scheme connected with the Right Bank canal. My question is whether the hon. Member will tell me if the consideration promised here will be so comprehensive as to include the adoption of any scheme for the benefit of these lands in addition to the high level channel.”

[10th October 1928]

The hon. Sir NORMAN MARJORIBANKS :—" Yes, Sir. I believe there is an investigation in connexion with the Uyyakondan."

Mr. S. ARPUDASWAMI UDAYAR :—" Sir, there is mention made of a few thousand acres that have been silted up and do not require water for irrigation at present. May I ask the hon. the Revenue Member to tell me whether in consideration of this fact he will also consider a scheme to irrigate the Kadarambam parts?"

The hon. Sir NORMAN MARJORIBANKS :—" Government would be very glad indeed if that can be done. It is entirely a question for the Irrigation Engineer whether they can get water on to the land."

Levy of penal rate in breach irrigation with reference to the cultivator.

* 462 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in calculating the number of offences with a view to levy penal rate with reference to breach irrigation, reference is had to the land irrigated and not to the individual ryot cultivating the lands; and

(b) if so, whether the Government would adopt the practice of having reference to the cultivator and not to the lands?

A.—(a) The hon. Member will find set out on page 28 of Volume II of the Board's Standing Orders the rules for the levy of water-cess for water irregularly taken for irrigation.

(b) The suggestion appears to be based on the supposition that enhanced rates for irregular irrigation are charged with the object of punishing the person for the offence of taking the water. This is not so. The object of the rules is to prevent the irregular use of irrigation supplies. It is therefore the supply irregularly taken to a particular land that is charged for at progressively increasing rates irrespective of the taker or takers.

11-15 a.m. Mr. C. RAMASOMAYAJULU :—" With reference to the answer to clause (a), may I know whether the recovery of the rent is going to be made from the person who uses the water or no?"

The hon. Sir NORMAN MARJORIBANKS :—" It will be made under the provisions of the Revenue Recovery Act."

Mr. C. RAMASOMAYAJULU :—" May I know whether the person who takes the water is responsible or it is merely the land?"

The hon. Sir NORMAN MARJORIBANKS :—" I think under the Revenue Recovery Act, the person responsible is the pattadar."

Mr. C. RAMASOMAYAJULU :—" The last part of the answer says, 'It is therefore the supply irregularly taken to a particular land that is charged for at progressively increasing rates irrespective of the taker or takers'. May I put the question to the hon. the Revenue Member this way? Supposing a person comes into possession of the land either by purchase for the first time or becomes a lessee and makes irregular use of water ignorant of the fact that water was previously taken irregularly for that land, will it not be a hardship in such cases to charge progressive rates with reference to the land?"

10th October 1928]

The hon. the PRESIDENT :—" That is asking for an opinion."

Mr. C. RAMASOMAYAJULU :—" My question, Sir, is whether the Government will recover rent in such cases."

The hon. the PRESIDENT :—" The hon. Member will kindly resume his seat."

Land Revenue

Method of better publicity of information to villagers.

* 463 Q.—Mr. A. B. SHETTY : With reference to the answer to question No. 315 answered on 8th September 1928, will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have now considered how better publicity can be given to any notifications or other matter intended for the information of the villagers, particularly in the West Coast districts; and

(b) if so, what conclusions they have arrived at thereon regarding this subject?

A. (a) & (b) The Board of Revenue has been asked for a report on the subject.

Legislative

Purchase of books for the Legislative Council Library.

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

(a) the firm from which books are bought for the Legislative Council Library;

(b) whether it is a fact that it is the only firm in Madras from which and through which books can be purchased for the library;

(c) if so, under what orders and what was the practice before;

(d) whether the rates of that firm are higher or lower for books published outside India than any other firm in Madras; or

(e) whether it is possible to get books directly from British or other European or American firms cheaper; and

(f) what endeavours have been made to get books from or through firms outside India at cheaper rates in the past and at present?

A.—(a) Messrs. The Associated Publishers (Madras), Limited, Higginbothams Department, Mount Road.

(b) Yes; unless books are urgently required and can be procured more promptly from another firm in India.

(c) Under the orders of the Government. The practice of purchasing books through the Associated Publishers has been in existence since 1927. Prior to that also books were purchased through a single firm.

(d), (e) & (f) The rates are in accordance with a contract which was entered into after tenders had been called for. The Government accepted what they considered to be the best of the tenders offered. They do not see their way to state the terms contained in other tenders.

[10th October 1928]

Mr. J. A. SALDANHA :—" With reference to clauses (a) and (b), may I know, Sir, under orders of which department of Government these books are obtained from particular firms ? "

The hon. Sir NORMAN MARJORIBANKS :—" So far as my information goes, these books are obtained for the Council Office on the orders of the Legislative Department. "

Mr. J. A. SALDANHA :—" Are these matters still under the control of the Finance Department or some other Secretariat Department, or under the control of the President of the Council ? "

The hon. Sir NORMAN MARJORIBANKS :—" There is a Committee of the Legislative Council which looks into these matters, and I hope they will be consulted in the purchase of books. "

Mr. S. SATYAMURTI :—" With reference to the answer to clause (c), that ' the practice of purchasing books through the Associated Publishers has been in existence since 1927 ', may I ask the hon. the Revenue Member whether, Mr. President, your office or yourself were consulted in this matter at any time ? "

The hon. Sir NORMAN MARJORIBANKS :—" This purchase of books for the Council Library has all along been made as a part of the purchase of books for Government purposes. If the House Committee makes any suggestion for separate treatment, I am quite sure it will be considered. "

Mr. S. SATYAMURTI :—" With reference to the answer to clauses (d), (e) and (f), will the Government be pleased to state whether these tenders were the lowest that they received ? "

The hon. Sir NORMAN MARJORIBANKS :—" I must ask for notice of that, Sir. "

Dr. B. S. MALLAYYA :—" May I know whether Government are aware that medical books used to be purchased for various schools by tenders ? "

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

Mr. D. NARAYANA RAJU :—" May I know for what period the contract referred to in answer to clauses (d), (e) and (f) was entered into ? "

The hon. Sir NORMAN MARJORIBANKS :—" That is a general contract for the purchase of all books required for Government purposes. I am sorry I cannot now say for what period, Sir. "

Mr. D. NARAYANA RAJU :—" For what period, Sir ? Is it for all time ? "

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir. I am afraid I must ask for notice to state the period. "

Mr. DANIEL THOMAS :—" With reference to the answer to clauses (d), (e) and (f), may I know what is the present rate per shilling under the subsisting contract ? "

The hon. Sir NORMAN MARJORIBANKS :—" I must ask for notice. "

10th October 1928]

Reforms

Memorandum of Madras Government to the Simon Commission.

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

(a) whether the memorandum of this Government to the Simon Commission was sent by both halves of the Government or only by the Reserved half ;

(b) whether the memorandum embodies the views of the hon. the Ministers either on the working of the Transferred departments or on further reforms ; and

(c) what those views are ?

A.—(a) The reports sent to the Statutory Commission were sent by the Governor in Council : in so far as they related to transferred subjects they were approved by the hon. the Ministers.

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

Mr. S. SATYAMURTI :—" With reference to the answer to clause (a), may I know whether the reports contain the opinions of the Members of Government either on the Reserved or on the Transferred side, apart from stating facts ? "

The hon. Sir NORMAN MARJORIBANKS :—" The reports so far sent deal with facts. "

Mr. S. SATYAMURTI :—" May I take it, therefore, in order to make it clear that the reports sent to the Statutory Commission by the Governor in Council do not express any opinions either on the working of the Reforms which have been granted or on further reforms needed in the opinion of this Government ? "

The hon. Sir NORMAN MARJORIBANKS :—" My difficulty, Sir, is that I am not aware how far I am entitled to disclose the contents of the reports sent to the Statutory Commission. "

Mr. S. SATYAMURTI :—" Sir, you will notice that my question, clause (b), is, ' whether the memorandum embodies the views of the hon. the Ministers either on the working of the Transferred departments or on further reforms. ' The answer says, ' the answer to clause (b) is in the negative. ' I am therefore asking whether as a matter of fact the report sent to the Simon Commission by this Government either on the Reserved or on the Transferred side contained merely statement of facts relating to the working of the Reforms, or whether they contained the opinions of the Government either on the working of the Reforms as they are or on further reforms ? "

The hon. Sir NORMAN MARJORIBANKS :—" I think I already said they were statement of facts. "

Mr. S. SATYAMURTI :—" No opinion at all ? "

The hon. Sir NORMAN MARJORIBANKS :—" Opinions may be read into them. That is another matter. "

Mr. S. SATYAMURTI :—" I am not asking the hon. the Revenue Member to perform an impossible feat. I am asking, so far as this Government is concerned whether they put forward any opinions . . . "

The hon. the PRESIDENT :—" The question has already been answered that the reports contain only facts and no opinions. "

[10th October 1928]

Mr. D. NARAYANA RAJU :—" Since the reports only furnish information may I know whether any further reports are contemplated stating the views of the Government ? "

The hon. Sir NORMAN MARJORIBANKS :—" If the hon. Member asks me to say something about what has not been done, I cannot undertake to do that."

Mr. P. ANJANEYULU :—" In answer to clause (a), it is said, ' in so far as they related to Transferred subjects they were approved by the hon. the Ministers.' May we know whether, so far as Reserved subjects are concerned, the reports were put for the approval of the Ministers also ? "

The hon. Sir NORMAN MARJORIBANKS :—" That is a question I cannot answer."

Mr. P. ANJANEYULU :—" May we take it that it is a consolidated memorandum which also got the approval of the Ministers ? "

The hon. Sir NORMAN MARJORIBANKS :—" The hon. Member may draw what inference he pleases."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Revenue Member whether the Simon Commission asked for any specific information and the Government have sent their report on that, or whether they have asked for information and views ? "

The hon. Sir NORMAN MARJORIBANKS :—" These reports, Sir, we sent with reference to the circular which was published and circulated broadcast. I cannot repeat now what the contents of that circular are."

Mr. S. SATYAMURTI :—" With reference to the answer to clause (a) of the question that the reports sent to the Statutory Commission were sent by the Governor in Council, may I know whether the phrase ' Governor in Council ' means only the Reserved half and not the Transferred half ? Then, may I ask the hon. the Chief Minister with your leave. "

The hon. the PRESIDENT :—" The hon. Member will have to put a separate question to the hon. the Chief Minister."

Mr. S. SATYAMURTI :—" I want to know whether, so far as the report relating to the Transferred side is concerned, the Ministers expressed any opinions on them, or they simply approved of what was written by the Reforms Special Officers ? "

The hon. Sir NORMAN MARJORIBANKS :—" It is said, Sir, in answer to clauses (b) and (c) that the answer is in the negative. Therefore, there were no views expressed."

Mr. K. R. KARANT :—" May I know whether the Government have any objection to place this memorandum on the table of this House ? "

The hon. Sir NORMAN MARJORIBANKS :—" We cannot publish communications made to another authority."

Mr. K. R. KARANT :—" After asking their permission, Sir ? "

The hon. Sir NORMAN MARJORIBANKS :—" Hardly for this Government to ask for permission."

10th October 1928]

Mr. S. SATYAMURTI :—" In view of the fact that portions or rather elaborate summaries of those reports were published by the Associated Press, in view of that partial publication of the reports, may I ask whether they intend to publish the whole of those reports ? "

The hon. Sir NORMAN MARJORIBANKS :—" I think the hon. Member is confusing two things. The reports referred to by the hon. Member are the reports first made in 1923, then revised in 1924 and revised again in 1927, long before the appointment of the Statutory Commission. Those are the reports which have been published, and not these reports to the Statutory Commission."

Revenue Establishments

Oriyas directly recruited as Deputy Tahsildars since 1922.

* 466 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Member for Revenue be pleased to state—

(a) the number of Oriya candidates directly recruited as Deputy Tahsildars since 1922;

(b) the number of direct recruitments to this cadre since 1922;

(c) the number of Oriya candidates who appeared at these selections; and

(d) the reasons why no Oriya was selected?

A.—(a) Nil.

(b) Twelve.

(c) Eight.

(d) Because other candidates were held to be better qualified.

Sriman BISWANATH DAS Mahasaya :—" Regarding answer to clause (b), may I know the qualifications of those that were recruited ? "

The hon. Sir NORMAN MARJORIBANKS :—" I must ask for notice, Sir."

Sriman BISWANATH DAS Mahasaya :—" Regarding answer to clause (d), may I know the qualifications of those other candidates ? "

The hon. Sir NORMAN MARJORIBANKS :—" Does the hon. Member mean technical qualifications ? If so, I can put a statement on the table."

Sriman BISWANATH DAS Mahasaya :—" Regarding answer to clause (d) again, may I know what Government mean by ' better qualified ' , when to my knowledge Oriya graduates and B.A. Honours men appeared for the selection ? "

The hon. Sir NORMAN MARJORIBANKS :—" I may say there were 612 candidates for these twelve posts. It is rather difficult to say why twelve were preferred out of over six hundred."

Government Press

Pay and allowances of the Superintendent, Government Press.

* 467 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Home Member be pleased to state with reference to G.O. Press No. 672, Public, Fort St. George, dated 11th August 1928—

(a) why the Government have considered the appointment of as many as five officers of the Superintendent's cadre necessary;

[10th October 1928]

(b) whether they do not consider any examination test necessary to satisfy the qualifications they have enunciated in clause 3, and if so, why they have not mentioned such examinations therein;

(c) what were the considerations that led them to fix the scales of pay enunciated in clause 5;

(d) whether Mr. F. L. Gilbert is in service under a contract and, if so, what the original contract is; and

(e) under what class of paragraph 4 of Part I of the Madras Manual of Special Pay and Allowances Mr. F. L. Gilbert is allowed a compensatory allowance of Rs. 50?

A.—(a) The experience of the past has led Government to consider this staff necessary for the proper working of the press

(b) No.

(c) The Government consider that the pays mentioned are necessary in order to secure suitable officers.

(d) No.

(e) Class VI (conveyance allowance).

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Home Member what is the experience that led the Government to consider that staff necessary, with reference to clause (a) of the question?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We found by practical experience that the staff in question was necessary."

Mr. G. HARISARVOTTAMA RAO:—"I am asking the hon. the Home Member what exactly the details of experience were that led them to employ five people?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"From time to time we received reports that the superior staff was not able to cope with the work, and therefore they were increased."

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Home Member, with reference to the answer to clause (b), whether the Government consider at all that no examination or test is necessary to declare a man a practical printer?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I do not think it is necessary."

Appointment of a non-official committee to investigate into the dismissals of employees in the Government Press.

* 468 Q.—Mr. A. KALESWARA RAO:—Will the hon. the Home Member be pleased to state—

(a) what action the Government have taken on the resolution passed by this Council on 6th September 1928 to appoint a non-official committee to investigate into the large number of dismissals, etc., of the employees of the Government Press, Madras;

(b) who was the predecessor of Mr. Gilbert as the Superintendent of Government Press, Madras, and how long he was the Superintendent, and what is the total number of dismissals, removals and suspensions during that whole period;

[10th October 1928]

(c) from what date to what date Mr. Green was acting as Superintendent of Government Press, Madras, and what is the total number of dismissals, removals and suspensions during that period; and

(d) what is the total number of dismissals, removals and suspensions during the period of Mr. Gilbert's superintendship from January 1922 up to the end of March 1928?

A.—(a) The Government have not accepted the resolution and have taken no action upon it.

(b), (c) & (d) Mr. Fisher was the predecessor of Mr. Gilbert as Superintendent, Government Press. He was Superintendent, Government Press, from 20th October 1904 to 5th April 1919. Mr. Green acted as Superintendent, Government Press, from 2nd April 1922 to 1st February 1923 and from 9th April 1927 to 8th November 1927. The Government do not consider that the labour involved in collecting the figures asked for would be justified.

Mr. A. KALESWARA RAO:—"May I know why the Government has not accepted the resolution?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The reasons for it were mentioned in my speech."

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Home Member, with reference to the answer to clauses (b) and (d), whether dismissals and punishments during the time of Mr. Fisher as also of Mr. Green were at any rate one-fourth the number of what they were during the time of Mr. Gilbert, though the term of Mr. Fisher was about fifteen years and the term of Mr. Gilbert was only six years?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Government have no information."

Dr. B. S. MALLAYYA:—"May I know what will make the Government accept the resolution?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have said in my speech, no facts in favour of the resolution have been stated."

Mr. P. BHAKTAVATSULU NAYUDU:—"What is the speech the hon. Member refers to that he made the other day?"

Mr. A. KALESWARA RAO:—"May I know whether the hon. Member's speech was not made before the passing of the resolution?"

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

Mr. A. KALESWARA RAO:—"Then, what made the Government not to accept the resolution?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Government again considered the resolution and for the reasons mentioned in my speech they did not accept it."

Dr. B. S. MALLAYYA:—"May I know, Sir, whether the hon. the Home Member is aware that the Sultan of Turkey went down the hill for not accepting a popular resolution, as it is stated?" (Laughter).

[10th October 1928]

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Home Member whether the Government have considered in refusing to accept the resolution even at this stage that they are unable to give us accurate figures as to the dismissals and punishments comparatively in the times of the three Superintendents?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I said, the Government have no information."

Leave application of a reader in Government Press.

* 469 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether Mr. N. A. Balasubramaniam, a reader in the Government Press, applied for six weeks' leave on 12th October 1927 on production of medical certificate from a L.M.P.;

(b) whether he was directed to appear before the Surgeon, First District;

(c) whether the Surgeon declared him fit for duty on 16th October 1927;

(d) whether he joined duty on 17th October 1927 and applied for leave;

(e) whether the Superintendent treated his absence as leave but as leave without pay; and whether the applicant had about two years' leave on average salary to his credit at the time;

(f) whether the action of the Superintendent was against instructions contained in Government Memorandum No. 1002-2, Finance, dated 17th February 1926; and

(g) what action was taken against the Superintendent for disregarding a Government Order?

A.—(a) Yes.

(b) Yes, on 22nd October 1927.

(c) No, the Surgeon reported on 16th November 1927 that he was fit for duty. He had delayed 24 days before appearing before the Surgeon.

(d) He joined duty on 17th November 1927.

(e) The Superintendent treated the period of his absence as absence without leave. Government are not aware of the amount of leave at his credit.

(f) No.

(g) The question does not arise.

11-30 a.m. Mr. C. N. MUTHURANGA MUDALIYAR:—"Sir, with reference to the answer to clause (e), in view of the fact that the question itself gives definite information, is it not the duty of the Government to verify the truth of this statement?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Government have no information."

Mr. C. N. MUTHURANGA MUDALIYAR:—"Will they not call for the information?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We will do so if it is necessary."

10th October 1928]

Mr. C. N. MUTHURANGA MUDALIYAR:—"Does the hon. the Home Member think that the Superintendent is justified in his action if the facts are as stated in the question?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Superintendent is justified."

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Home Member whether he thinks that he should justify the Superintendent even before he had learnt whether the employee had to his credit two years' leave or not?"

Mr. P. BAKTAVATSULU NAYUDU:—"Is it not possible for the Government to be aware of these things if they are really interested?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"That does not affect the question."

Police

Oriyas as gazetted officers in the Police Department.

* 470 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Home Member be pleased to state—

(a) the number of Oriyas serving as gazetted officers in the Police Department;

(b) if there are no Oriya officers the reasons for the same;

(c) the number of Oriya candidates who appeared for the selection of Deputy Superintendents of Police; and

(d) the number of Oriyas now serving as Circle Inspectors of Police?

A.—(a) None.

(b) A report on the subject will be called for.

(c)—

1925	...	...	...	...	...	...	One
1926	...	...	...	...	...	...	Two
1927	...	...	...	...	...	...	Nil.

(d) Eleven.

Sriman BISWANATH DAS Mahasayo:—"With reference to (b), may I know whether the Government will be pleased to place the report on the table of this House and with reference to (d), whether they will be prepared to consider the claims of the existing members who are serving as Circle Inspectors?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"When the report reaches the Government the suggestion will be considered."

Alleged treatment of the accused under trial in the Trichinopoly Railway strike case.

* 471 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received a communication from Mr. N. S. Ramaswami Ayyangar protesting against the treatment alleged to have been accorded to the accused under trial in the Trichinopoly Railway strike conspiracy case;

[10th October 1928]

(b) if the answer to (a) be in the affirmative, whether the Government have enquired into the truth of the allegations contained in the letter;

(c) the steps taken by the Government in the matter, after the receipt of the communication from Mr. N. S. Ramaswami Ayyangar;

(d) whether the Government consider the advisability of taking immediate steps to prevent ill-treatment by the Police of under-trial prisoners; and

(e) whether the Government will place on the table a correct statement as to the alleged treatment of the under-trial accused referred to in Mr. N. S. Ramaswami Ayyangar's letter?

A.—(a) Yes.

(b) & (c) The Government have called for a report from the District Magistrate, Trichinopoly.

(d) & (e) The Government await the District Magistrate's report.

Mr. C. N. MUTHURANGA MUDALIYAR:—"With reference to clause (d), the answer given is no answer at all. May I ask the hon. the Home Member whether Government would place the information on the table when they get it?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We have called for the information. When the Government receive the information, the suggestion will be considered."

Alleged firing at Tuticorin and at Trichinopoly during the South Indian Railway strike.

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

(a) the circumstances under which a policeman resorted to firing at Tuticorin on his own authority during the Railway strike;

(b) the causes of the police firing later at Tuticorin;

(c) the causes of the police attacking and firing on an innocent crowd near a railway crossing in Trichinopoly during an accident between a train and a bus during the strike; and

(d) the occasions and the causes generally for police firing in several parts of the Province during the recent Railway strike?

A.—(a), (b) & (c) Criminal cases arising out of these incidents are still before the Courts. The Government can make no pronouncement till these have been disposed of.

(d) Unless the names of places where firing is alleged to have taken place are given, it is not possible to answer this question.

Mr. S. SATYAMURTI:—"May I know, with reference to clauses (a), (b) and (c), what are the criminal cases arising out of these incidents that I have mentioned, namely, police firing at Tuticorin and the police firing at Trichinopoly railway crossing which are pending? No cases are pending to the best of my knowledge?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We have called for reports from the District Magistrates and they show that certain cases are before the courts of law."

10th October 1928]

Mr. S. SATYAMURTI:—"May I know whether the Government have satisfied themselves that these criminal cases arose out of these incidents which I have mentioned in clauses (a), (b) and (c)?"

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

Mr. S. SATYAMURTI:—"With regard to the answer to clause (d), I have given the names of the places, viz., Tuticorin and Trichinopoly. May I know, Sir, from the Government the occasions and the causes for the police firing in those parts of the Province?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I have already given an answer in connexion with the collision that took place between a motor bus and an engine in Trichinopoly. In that connexion I dealt with this question. There are some cases before the courts. So, at present, it is not possible for Government to give a reply. As soon as these cases are disposed of, Government will consider the question of making a statement."

Mr. S. SATYAMURTI:—"I am asking specifically with regard to firing without magisterial orders in those places."

The hon. the PRESIDENT:—"He has already said that regarding collision it was answered by the Government."

Mr. S. SATYAMURTI:—"But regarding the other firing at Tuticorin—that was without any magisterial order at all—may I ask whether the Government have made or propose to make any enquiries into what was an unlawful act and the circumstances under which the police acted as they did?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I said, it is not possible for me to give any answer till the cases are disposed of."

Mr. S. SATYAMURTI:—"Have the Government called for a report on this specific question as to the extraordinary reasons why the police resorted to firing without a magisterial order or do they propose to do so?"

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

Revision of the pay of constables in South Kanara in consonance with the cost of living.

* 473 Q.—Mr. A. B. SHETTY: With reference to the answer to my question No. 146 answered on 5th September 1928 regarding the revision of the pay of constables in South Kanara, will the hon. the Home Member be pleased to state—

(a) whether the cost of living is less in South Kanara than in other districts where the constables are paid eight annas more; and

(b) if so, on what this information is based?

A.—(a) & (b) Statistics on which any reliable comparison of the cost of living in various districts may be based are not available.

[10th October 1928]

Mr. R. NAGAN GOWDA :—" In view of the fact that higher officers get allowances such as overseas pay, house-rent allowance, Ootacamund allowance, etc., will the Government undertake to find out the cost of living in different districts, so that servants on low scales of pay may get enough to make a living? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government have considered the suggestion."

Central Record Office

Appointment of Mr. Vernon on special duty in the Madras Record Office.

* 474 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that Mr. Vernon, I.C.S., was at any time appointed on special duty in the Madras Record Office; if so, when and for what period;

(b) whether the said Mr. Vernon has submitted any report on the working of the Record Office and the work that has yet to be done therein and whether the Government will lay a copy of the report on the table;

(c) what action the Government has taken or propose to take on the report; and

(d) if no report has been submitted the reasons why it was not submitted?

A.—(a) Yes. From 10th January 1928 to 15th March 1928.

(b) Yes.

The Government do not propose to place the report on the table.

(c) The report is under the consideration of Government.

(d) Does not arise.

Civil Justice

Opening of an additional court at Mangalore.

* 475 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether any, and if so, what report has been received from the High Court with reference to the congestion of work in the Sub-Court and District Court, Mangalore; and

(b) whether Government propose to open an additional court to relieve the same, and if so, when?

A.—(a) & (b) The question of appointing an additional Sub-Judge to the Sub-Court, Mangalore, is under the consideration of Government.

Mr. K. R. KARANT :—" Considering that I brought this to the notice of the Government six months ago, will they expedite the matter? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The High Court sent its recommendation only very recently—in September—and the Government are considering the whole question with reference to financial and other aspects."

[10th October 1928]

Mr. P. ANJANEYULU :—" May I know whether it is with reference to this particular sub-court or with reference to other sub-courts also? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The question is restricted to one particular court and the answer also is restricted to it."

Criminal Justice

Instructions to the Public Prosecutor in connexion with mufassal cases coming up to the High Court.

* 476 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Law Member be pleased to state—

(a) what was the practice hitherto followed by the mufassal police in the matter of instructing the Public Prosecutor, Madras, in cases coming up to the High Court;

(b) whether there has been any circular issued recently in this connexion by the Inspector-General of Police;

(c) if so, whether the Government will be pleased to place the circular on the table; and

(d) what is the estimated increase in expenditure in the matter of travelling allowances as a consequence of the new step?

A.—(a) In criminal appeals in the High Court the Public Prosecutor was usually instructed by the District Magistrates who invariably consulted the District Superintendents of Police.

(b) The Inspector-General of Police did not issue any circular but merely published in the *Police Gazette* the orders of Government issued in G.O.s. Nos. 3346, Law (General), dated 22nd October 1927, and 3751, Law (General), dated 25th November 1927, and the Public Prosecutor's Circular No. 143, dated 5th March 1928.

(c) Copies of the Government Orders and the Public Prosecutor's circular are appended.

(d) It is not possible to estimate the extra expenditure as no separate account of it is kept.

Mr. P. BHAKTAVATSULU NAYUDU :—" In answer to question (d), it is stated 'It is not possible to estimate the extra expenditure as no separate account of it is kept.' Will Government think of keeping a separate account at least in future in view of the large expenditure that is believed to be involved by these recent orders? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" In fact, there is no extraordinary expenditure due to the recent orders and so the Government do not think it necessary to keep such accounts."

Mr. DANIEL THOMAS :—" May I know whether ordinarily the records of the cases supplemented by the written instructions of the District Superintendent of Police and the District Magistrate will not be sufficient for the Public Prosecutor to deal with the cases? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is left to the Public Prosecutor to decide."

[10th October 1928]

Mr. DANIEL THOMAS :—" May I know whether any case has been brought to the notice of the Government where a miscarriage of justice has occurred by reason of the absence of an instructing officer ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No. "

Mr. S. SATYAMURTI :—" Why was that order made then ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The order was made at the instance of the Public Prosecutor. "

Mr. BASHEER AHMAD SAYEED :—" May I know whether it was because the Public Prosecutor found it not possible or he felt incompetent to carry on the prosecutions in the High Court without such an order ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It will be noticed by my hon. Friend that the orders in question were passed during the time of Mr. Adam who had considerable experience and had served for more than ten years as Public Prosecutor. "

Forests

Removal of forest boundaries to a distance of one mile from surrounding villages.

* 477 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) what steps have been taken from 1923 to the end of June 1928 in the three forest districts of South, East and West Kurnool to move the boundaries of reserved forests away from villages whose agricultural lands or village-sites were situated within a mile or half a mile of such boundaries; and

(b) how much of reserved forests were disafforested for this purpose ?

A.—(a) & (b) In cases where proximity of reserved forests to villages and cultivated lands cause real hardship to the ryots, the Government have set back the reserve boundaries by disafforesting such areas. The total area disafforested for this purpose during the period referred to is 4,619 acres.

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member how many villages have been given relief by disafforestation of the kind mentioned here ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I can give the information; I have it in my file; if my hon. Friend will come to my room I can give him the information. "

Mr. MAHMUD SCHAMNAD :—" May I know whether there is not real hardship in the case of the ryots of South Kanara on account of the proximity of the forests to cultivated lands ? "

The hon. the PRESIDENT :—" I think the hon. Member will have to give notice of a separate question, because this relates only to Kurnool. "

[10th October 1928]

General

Alleged grievances of Sgt. Kiran Chandra Mukherjee, detainee at Vizagapatam.

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

(a) whether the attention of the Government has been drawn to the complaints and grievances of Sgt. Kiran Chandra Mukherjee who is now kept at Vizagapatam as a detainee and what steps the Government have taken or propose to take to redress them;

(b) whether his health is now all right;

(c) whether his letters are being delivered to him punctually and regularly; and

(d) whether his allowance has been increased and what it is now ?

A.—(a) The Government understand that the individual in question had been externed from Bengal under the Bengal Criminal Law Amendment Act, 1925, by an order of the Bengal Government and that he has since been permitted to return to Bengal. The Madras Government have issued no order respecting him nor are they concerned with him in any way.

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

Mr. S. SATYAMURTI :—" May I know specifically whether this gentleman is in Bengal or Madras ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I have absolutely no information. "

Mr. S. SATYAMURTI :—" The answer is ' the Government understand . . . that he has since been permitted to return to Bengal. ' So Government must be able to give us some information. "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" We don't know whether he has returned to Bengal or is still here. "

Mr. S. SATYAMURTI :—" I want to know whether according to the best information available to the Government Sgt. Kiran Chandra Mukherjee is at Vizagapatam or has returned to Bengal ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I have no information. "

Mr. S. SATYAMURTI :—" Will the Government call for the information ? I am not asking with regard to casual residents; I am asking with regard to a gentleman who has been externed by the Government of Bengal and is made to live at Vizagapatam. "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" If my hon. Friend wants the information, the Government will certainly find it out. "

Mr. P. C. VENKATAPATI RAJU :—" Are not the Government aware that there was a constant surveillance of the Police of this Government on this person ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Government are not aware. "

[10th October 1928]

Kazis Act

Consultation of prominent Muslims regarding the appointment of the Kazi of Madras.

* 479 Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state whether the Government consulted the prominent Muslim citizens of Madras as to who was the fittest person for the office before appointing Mr. Fasi-ud-din as the Kazi of Madras and, if so, who those persons are?

A.—Yes. The Government consulted a number of prominent Muhammadan residents of the city before making the appointment. They do not consider it necessary to publish their names.

Mr. ABDUL HAMID KHAN:—“May I ask the hon. the Law Member (I wish I were asking the Home Member) what methods the Government adopted to consult public opinion and what are the criteria on the basis of which Muslim residents were selected for consultation on this question?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“The Government asked the Collector to consult the principal Muhammadan gentlemen.”

Mr. ABDUL HAMID KHAN:—“May I know from the hon. the Law Member whether Government themselves did not consult public opinion besides the opinion of the Collector?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Government has not done so.”

Mr. ABDUL HAMID KHAN:—“Did not the Government ask the Home Member for his opinion?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Oh, yes.”

Mr. ABDUL HAMID KHAN:—“May I know what his opinion was?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“It is a Cabinet secret, Sir.”

Mr. ABDUL HAMID KHAN:—“May I know if the Government had not asked the opinion of the friends of the Home Member?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“No.”

Mr. K. UPPI SAHIB:—“With reference to the last portion of the answer, may I know whether their names are so confidential?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Publication of their names will give rise to bad blood between persons holding conflicting and different opinions.”

Mr. K. UPPI SAHIB:—“The names of persons who recommended other men at public meetings were public names and they were published. Are the names of the persons who recommended this particular individual confidential?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“The names of all who recommended.”

10th October 1928]

Mr. BASHIR AHMAD SAYEED:—“May I know whether it is not a fact that the prominent Muhammadan residents alleged to have been consulted were no other than the members of a single family along with the Home Member in whose pay the nominee of the Government has been and is?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“No, Sir.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I know whether the present Government is aware that when the first appointment of the Kazi was made the names of the gentlemen who were consulted were published in the Government Order?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“My friend is under a misapprehension.”

Mr. SAMI VENKATACHALAM CHETTI:—“Therefore am I right in supposing that the names of the gentlemen Government recommended were published in a Government Order?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“No.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I point out the Government Order?”

The hon. the PRESIDENT:—“Pointing out will not constitute a supplementary question.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I request the hon. the Law Member to read the Government Order?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I have read it many times.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I point out that the names of some of the prominent gentlemen whom the Government consulted were published?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Government asked their agent to consult some persons.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I know why the Government should fight shy of publishing the names?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“There was considerable bad blood already, and we did not want to add to it.”

Mr. SAMI VENKATACHALAM CHETTI:—“When did this arise? Bad blood there was only recently. What prevented the Government from publishing them previous to that?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“There was no need.”

Mr. A. RANGANATHA MUDALIYAR:—“The hon. the Home Member said that the persons consulted were not friends of the hon. the Home Member; what are his grounds?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“To my knowledge, they are not.”

Mr. S. SATYAMURTI:—“Are they the enemies of the Home Member?” (Laughter).

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Neither are they.”

[10th October 1928]

Mr. S. SATYAMURTI :—" In view of the statutory provision contained in the Act, the Kazi Act, may I know why the local Government did not themselves consult the principal Muhammadan residents, but left it to a subordinate officer ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Collector is the agent of the Government."

Mr. G. HARISARVOTTAMA RAO :—" May I know if they did not protest even before this appointment ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There was no protest before this appointment."

Appointment of a committee for selecting the Kazi of Madras.

* 480 Q.—Mr. ABDUL HAMID KHAN : Will the hon. the Law Member be pleased to state—

(a) whether G.O. No. 1909, Judicial, dated 10th August 1880, has been cancelled by the Government or is still in force ;

(b) whether the Government followed the procedure laid down by the said Government Order in appointing Mr. Fasi-ud-din ;

(c) whether under the said Government Order the Government are bound to appoint a committee to select the fittest person for the office of the Kazi and, if so, whether they consulted such a committee in appointing Mr. Fasi-ud-din ; and

(d) whether it is a fact that the Government had communicated the said Government Order to all the District Collectors at the time in order that the procedure laid down there may be followed in the appointment of Kazis ?

A.—(a) The Government Order has not been cancelled.

(b) & (c) A copy of the Government Order^a is placed on the table of the House. It will be observed that the Government Order did not lay down any definite procedure to be followed in all cases of appointment of a Kazi for the Madras City.

(d) No.

Mr. ABDUL HAMID KHAN :—" May I know from the hon. the Law Member whether a large majority of the people that seemed to have been consulted were not in favour of the other gentleman who should have been appointed, namely, Kazi Moulvi Habib-ul-la ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir ; a large number were in favour of both." (Cries of ' Oh, Oh ' from Opposition.)

Mr. ABDUL HAMID KHAN :—" Very wonderful that the Government should secure a large body of opinion in favour of both. I do not know on what basis the Government elected one of them ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government consulted the Collector as I already said."

^a Printed as Appendix II on page 345 infra.

[10th October 1928]

Mr. ABDUL HAMID KHAN :—" The hon. the Law Member says that there is a large body of opinion in favour of both. May I know on what basis the Government appointed the particular person ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Government have taken all facts into consideration and come to the conclusion to the best of their lights."

Mr. ABDUL HAMID KHAN :—" What are the lights ? There is only one light ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" By consultation."

Mr. S. SATYAMURTI :—" I want to know whether the Government really took the opinions of these people in appointing either the one or the other ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. S. SATYAMURTI :—" In favour of both ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" In favour of the particular individual."

Mr. S. SATYAMURTI :—" On whose opinions ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" On the opinion of the persons consulted."

Mr. S. SATYAMURTI :—" Who are in favour of both ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" You must ask the Collector for that." (An hon. Member : ' We must ask the Government.')

The hon. the PRESIDENT :—" It will be very convenient to the House if the Member puts the supplementary question after I mention his name."

Mr. BASHEER AHMAD SAYEED :—" May I know, Sir, if the order has not been cancelled, what was the special reason for the Government to follow a special procedure in this case except it be at the instance of the hon. the Home Member whose election agent was the nominee of the Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I deny the allegation made by my hon. Friend, Mr. Basheer Ahmad."

Mr. BASHEER AHMAD SAYEED :—" On what basis, Sir ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I asked the hon. the Home Member himself. He has denied it."

Mr. BASHEER AHMAD SAYEED :—" May I ask the hon. the Home Member himself to deny it on the floor of this House, Sir ? "

Resolutions and memorials recommending the appointment of Habib-ul-la as the Kazi of Madras.

* 481 Q.—Mr. ABDUL HAMID KHAN : Will the hon. the Law Member be pleased to state—

(a) the number of public meetings, resolutions of which were communicated to the Government in support of Moulvi Mufthy Haji Habib-ul-la and the places where each of such meetings was held (1) in the City, (2) in the mufassal ;

[10th October 1928]

(b) whether the Government received petitions from the prominent Muslim citizens of Madras appealing to the Government to appoint Moulvi Habib-ul-la alone as the Kazi of Madras;

(c) whether the said petitions have been signed by eight Muslim members of the local Legislative Council;

(d) whether the Government received a mass memorial signed by the Muslim public appealing to the Government to appoint Moulvi Habib-ul-la and, if so, how many have signed the same;

(e) whether the Government received resolutions passed at public meetings questioning the genuineness of signature in mahazars sent on behalf of Mr. Fasi-ud-din and praying for a public enquiry; and

(f) whether the Government have taken any steps to hold an enquiry, and if not, why not?

A.—(a) to (f) Resolutions regarding the appointment of a Kazi passed at certain public meetings held in the City and in the mulassal were received by the Government from time to time. A number of memorials urging the appointment of Moulvi Haji Muhammad Habib-ul-la Sahib Bahadur were also received. The Government have not thought it necessary to maintain a list of these representations.

Mr. G. HARISARVOTTAMA RAO :—“The Government say that they have received resolutions from various people not only in the city but from all over the province in favour of Haji Habib-ul-la Sahib. Did the Government also receive representations of this nature in favour of the man they have appointed?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“Oh, yes. Many representations.”

Mr. G. HARISARVOTTAMA RAO :—“May I know whether the Government have weighed them?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“Yes.”

Mr. K. UPPI SAHIB :—“Did the hon. the Law Member consider the opinion of the Members of the Legislative Council and the opinion of the Muslim public?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“There are as many respectable persons outside the Council as there are in the Council.”

Mr. ABDUL HAMID KHAN :—“May I know whether he is not aware of the fact that at least a very large majority out of the 13 Muslim Members of this House are in favour of the gentleman in whose favour representations were made and not in favour of the man whom the Government have appointed under the advice of the Muslim Member of the Cabinet?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“If my hon. Friend makes that statement, I will accept it as correct.”

Mr. ABDUL HAMID KHAN :—“I ask whether the Government is not aware of it.”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“The Government have not scrutinized the nature and qualifications of the signatories to the various memorials.”

[10th October 1928]

Mr. ABDUL HAMID KHAN :—“May I know whether the Government did not know that there are ten members of this Council who are in favour of the appointment that was not made?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“In fact, there were many signatories to the memorials. They did not scrutinize the signatures in the memorials.”

Mr. P. C. VENKATAPATI RAJU :—“Apart from the Muslim Members of this Council being as much respectable as others outside the Council, does not the Government know that they are representatives of the Muslim community?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“They are representatives of certain portions of the Muhammadan community.”

Alleged deputation to His Excellency the Governor of Madras regarding the appointment of the Kazi of Madras.

* 482 Q.—Mr. ABDUL HAMID KHAN : Will the hon. the Law Member be pleased to state—

(a) what was the Collector's report as to the fittest person for the office of the Kazi of Madras;

(b) whether a deputation of leading Muslims waited on His Excellency the Governor and the hon. the Law Member in connexion with the appointment of the Kazi and, if so, what their representation was;

(c) whether the said deputation declared that Moulvi Haji Habib-ul-la was the fittest person for the place; and

(d) whether any deputation waited upon His Excellency the Governor or the hon. the Law Member requesting the appointment of Mr. Fasi-ud-din?

A.—(a) The Government do not propose to publish the report of the Collector on the subject.

(b) & (c) A deputation of a certain section of the Muhammadans of Madras waited on His Excellency the Governor on the 9th January 1928. The hon. Sir C. P. Ramaswami Ayyar was also present when the deputation was received by His Excellency. The deputation urged that there should be only one Kazi for the whole of Madras entitled to give fatwas or decisions on religious and secular matters affecting Muhammadans and that Moulvi Haji Habib-ul-la was the fittest person to be the Kazi.

(d) No.

Mr. ABDUL HAMID KHAN :—“May I know from the hon. the Law Member whether there was any deputation in favour of the gentleman whom they have appointed?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“There was no deputation.”

Mr. ABDUL HAMID KHAN :—“May I know what the Government did after receiving the deputation in favour of Haji Habib-ul-la Sahib?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“The opinion of a deputation is not the sole basis on which appointments are made.”

[10th October 1928]

Mr. ABDUL HAMID KHAN :—“ May I know the names of the persons who formed that deputation ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The names of the persons that waited on His Excellency are not kept in the Government Office. I saw their names in the ‘ Madras Mail ’.”

Mr. ABDUL HAMID KHAN :—“ Is the hon. the Law Member aware that that deputation was representative of all sections of opinion and of all classes of people not only from the City but from all parts of the Presidency ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I am not aware.”

Qualifications of Mr. Fasi-ud-din to discharge the functions of the Kazi of Madras.

* 483 Q.—Mr. ABDUL HAMID KHAN : Will the hon. the Law Member be pleased to state—

(a) what the functions of the Kazi are ;

(b) whether the Government will be pleased to place on the table copy of G.O. No. 331, Political, dated 24th May 1899 ;

(c) whether it is a fact that it is a function of the Kazi to furnish opinion to the Government and public relating to Muslim Law and custom ;

(d) whether the Government have considered whether Mr. Fasi-ud-din is competent to give authoritative opinion or fatwas to the Government and Muslim public as contemplated in G.O. No. 331, Political, dated 24th May 1899 ?

A.—(a) & (c) So far as Government are concerned, the functions of a Kazi are contained in the Preamble to the Kazis Act, XII of 1880.

(b) A copy of the order * of Government is placed on the table of the House.

(d) The Government are not called upon to consider whether a person to be appointed Kazi should be competent to give authoritative opinions or fatwas as stated by the hon. Member. The main test they have to apply with reference to section 2 of the Act is whether the person proposed for appointment is acceptable to the principal Muhammadan residents of the local area concerned.

Mr. ABDUL HAMID KHAN :—“ In clause (d) of the answer to this question the Government say that they are not called upon to consider whether a person to be appointed Kazi should be competent to give authoritative opinions or fatwas as stated by the hon. Member. May I know, Sir, whether the Government is so ignorant of the fact that a Kazi who is appointed has to give fatwas affecting the religion and the other fundamental things of the Muslim community ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The sole guidance of the Government in this matter is the Preamble to the Kazis Act.”

* Printed as Appendix III on page 343 infra.

[10th October 1928]

Mr. BASHEER AHMAD SAYEED :—“ May I know whether the Government is not aware that the courts especially the City Civil Court and also a congregation of the public have condemned the man that has been appointed by the hon. the Law Member at the instance of the hon. the Home Member ? ”

The hon. the PRESIDENT :—“ The hon. Member need not repeat the words ‘ at the instance of the hon. the Home Member.’ I rule them out of order.”

Mr. BASHEER AHMAD SAYEED :—“ Then may I ask, Sir, whether the nominee appointed by the Government is a condemned man, both by the Muslim congregation and also condemned by the passing of severe strictures by the City Civil Court as to his character and status ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The Government are not aware.”

Mr. ABDUL HAMID KHAN :—“ May I know whether the hon. the Law Member will take the trouble, at least now, to rectify the mistake, by knowing what sort of man they have appointed ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ There is no need to rectify, because the Government do not think that they have done a wrong thing.”

Mr. ABDUL HAMID KHAN :—“ Will the Government make any such enquiry on the allegations that have been made ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ No, Sir.”

Mr. ABDUL HAMID KHAN :—“ Since these allegations have been made, will not the Government think it necessary to revise its views ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ These are baseless allegations ; the Government will not make enquiries.”

Panchayat Courts

Election rules under the Village Courts Act.

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

(a) whether the Government have received any complaints to the effect that the election rules made under the Village Courts Act give an advantage to the candidates belonging to the village where the election is held, since the adult males resident in that place usually come in larger numbers to the polling station than people from other villages belonging to the same group ;

(b) whether it is a fact that members of the panchayat court are in some cases all elected from only one of the villages constituting the group for which the said court has been established ; and

(c) whether the Government have at any time considered the desirability of modifying the rules so that all the villages constituting the group may have equal facilities in electing their representatives ?

A.—(a) No.

(b) The Government have no information.

(c) No.

Education

[10th October 1928]

Independent building for the Government Institute of Commerce.

* 485 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what steps have been taken to provide the Government Institute of Commerce with an independent building; and

(b) how long this Institute has been in working in Madras and whether the Government have any idea of re-organizing it?

A.—(a) A site on the Esplanade for the construction of a building for the Government Institute of Commerce has been chosen and provision has been made in the current year's budget for a beginning to be made in the construction of the building.

(b) The Government Institute of Commerce was opened on 3rd September 1918. No proposal for the re-organization of the Institute is under consideration.

Vernaculars as medium of instruction in high schools.

* 486 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have taken any and if so, what steps to encourage the imparting of instruction in all non-language subjects through the medium of the vernaculars in all high schools in the Presidency?

A.—A circular has been issued to managers of schools informing them that they are at liberty to choose either English or vernacular as the medium of instruction in Forms IV, V and VI of high schools. Question papers in non-language subjects at the S.S.L.C. Public examination are set both in English and in the vernacular languages.

Committee appointed by Government to consider the problem of physical education.

* 487 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what are the names of the members of the Committee appointed by the Government to consider the problem of physical education in the Presidency in accordance with the resolution passed in the Council on 24th January 1928; and

(b) whether the committee has submitted any report; if so, whether the Government will be pleased to place it on the table of the House?

A.—(a) The names of the members of the committee appointed by the Government to report on physical education in secondary schools for boys are as follow:—

- (1) The hon. Mr. Justice H. O. C. Beasley, *President*.
- (2) Mr. H. O. Kershaw, Inspector of European Schools.
- (3) Mr. S. E. Ranganathan, Additional Professor of English, Presidency College, Madras.
- (4) M.R.Ry. C. Ramaswami Nayudu Garu, Assistant Director of Agriculture, Bellary.

10th October 1928]

(5) Mr. H. F. Saunders, Acting Additional Deputy Director of Public Instruction, Madras.

(6) Mr. H. C. Buck, Physical Adviser to Government.

(7) Mr. R. Foulkes, O.B.E., M.L.C., President, District Board, Madura.

(8) M.R.Ry. Rao Bahadur B. Muniswami Nayudu Garu, M.L.C., President, District Board, Chittoor.

(9) Janab Abdul Hye Sahib Bahadur, M.L.C.

(10) The Rev. A. R. Penn, St. John's College, Palamcottah.

(11) M.R.Ry. A. B. Shetty Avargal, M.L.C.

(12) " R. S. Ramachandra Rao Avargal, Headmaster, Samasthanam High School, Bobbili.

(13) G. T. J. Thaddaeus, B.A., one of the Organizing Secretaries of the Boy Scouts Association, Madras.

(14) Lt. C. K. Lakshmanan, I.M.S., St. Thomas Mount.

(15) The District Educational Officer, Madras (to be also the Secretary to the committee).

(b) The committee has not yet submitted its report. The question of placing it on the table of the House will be considered after its receipt.

Acquisition of land for extending the Lady Willingdon Training College.

* 488 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when proposals for the acquisition of land for extension of the Lady Willingdon Training College were received;

(b) when the boundaries of the land needed for the purpose were fixed and by whom; and

(c) the stage at which the matter now is?

A.—(a) In 1926.

(b) In 1927—By the Collector of Madras in consultation with the Director of Public Instruction.

(c) The site selected for the college forms part of the fishing village acquired by Government in connexion with the Marina hospital scheme which has since been abandoned. The original owners are still in occupation of the site and steps are being taken to provide them with lands elsewhere. When this is done, the site will become available for the college.

Deputy and sub-inspectors of schools in South Kanara and some other districts.

* 489 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of deputy and sub-inspectors of schools in the Educational department in each of the districts of South Kanara, Malabar, Coimbatore, Nilgiris and Salem;

(b) how many of them have been appointed from among Indian Christians—

(1) Roman Catholics, and

(2) Protestants during the last five years; and

(c) how many applications from Indian Christians were received for such posts and were refused?

[10th October 1928]

A.—Information has been called for from the Director of Public Instruction.

Recognition of Arabic schools.

* 490 Q.—Mr. MAHMUD SCHAMNAD: Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to the answer to clause (b) (1) of my question No. 1525, dated 27th February 1928—

(a) why the Government have not recognized Arabic schools just as they have recognized Sanskrit schools and whether one Mr. Muhammad Sherale applied more than once to recognize his Arabic school of Podur near Kumbhar;

(b) whether the Government will consider the advisability of issuing curricula for advanced and elementary Arabic schools as early as possible;

(c) whether they give any annual grant to the Kurnool Arabic College (Madrasa Islamia); if so, whether they annually inspect and ascertain the kind and nature of work turned out in that college before making the grant and through whom they ascertain; and

(d) whether the Government will be pleased to appoint an officer to control and inspect Arabic colleges and schools?

A.—(a) No Arabic schools have been recognized till now for want of applications from schools imparting secular instruction.

The application referred to by the hon. Member has been received and is under the consideration of the Director of Public Instruction.

(b) Courses of studies in Arabic schools will be prescribed when such schools are opened.

(c) Grants are paid to the Arabic College, Kurnool, in accordance with rules 45 and 46 of the Grant-in-Aid Code. The College authorities submit a financial statement each year.

(d) As there is only one recognized Arabic institution at present there is no need to appoint an officer as proposed by the hon. Member.

Mr. MAHMUD SCHAMNAD:—“With reference to the answer to clause (b) may I know whether the prescription of text-books and courses of studies is not a condition precedent to the opening of schools?”

The hon. Dr. P. SUBBARAYAN:—“When the schools become large in number that would be the time to prescribe courses of studies.”

Mr. BASHEER AHMAD SAYEED:—“May I know whether Arabic schools in this Presidency number more than several thousands and whether the Minister will recognize them?”

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

Mr. MAHMUD SCHAMNAD:—“May I ask whether it is possible to teach even in a single school without the courses of studies being prescribed?”

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

[10th October 1928]

Alleged refusal of scholarship to Miss Amina in the Queen Mary's College.

* 491 Q.—Mr. K. UPPI SAHIB: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Mappilla lady student named Miss Amina studying in the Queen Mary's College or her father applied to Government for a scholarship for her and whether it was refused on the plea that her father's income was about Rs. 450 per mensem;

(b) what is the principle on which scholarships are granted to Mappillas—is it for their poverty or to encourage education among them, or for both purposes;

(c) whether Miss Amina is the first and perhaps the only Mappilla girl who has taken to higher education so far; and

(d) who furnished the Government with the information of her father's income and whether the hon. the Minister will be pleased to enquire again and ascertain whether the income comes up to more than Rs. 100 per mensem?

A.—(a) An application on behalf of the student was received by Government. The Director of Public Instruction has now awarded an ordinary scholarship to Miss Amina.

(b) In awarding scholarships to Mappillas, both considerations are taken into account.

(c) The Government are informed that Miss Amina is the first Mappilla lady to attend a college.

(d) In view of the answer to clause (a), no further enquiries are necessary.

Local Boards

Nomination of increased number of ladies to local boards.

* 492 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) in how many local boards Indian ladies have been appointed as members;

(b) whether the Government propose to nominate very early Indian ladies in other local bodies also; and

(c) whether the Government will consider the advisability of nominating more than one lady to each local body?

A.—(a) With regard to district boards the hon. Member should have been able to obtain the information he requires from Part I-A of the *Fort St. George Gazette* which is supplied to all Members of the Legislative Council. Indian ladies have been nominated to ten district boards. Appointments of members of taluk and union boards are made by the presidents of district boards and presidents of taluk boards respectively and the Government are not in possession of the required information with regard to them.

(b) & (c) The policy of Government is to nominate Indian ladies to municipal councils and district boards as opportunities offer.

[10th October 1928]

Appointment of depressed classes as presidents of local boards.

* 493 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether any member of the depressed classes has hitherto been appointed as the president of any local boards in the Presidency; and
(b) if not, whether the Government will be pleased to appoint a few deserving ones?

A.—(a) No.

- (b) The question will be considered if suitable men are available, but there are only six local boards in all, which do not enjoy the right to elect their presidents.

Mr. V. I. MUNISWAMI PILLAI:—“With reference to the answer to clause (b) of this question, may I know whether the hon. Minister has at any time made enquiries to ascertain whether members of the depressed classes are available to act as presidents?”

The hon. Dr. P. SUBBARAYAN:—“There are two district boards and four taluk boards which have got nominated presidents. As a matter of fact in one of these district boards the presidentship is now being thrown open to election. The Government are considering whether a man could be nominated. They did make an enquiry to ascertain whether a member of the depressed classes was available fit enough to be president of the board.”

Grants for second-class roads in Ceded districts.

* 494 Q.—Mr. R. NAGAN GOWDA: In view of the assurance given by him on 24th January 1928, regarding the grants for second-class roads in Ceded districts, will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the matter was placed before the Local Bodies Advisory Committee;
(b) if so, whether the Committee agreed to the increase of grants; and
(c) whether the Government now propose to grant higher amounts for the maintenance of second-class roads in the Ceded districts?

A.—(a), (b) & (c) The matter has not yet been placed before the Advisory Committee.

Mr. R. NAGAN GOWDA:—“May I know how soon the hon. Minister will be able to put the matter before the advisory committee?”

The hon. Dr. P. SUBBARAYAN:—“I hope to place it at the beginning of next week when the advisory committee meets.”

Introduction of Bills to amend the Madras Local Boards Act, etc.

* 495 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Education and Local Self-Government be pleased to state when the amendments to the following Acts will be placed before the Council:—

- (1) The Madras Local Boards Act.
- (2) The Hindu Religious Endowments Act.
- (3) The Village Panchayat Act.

10th October 1928]

A.—In regard to the Bill to amend the Hindu Religious Endowments Act, the attention of the hon. Member is invited to the answer given to Question No. 87 at the meeting held on 4th September 1928. The draft of the Village Panchayat Bill is under scrutiny. The Bill to amend the Madras Local Boards Act with the criticisms received thereon from local bodies and individuals consulted is being placed before the Local and Municipal Advisory Committee at a meeting to be held on the 15th October.

Municipal Councils*Introduction of amending Bill to the District Municipalities Act.*

* 496 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) when the Government propose to introduce an amending Bill to the District Municipalities Act;
(b) whether a draft amending Bill is ready;
(c) whether the Government propose to abolish nominations altogether; and
(d) whether the Government propose to reserve seats to Mussalmans, Indian Christians and depressed classes in elections?

A.—(a) & (b) A draft Bill has been prepared and referred to municipal councils for an expression of their opinions by the 1st December 1928. The provisions of the Bill will be scrutinized in the light of the remarks received and after the completion of the scrutiny steps will be taken to introduce the Bill.

- (c) The Government propose to abolish nominations reserving however power to appoint to any municipal council such number of persons as they think fit, not exceeding three to represent the European or Anglo-Indian communities or officers of Government. Persons so appointed will be supernumerary councillors irrespective of and in addition to the strength fixed for the Council.

(d) Yes.

Mr. A. KALESWARA RAO:—“May I know why officers of Government are necessary in the municipal councils?”

The hon. Dr. P. SUBBARAYAN:—“I thought the experience gained by such officials in the district would be useful for the proper administration of local bodies.”

Mr. A. KALESWARA RAO:—“May I know whether they would not be unduly influencing the other members?”

The hon. Dr. P. SUBBARAYAN:—“That is asking for information.”

Publication of the preliminary list of voters for Saidapet municipality.

* 497 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government have received a memorial from certain voters of the Saidapet municipality, complaining about the Chairman's action in the matter of the publication of the preliminary list of voters for ward IV and seeking Government's intervention in the matter;

[10th October 1928]

(b) whether it is a fact that ward IV is now represented by the Chairman;

(c) whether the Government have taken or propose to take any action on the memorial; and

(d) whether the Government contemplate to amend the Madras District Municipalities Act at an early date?

A.—(a) & (b) Yes.

(c) The Government inquired into the allegations made in the memorial referred to and saw no reason to interfere.

(d) Yes.

Mr. C. N. MUTHURANGA MUDALIYAR :—“ May I know whether with reference to clause (a), the hon. the Minister for Local Self-Government is aware that the preliminary list of voters was not published as required by sub-section (c) of section 3 of the rules for the preparation of electoral rolls?”

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

Alleged complaints against the Chidambaram Municipal Chairman for not sending notices of meetings.

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

(a) whether it is a fact that Mr. A. Kumaravelu Pandaram, an Adi-Dravida, was nominated in June 1926 as a Councillor, to the Municipal Council, Chidambaram, in the vacancy caused by Mr. Sahajanandam Swami's failure to attend for three consecutive months the meetings of the Council;

(b) whether the notification issued under section 10 of the District Municipalities Act expressly restricted the period of tenure of office of the said Mr. A. Kumaravelu Pandaram;

(c) whether the Government are aware that the Chairman of the Chidambaram Municipal Council did not send to Mr. Kumaravelu Pandaram any notice of the meeting fixed for 20th September 1927;

(d) whether the Government are aware that the Chairman to whom representation was made by Mr. Pandaram replied that “ his period of councillorship has expired on 14th September 1927 ”;

(e) whether the period of councillorship of Mr. Pandaram did actually expire on 14th September 1927; and does not extend up to 14th September 1929;

(f) whether representations have been made to Government by Mr. Pandaram in June 1928 and August 1928 complaining against the action of the Chairman in not sending him notices of meetings since September 1927;

(g) whether the Government have taken any and, if so, what action thereon; and

(h) whether the seat held by Mr. Pandaram is still vacant or has been filled up?

[10th October 1928]

A.—(a) Yes.

(b) The notification of appointment placed no restriction upon his term.

(c), (d) & (f) In August 1928 the Government received a petition from Mr. A. Kumaravelu Pandaram stating that the Chairman had ceased to send notice of meetings to him from November 1927. The Chairman reported that Mr. Pandaram had become disqualified in September 1927 as he had ceased to reside within two miles of municipal limits but the Chairman does not seem to have apprised him of this decision until he protested against non-receipt of notice to attend meetings.

(e), (g) & (h) The Collector of South Arcot has been asked to investigate and report whether M.R. Ry. A. Kumaravelu Pandaram Avargal should or should not be regarded as having vacated his seat on the Chidambaram Municipal Council. Meanwhile the seat has not been filled up.

Mr. R. SRINIVASA AYYANGAR :—“ May I ask the hon. the Chief Minister to state whether he is aware that when Mr. Kumaravelu Pandaram protested against the non-receipt of notice to attend the meeting, the Chairman of the Municipal Council, Chidambaram, did not state as contained in the answer that ‘ Mr. Pandaram had become disqualified in September 1927 as he had ceased to reside within two miles of municipal limits ’ but states on a communication to him in September 1927 that ‘ his period of councillorship has expired on 14th September 1927 and hence he need not be anxious for his absence in the Council? ’ Is not this reason inconsistent with and totally opposed to the statement contained in the report of the chairman?”

The hon. Dr. P. SUBBARAYAN :—“ I am not aware of it. But now that the hon. Member has got in his possession a document which shows that this was not the reason given by the municipal council chairman, I will cause enquiry to be made.”

Mr. R. SRINIVASA AYYANGAR :—“ To find out how the chairman happened to give two contrary versions and which of the two versions is true?”

The hon. Dr. P. SUBBARAYAN :—“ Yes. That is what I meant.”

Mr. SAMI VENKATACHALAM CHETTI :—“ Granting that that gentleman ceased to reside within two miles of the municipal limits of Chidambaram, does that constitute a disqualification.”

The hon. Dr. P. SUBBARAYAN :—“ I do not think that is a disqualification for nomination.”

Mr. SAMI VENKATACHALAM CHETTI :—“ Are the Government aware that such devices are being resorted to by various chairmen of municipalities in the presidency?”

The hon. Dr. P. SUBBARAYAN :—“ Well, I have had some cases like that. I am glad that my hon. Friend's experience has been the same.”

[10th October 1928]

Religious and Charitable Endowments*Alleged nominations to temple committees in spite of electoral rolls.*

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

(a) the names and number of temple committees in respect of which electoral rolls are ready and to which he has made nominations instead of elections; and

(b) the reasons for this course?

A.—(a) 1. Bellary District Temple Committee.

2. Chittoor "

3. Ganjam "

4. Guntur "

5. Kistna "

6. Kurnool "

7. Kumbakonam Circle Temple Committee (Tanjore district).

8. Nellore District Temple Committee.

9. Trichinopoly Circle "

10. Turaiyur Circle "

11. Ariyalur Circle "

} Trichinopoly district.

(b) The reason in most cases was the inability of the committees to meet the expenses of elections and in the remainder the impossibility of holding elections in time so that the elected members might assume office on the expiry of the term of the committees.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (b) of this question may I know in how many of these cases the reason is the inability for want of time to hold elections before the expiry of the term of members holding office at the time?"

The hon. Dr. F. SUBBARAYAN:—"I am afraid I will have to ask for notice, Sir."

Medical*Construction of a hostel for the Madras Medical College.*

* 500 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that for several years past, the question of constructing a hostel for the Madras Medical College, has been under the consideration of the Government; if so, for what reasons it is being delayed or postponed;

(b) whether the Government are aware that the students of the Medical College are put to a lot of difficulty for want of healthy and convenient quarters for their accommodation; and

(c) whether the Government have made any provision in the next budget for the same; if not, whether they will be pleased to consider the matter at once?

[10th October 1928]

A.—(a) The question had to be held in abeyance for a long time pending the decision of the question of the removal of the General Hospital and the Medical College to another site. This having been decided, the Government sanctioned last year the construction of a hostel for 222 students on the site of the old lascar lines in Vepery, at an approximate cost of Rs. 2,96,100. The land has been acquired from the Military Department and funds have been provided for the buildings in the current year's budget. The Surgeon-General has proposed a revised design for the hostel and this is now under consideration. A hostel for lady students has been in use since July 1927.

(b) Yes.

(c) Please see the answer to clause (a). Necessary provision will be made for the work in the budget for 1929-30.

Public Health*Prevalence of cholera and malaria in Kurnool district.*

* 501 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether he is aware of the fact that in the Kurnool district while still cholera has not subsided, malarial fevers have been growing extensively;

(b) whether he will call for a report immediately; and

(c) whether in the meanwhile he will order the issue of quinine free, as a temporary measure, for this season to be distributed by such agencies as the Government may approve as the Health Officers, Health Inspectors, Presidents, Local Boards, Chairmen, Municipalities, Members of Legislatures, Recognized Missionary Doctors, etc.?

A.—(a) & (b) The following statement shows the total mortality from fever in the Kurnool district, during the months of January to July in 1927 and 1928.

Months.	Deaths from fevers during	
	1927.	1928.
January	1,038	1,147
February	1,038	985
March	949	1,414
April	1,046	1,749
May	1,060	1,640
June	956	1,157
July	1,180	1,270

Figures are not available regarding the number of deaths from different kinds of fevers. As a result of the enquiries made by his Department the Director of Public Health has reported that the high incidence of fevers in the district during 1928 was due to the prevalence of a mild form of influenza.

(c) During the current year the Government have sanctioned a scheme for the free distribution of quinine in certain specially malarial tracts. The Koilkuntla taluk has been included in the scheme. The question of extending the scheme to other specially malarious areas will be considered if the results of the free distribution are found to be beneficial.

[10th October 1928]

Mr. G. HARISARVOTTAMA RAO :—“ May I ask the hon. Minister for Public Health in view of the fact that there have been as many as 9,362 deaths from fever in 1928 in the district, whether he will consider the advisability of distributing quinine free in other areas of the district as the supply to Koilkuntla taluk is restricted to one headquarter taluk hospital, two rural dispensaries and one dispensary and their patients ? ”

The hon. Dr. P. SUBBARAYAN :—“ The Government are quite prepared to consider the suggestion of my hon. Colleague. But he is not right in saying that the use of the quinine supplied free is restricted to the patients.”

Number of deaths from cholera in Kurnool district.

* 502 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Public Health be pleased to state talukwar in the Kurnool district for the current year up to the 25th August 1928—

- (a) the number of attacks and deaths from cholera; and
- (b) the measures taken to combat the disease ?

A.—(a) A statement ^a showing the number of attacks and deaths from January 1928 up to the end of August 1928 is laid on the table.

(b) A report ^b showing the action taken is laid on the table.

Prevention of malaria prevailing in jungle areas.

* 503 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state—

- (a) whether it is a fact that malaria prevails in an abnormal degree in areas near jungles rather than in areas further away;
- (b) if so, whether Government have got the results of the investigation by experts or tried to get into the bottom of the causes of such prevalence of malaria; and

(c) what remedies Government propose to adopt to prevent and minimize the evil of malaria ?

A.—(a) That is a very general impression but the Government cannot confirm or contradict it as the work of the Special Malaria Establishment has hitherto been confined almost entirely to municipal areas.

(b) The Government have got the result of the investigations so far made and further investigations are going on.

(c) The attention of the hon. Member is invited to the answer given to question No. 423.

Registration

Statement showing the number of clerks and the work in the Registration offices in the Presidency.

* 504 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased—

- (i) to place before the Council a statement showing the number of clerks in each of the Registration offices in the Presidency and excess over the standard of work done in each office by the clerks during the years 1925-26, 1926-27 and 1927-28; and

^a Printed as Appendix IV (i) on pages 344-346 infra.
Printed as Appendix IV (ii) on pages 346-349 infra.

[10th October 1928]

(ii) to state—

- (a) how many of the offices have only one permanent clerk;
- (b) how many of the sub-registrars are special magistrates and whether such sub-registrars have special establishment for doing the clerical work involved in carrying out magisterial duties;
- (c) if there is serious excess over the standard work, what steps Government have taken or propose to take to provide adequate clerical establishment in the Registration offices;
- (d) what is the number of hours of work a day required by standing orders from clerks in the Registration offices and what has been the actual average number of hours of attendance by each clerk in the several Sub-Registration offices in South Kanara in 1927-28;
- (e) whether it is a fact that applications for encumbrance certificates have increased considerably and whether there is delay in meeting the public demand owing to the additional burden on the permanent establishment; and
- (f) what steps have been taken or are being taken to relieve the strain to the existing permanent establishment in meeting the public demand ?

A.—A report has been called for.

Industries

Grant of the first loan to the Carnatic Paper Mills Company, Limited.

* 505 Q.—Mr. K. V. R. SWAMI : Will the hon. the Minister for Development be pleased to state—

- (a) whether the Government was aware when the first loan was granted what amount of money was required for the working capital of the Carnatic Paper Mills;
- (b) whether the Government desired to advance the working capital also when the first loan was made;
- (c) if so, why the amount was not lent; and
- (d) if not, why the first loan was granted when the Government was satisfied that the mills were not likely to work at all for want of capital ?

A.—(a) No; but the Company applied for six lakhs of rupees to discharge certain existing debts and provide a small working capital which they hoped to supplement by raising further share capital.

(b) No.

(c) & (d) The questions do not arise.

UNSTARRED QUESTION.

Irrigation

Alleged memorial about the Kattalai scheme to His Excellency the Governor from the ryots and mirasidars of Trichinopoly and other taluks.

506 Q.—Mr. S. ARPUDASWAMI UDAYAR : Will the hon. the Member for Revenue be pleased to state—

- (a) whether it is a fact that a memorial was presented to His Excellency the Governor in the first week of September 1926, signed by a large number of ryots and mirasidars of the Kadaramabam parts of the Kulittalai and Trichinopoly taluks;

[10th October 1928]

- (b) if so, what action the Government propose to take in the matter ;
- (c) whether they propose to extend the area of irrigation in the Trichinopoly district by carrying out the Kattalai scheme ; and
- (d) whether more than 10,000 acres of wet lands were silted up during the floods of 1924 and whether the Government have any scheme for the utilization of the unused water for irrigating other lands in the Trichinopoly district ?

A.—(a) Yes.

- (b) The memorial is under the consideration of the Government.
- (c) If by the expression 'Kattalai scheme' the hon. Member means the Kattalai canal scheme which formed part of the original Cauvery Reservoir Project, this is one of the questions to be considered along with others raised in the memorial.

- (d) The total area of wet lands in the Trichinopoly district which were silted up during the floods of 1924 was 6,240.27 acres and the total extent of dry lands silted up was 1,043.21 acres.

As regards the enquiry in the latter portion of the clause, the whole question of extension of irrigation in the Trichinopoly district has been raised in the memorial which is under consideration. So far, the only scheme which is under consideration is the High Level channel scheme connected with the Right (or South) Bank canal, expected to irrigate 9,000 acres approximately.

II

COMMUNICATIONS TO THE COUNCIL.

12 noon. With reference to the answers given to questions Nos. 27 and 28 at the meeting of the Legislative Council held on 3rd September 1928, the Secretary laid on the table copies of G.O. No. 2113, Revenue, dated 11th September 1928, giving the names of the villages selected for the collection of statistics relating to mortgages and the sale and lease values of lands in the East Godavari, West Godavari and Kistna districts.

With reference to the answer given to the supplementary question No. 1 at the meeting of the Legislative Council held on 3rd September 1928, the Secretary laid on the table copies of the note of the Revenue Department containing the report^b of the Court of Wards regarding the increase of seigniorage rates in the forests of Bodokhemidi Estate.

With reference to the answer given to a supplementary question to question No. 261 at the meeting of the Legislative Council held on the 8th September 1928, the Secretary laid on the table copies^c of the statement showing the number of shops closed or opened in the Ceded districts after the formation of the Excise Advisory Committees.

^a Placed on Editors' Table.

^b Printed as Appendix V at page 349-350 infra.

^c Printed as Appendix VI at page 350 infra.

[10th October 1928]

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

III

BILLS TO AMEND THE ANDHRA UNIVERSITY ACT, 1925.

* Mr. P. C. VENKATAPATI RAJU :—“ Mr. President, Sir, I move under Standing Order No. 34 that items Nos. 1 to 7 on the agenda be passed over and that item No. 8 be taken up for consideration. My reasons for moving this motion are these. All the first seven Bills deal with specific points, whereas Bill No. 8 deals with the main principles of the Andhra University Act. The question is whether the Andhra University should be a unitary teaching university or a federal type of university with the headquarters at a place where there is no centre. My Bill seeks to amend the Act in such a way that the University should be of a unitary and teaching type and it may be located somewhere. Once this main thing is considered and disposed of, the question of the location may be considered with advantage by the Council. I therefore move that items Nos. 1 to 7 on the agenda be postponed till after item No. 8 is disposed of by the Council.”

Mr. P. ANJANEYULU :—“ I second it.”

* The hon. the PRESIDENT :—“ The question is that items Nos. 1 to 7 on the agenda be postponed until item No. 8 has been disposed of.”

The hon. Dr. P. SUBBARAYAN :—“ I have no objection to the course suggested.”

* Mr. P. SIVA RAO :—“ Mr. President, Sir, I have one suggestion to make in considering the large number of Bills on the question of the Andhra University. I do not agree with the hon. Member from Vizagapatam that item No. 8 should be taken up first. I think it would be better if item No. 2, i.e., the Bill of Mr. Nagan Gowda is taken up for consideration first.”

* The hon. the PRESIDENT :—“ If the hon. Member wants to propose another motion I would advise him first to oppose the present motion and get it disposed of.”

* Mr. P. SIVA RAO :—“ I shall give my reasons for opposing this motion. The hon. Member Mr. Nagan Gowda wants to exclude Bellary from the operation of the Andhra University Act. In connexion with that the hon. Member, the Zamindar of Gollapalli, has given notice of an amendment to the effect that the Bill be referred to a Select Committee. Now if the amendment of the Zamindar of Gollapalli is carried, by the Council, all the other Bills will have to be held up till the Select Committee has reported on this. So the decision of the Council on Mr. Nagan Gowda's Bill which wants that Bellary should be excluded from the Andhra University area, will have a material bearing on the consideration of the other Bills. I therefore oppose the motion for the postponement.”

Mr. A. V. BHANOJI RAO :—“ Sir, I have given notice of some amendments and, if this motion is passed, I will lose the right of moving them. Unless the hon. the President allows the moving of those amendments . . .”

* The hon. the PRESIDENT :—“ I cannot make any promise in advance.”

Mr. A. V. BHANOJI RAO :—“ Sir, since it would prejudice the consideration of my amendments, I oppose the motion for postponement.”

[10th October 1928]

The ZAMINDAR OF GOLLAPALLI :—"I oppose this motion. These Bills have been arranged in some order and I don't see any reason to accept the motion."

* Mr. A. KALESWARA RAO :—"Mr. President, Sir, those who have opposed this motion are under a misapprehension. The Select Committee has come to the conclusion that it should be a teaching and residential university. If we do not decide that point now, all the labours of the Select Committee will be wasted. The question of the location of the university may be decided later on after the type of university is settled first and after we have decided what we should do with regard to the first grade colleges, etc. I therefore support the motion of Mr. P. C. Venkatapati Raju."

* Sriman BISWANATH DAS Mahasayo :—"I am very sorry that my friend, Mr. Venkatapati Raju, has taken this course without giving us any indication of his views on the subject."

* Mr. P. C. VENKATAPATI RAJU :—"Personal explanation, Sir."

* The hon. the PRESIDENT :—"The hon. Member may give it at a later stage."

* Sriman BISWANATH DAS Mahasayo :—"The hon. Member's Bill consists of two parts, one relating to the type of the university and the other regarding the location of it. I think the hon. Member is taking away the chances of Vizagapatam, Guntur and many other places and such of those as have got no motions on the agenda with regard to his Bill. So I do not think my hon. Friend will be justified in asking that his Bill should be taken up first before the other Bills put on the agenda. And that especially after your statement that you would give no permission to move new motions."

* The hon. the PRESIDENT :—"I only said I could not hold out any promise in advance."

* Sriman BISWANATH DAS Mahasayo :—"That is exactly what I am saying."

"In view of that statement I think it will be highly prejudicial to the best interests of other places to take up Mr. Venkatapati Raju's Bill first. I think Mr. Venkatapati Raju is wholly mistaken in the view that there are members who would oppose the type of university recommended by his Bill. I strongly oppose the motion."

* Mr. C. RAMASOMAYAJULU :—"Mr. President, Sir, the hon. Member Mr. Venkatapati Raju's Bill not only mentions that the university should be of a unitary and teaching type but also it says that the headquarters should be at a particular place. If that is accepted by the Council, then the Bills relating to all the other places for the location of the headquarters are relegated to an inconvenient corner. It would work as a hardship to the interests indicated in the other Bills. I oppose the motion now under discussion, unless the hon. Member divides his Bill into two portions."

* The hon. the PRESIDENT :—"The hon. Member Mr. Venkatapati Raju may now give his personal explanation."

* Mr. P. C. VENKATAPATI RAJU :—"May I have a right of reply?"

The hon. the PRESIDENT :—"An adjournment motion is not a substantive motion and the hon. Member has no right of reply."

[10th October 1928]

* Mr. P. C. VENKATAPATI RAJU :—"Sir, some of my friends have misunderstood my purpose in moving that my Bill be taken up first. I should like to point out to them that . . ."

The hon. the PRESIDENT :—"I do not think that constitutes a personal explanation. I shall put the motion to the vote of the House. The question is that items Nos. 1 to 7 in the agenda be postponed until item No. 8 is disposed of."

The question was put and declared lost.

A poll was demanded and the House divided thus :—

12-15
p.m.*Ayes.*

- | | |
|---|--------------------------------------|
| 1. The hon. Sir Norman Marjoribanks. | 28. Mr. Al. Ar. Narayanan Chettiyar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 29. " V. I. Muniswami Pillai. |
| 3. " Mr. T. E. Moir. | 30. " W. P. A. Soundarapandia Nadar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 31. " S. Subrahmanya Moopnar. |
| 5. " Mr. S. Muthiah Mudaliyar. | 32. " C. Ramalinga Reddi. |
| 6. " Dr. P. Subbarayan. | 33. " W. E. Smith. |
| 7. Dr. (Mrs.) S. Muthulakshmi Reddi. | 34. " S. N. Dorai Raja. |
| 8. Diwan Bahadur P. Kesava Pillai. | 35. " U. Ramaswami Ayyar. |
| 9. Rao Bahadur C. V. Anantakrishna Ayyar. | 36. Rao Sahib R. Srinivasan. |
| 10. Mr. C. B. Cotterell. | 37. Mr. Sumi Venkatachalam Chetti. |
| 11. " H. A. Watson. | 38. " S. Satyamurti. |
| 12. " C. A. Souter. | 39. " C. V. Venkataramana Ayyangar. |
| 13. " S. H. Slater. | 40. " T. Adinarayana Chettiyar. |
| 14. " A. McG. C. Tampoe. | 41. " P. Anjaneyulu. |
| 15. " C. W. E. Cotton. | 42. " P. C. Venkatapati Raju. |
| 16. " V. Ch. John. | 43. " J. A. Saldanha. |
| 17. " M. A. Manikkavelu Nayakar. | 44. " Abdul Hamid Khan Sahib. |
| 18. " Syed Tajudin Sahib. | 45. " C. S. Govindaraja Mudaliyar. |
| 19. " Abdul Wahab Sahib. | 46. " G. Harisarvottama Rao. |
| 20. " H. B. Ari Gowder. | 47. " C. N. Muthuranga Mudaliyar. |
| 21. " A. B. Shetty. | 48. " Muhammad Meera Ravuttar. |
| 22. " J. Bheemayya. | 49. " D. Narayana Raju. |
| 23. " R. Foulkes. | 50. Dr. B. S. Mallayya. |
| 24. " P. J. Gnanavaram Pillai. | 51. Mr. K. Uppi Sahib. |
| 25. " Mahmud Sohamnad Sahib. | 52. " K. R. Karant. |
| 26. " J. Kuppuswami. | 53. " C. Obi Reddi. |
| 27. Subadar-Major Nanjappa Bahadur. | 54. " A. Parasurama Rao. |
| | 55. " A. Kaleswara Rao. |
| | 56. " R. Srinivasa Ayyangar. |
| | 57. " K. Koti Reddi. |
| | 58. " C. Gopala Menon. |

Noes.

- | | |
|--|---|
| 1. Mr. N. Siva Raj. | 14. Mr. P. Siva Rao. |
| 2. " M. V. Gangadara Siva. | 15. " K. P. Raman Menon. |
| 3. " S. Venkiah. | 16. " B. Ramachandra Reddi. |
| 4. Rao Sahib M. Hampayya. | 17. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 5. The Zamindar of Kallikota. | 18. Mr. P. T. Rajan. |
| 6. Mr. G. R. Premayya. | 19. Khan Bahadur S. K. Abdul Basack Sahib. |
| 7. " V. Ramjee Rao. | 20. Mr. Muhammad Khadir Mohidin Sahib. |
| 8. " K. V. B. Swami. | 21. Rao Bahadur B. Muniswami Nayudu. |
| 9. " C. Ramasomayajulu. | 22. Mr. K. Saraba Reddi. |
| 10. Sriman Biswanath Das Mahasayo. | 23. The Zamindar of Mirzapuram. |
| 11. Mr. B. Venkataratnam. | 24. Mr. A. V. Banoji Rao. |
| 12. Diwan Bahadur K. N. Arogyaswami Mudaliyar. | |
| 13. The Zamindar of Gollapalli. | |

Ayes 58. Noes 24.

The motion was carried.

[10th October 1928]

* Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, I now present the report of the Select Committee on the Bill to amend the Andhra University Act, 1925 (Bill No. 14 of 1927) and move that the Bill be taken into consideration."

* Mr. P. ANJANEYULU :—" I beg to second the motion."

* The hon. the PRESIDENT :—" The question is that the Bill be taken into consideration."

The motion was put and carried.

* The hon. the PRESIDENT :—" I shall put clause by clause to the vote of the House. The question is that clause 1 do stand part of the Bill."

The clause was put, passed and added to the Bill.

Clause 2.

* The hon. the PRESIDENT :—" I think the House will be in favour of discussing Mr. Venkatapati Raju's amendment. I select that amendment."

* Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, I now move the amendment that stands against my name that for the words 'in the town of Anantapur' substitute the words 'in the headquarters of the Andhra University.' First of all, my Bill as it was introduced in the Council and referred to the Select Committee appointed for the consideration of that Bill, is in the same words and it has been accepted by the Select Committee. But at the same time on account of the acceptance of another Bill, that of Mr. Obi Reddi or for some other reason, these two Bills have been mixed up. The Bill as was presented by me and as was accepted by the Select Committee is exactly in the same words. By the House accepting this amendment there will be possibility of every one of the other Bills being considered by the House and disposed of as they deem fit. Under the circumstances I request the House to accept my amendment which is more or less a consequential amendment, in the words of the original Bill."

Mr. T. ADINARAYANA CHETTIYAR :—" I beg to second the amendment."

* The hon. the PRESIDENT :—" The question is 'for the words "in the town of Anantapur" substitute the words "in the headquarters of the Andhra University."' (Voices :—headquarters of the University.) The amendment which is in my hands is as given above. Hon. Members have already received notice of the amendment; there was time enough to send their amendments. Since they have not done so, I cannot accept any change now, as it will lead to confusion. By his amendment Mr. Ramjee Rao wants to contest the question of having a unitary type of university. If this motion is carried, he will not have the chance of moving his amendment. The question whether there should be a unitary type of university or the existing type of university cannot be disposed of by his amendment. I therefore propose to give an opportunity to Mr. Ramjee Rao to move his amendment after this motion is disposed of."

* Mr. C. RAMALINGA REDDI :—" Mr. President, Sir, I am very thankful that this motion has been allowed, because a logical question and a local question are involved and are under discussion. We shall dispose of, by the decision of the vote of this House, the logical question first and leave the location of the university thereafter entirely in the hands of the vari-

10th October 1928]

[Mr. C. Ramalinga Reddi]

sections of the House. The Select Committee considered this question very carefully and came to the conclusion that the concentration of Honours and Post-graduate courses at the University headquarters was the best course in which the Andhra University can be organized. Since the question has been pending from a very long long time and as I am sure that my hon. Friends would have forgotten the finding of the Select Committee, I propose to read one passage from the Select Committee's report. 'The Committee are in favour of the concentration of all Honours and Post-graduate courses at one centre only, since they consider that this concentration is essential both for the attainment of high standards of post-graduate and research work and for the most economical development of all classes of Honours courses, excepting courses in Technology. They have therefore decided by a majority that this Bill should be accepted.' The Select Committee recommended the rejection of most of the other Bills excepting this Bill."

* The hon. the PRESIDENT :—" I think the hon. Member will have to confine his remarks only to the amendment before the House, viz., the substitution of the words 'in the headquarters of the Andhra University' for the words 'in the town of Anantapur.' The question whether it is to be a unitary type of university or an affiliated type of university is not under consideration now under the amendment before the House. When Mr. Ramjee Rao moves his amendment, the hon. Member's remarks will be quite in order then."

* Mr. C. RAMALINGA REDDI :—" I bow to your ruling, Sir. But I thought that this amendment involved the consideration of the question whether there should be three centres or one centre. I was not discussing at all the merits of the affiliated type of university or those of a unitary type of university. I was speaking only on the merits of the concentration of all the higher courses of study at one place, viz., the headquarters of the university and not at three centres."

* The hon. the PRESIDENT :—" Even those remarks will not be in order now."

* Mr. C. RAMALINGA REDDI :—" For the reasons advanced by the Select Committee I am in favour of the concentration of the higher courses of study at the headquarters of the university. Perhaps I may deal with this question at a later stage. I do not want the logical question of the nature of the university to be complicated and mixed up with the question as to where it should be located. If this amendment of my hon. Friend, Mr. Venkatapati Raju, is carried, it will in no way affect the discussion which will take place, I hope, as to where the headquarters should be located. The fundamental question, viz., the nature of the university may be decided now without in any way prejudicing the question of the location of the university which may be decided by a subsequent vote of the House."

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I support the amendment for the following reasons. Instead of the words 'in the town of Anantapur' it is very essential that the words 'in the headquarters of the Andhra University' should be substituted. If the words 'in the town of Anantapur' are retained, it will mean that the fight of other places for the headquarters of the university will cease. If the vote goes against Anantapur, Anantapur also will share the same fate."

[Mr. P. Anjaneyulu]

[10th October 1928]

12-30 p.m. "Sir, the question involved in the Bill which my hon. Friend Mr. Venkatapati Raju brought forward is whether the Andhra University should be of the residential and teaching type or only a replica of the Madras University. Therefore, that is not going to decide the location of the headquarters of the university. I accordingly think that it is very essential that the words 'in the headquarters of the university' should be substituted for the words 'in the town of Anantapur'."

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I support the motion. The principle of concentration of honours and post-graduate courses in the headquarters is certainly gaining ground and has become an established fact, I should say; for we are going to have another university where at the headquarters there will be concentration of honours and post-graduate courses. It is true that the new University at Chidambaram is of a unitary type. If this question of having all honours and post-graduate courses at the headquarters is now tackled and voted upon, then I take it that the ground will be clear for considering the question of the headquarters. I therefore think, Sir, that the House will be unanimous in discussing and accepting this motion."

* Rao Bahadur B. MUNISWAMI NAYUDU :—"Sir, there are two clauses in the Andhra University Act which have a bearing on this question. Clause 3 says 'The headquarters of the university shall be located at Bezwada.' Clause 6 says that 'the university shall not establish a university college or a first-grade college unless the buildings of the institution are situate in the towns of Vizagapatam, Rajahmundry or Anantapur.' By this Bill the hon. Mr. Venkatapati Raju wants to substitute the words 'in the headquarters of the university' for the words 'in the towns of Vizagapatam, Rajahmundry or Anantapur.' The Bill contains no further provision for amendment. The effect will be that no college could be started except at the headquarters of the university. But if you refer to clause 3 you find 'the headquarters of the university shall be located at Bezwada.' So, if the Bill is not further amended, it will be inconsistent, for there is no university college at Bezwada now. I believe my friend's idea is that by another amendment Bill later on, he will have the headquarters changed. I think it is open to Mr. Obi Reddi who is in charge of the other Bill either to move it or not. If there is possibly a deliberate effort to undo what the Select Committee by a majority decided upon, i.e., to give Anantapur the headquarters, we on our part, are not going to be a party to the moving of a Bill which is practically undoing the decision of the Select Committee. If a further amendment to clause 3 is not therefore to be moved, it will only mean that the question of the headquarters will have to be raised again; and if the mover really wants to change the headquarters from Bezwada to Rajahmundry, then I submit we cannot agree. I hope the House will know what it is voting for. It is voting for an amendment which is not by itself complete, unless another amendment is also made; and if that further amendment is not going to be made, I say there is no meaning in taking up this Bill. I therefore oppose the motion of my hon. Friend Mr. P. C. Venkatapati Raju."

* The hon. the PRESIDENT :—"Before we discuss this, Mr. Satyamurti wants to move the omission of the word 'Andhra' in the amendment."

* Mr. S. SATYAMURTI :—"I beg to move, Sir, that the word 'Andhra' in the amendment be omitted."

10th October 1928]

* The hon. the PRESIDENT :—"The question is to omit the word 'Andhra' in the amendment of Mr. P. C. Venkatapati Raju. Mr. Venkatapati Raju's amendment is to put in the words 'in the headquarters of the Andhra University.' If Mr. Satyamurti's motion is carried, it will then read 'in the headquarters of the university'."

The amendment was put to the House and carried.

* The hon. the PRESIDENT :—"The amended amendment is now for the consideration of the House."

* Mr. P. SIVA RAO :—"Mr. President, Sir, I take it that the hon. the Mover Mr. P. C. Venkatapati Raju wants that the question as to whether there should be concentration or not should be discussed at the outset. He wants that wherever the headquarters may be, whether at Rajahmundry, Vizagapatam, Anantapur or Bezwada, no university or first-grade college should be started anywhere else than at the headquarters. Subject to the question of the headquarters being decided later on by a future vote of the House, he wants this preliminary question as to whether we should have a unitary residential and teaching university for the whole of Andhradesa or whether we should preserve intact the original characteristics of the present Act, i.e., that there should be simultaneous development of three centres, viz., Rajahmundry, Vizagapatam and Anantapur, should be decided. I think we should not think of a unitary type of university until there has been simultaneous development of these three centres and until they have come up to a certain level and become fit enough to be university centres themselves."

* The hon. the PRESIDENT :—"Order, order. I am afraid the hon. Member for Bellary is going into the merits of clause 2. In order to go into the merits of clause 2, there are two occasions, one when Mr. Ramjee Rao's motion is moved, or if this amendment is carried, when clause 2 as amended is put to for discussion of the House. But now the only question for the consideration of the House is whether the wording shall be 'in the town of Anantapur' or 'in the headquarters of the university'."

* Mr. P. SIVA RAO :—"If the question is narrowed down like that, Sir, I shall prefer to wait."

* Mr. S. SATYAMURTI :—"Sir, I am anxious to clear a misapprehension which my hon. Friend from Chittoor seems to be labouring under, i.e., that there is some kind of conspiracy to disturb the findings of the Select Committee with regard to certain Bills. There is no conspiracy, and if there were, Sir, it would not survive in this House; because all these Bills have been reported on by the Select Committee, and I do not think unless the House goes to sleep, that any of these Bills will escape being considered, and whatever conclusions are reached as a result of the consideration of all these Bills will be the expression of the opinion of this House after full consideration of all the Bills which are now before the House. I consider, Mr. President, that the merits of this amending Bill, as my hon. Friend the Vice-Chancellor of the Andhra University neatly put it, is in enabling us to vote on the question whether this single centre—I won't use the phrases which give rise to misapprehensions—of this university should be at the headquarters of the university, leaving it to the House to decide later on where that headquarters shall be. It will therefore, Sir, be a straight vote on a simple question uncoloured by any local prejudice or passion. I think, Sir, that is the supreme merit of this amendment, and I earnestly commend it to the House."

[10th October 1928]

* Mr. A. KALESWARA RAO :—" Mr. President, Sir, at this stage I propose an adjournment of the consideration of the Bill to a period beyond three months from this day. I shall give my reasons, Sir, in support of my adjournment motion. We have just come to the idea of having a unitary and residential university; that is how I understand it. When we start a residential university, financial help will be necessary to be got from any quarter. As a matter of fact, recently the District Board of Guntur has passed a resolution offering Rs. 5 lakhs if it be at a particular place, i.e., at Bezwada. Also the Municipal Council of Bezwada and the Municipal Council of Guntur and also the Kistna District Board have promised some lakhs of rupees each. All those promises will take time to materialize, that is, the resolutions will have to be sent up to the Government and approved and the money should be collected. If really something like Rs. 15 or 16 lakhs come in for a residential university, this Council would be certainly loath to lose such a substantial amount. Therefore, at this stage, if we postpone these Bills for three months, all these promises will materialize, and we shall be then in a position to take that fact also into consideration. We now see that the Government have come forward with a substantial contribution towards the Annamalai University when a gentleman of the status of Sir Annamalai Chettiyar has come forward with a donation of Rs. 20 lakhs. In Andhradesa also a central area may come forward with a substantial contribution. I therefore think that it is better that we wait for a few months more and then decide this question once for all. After all, Sir, the resolutions were passed by responsible bodies and responsible men like the Rajas of Uyyur, Mirzapur and Gollapalli and the Presidents of Taluk Boards, District Boards and Municipalities have signed a manifesto on this account which might have reached some of the Members of this hon. House. When such promises are forthcoming, without taking them into consideration, it would not be wise or prudent to rush on with this business. Therefore, as a business proposition, I would put before the House this motion that these Bills be adjourned for a period of three months."

* Mr. R. SRINIVASA AYYANGAR :—" Mr. President, Sir, I want to second this motion. Sir, I am absolutely certain, having heard the speech of my hon. Friend, the mover of the amendment, that nothing will be lost by postponing these Bills for three months. Certainly the Heavens will not fall and there is every possibility of our attracting the generosity of rich men in the meantime. For this reason, I heartily second this motion."

* The hon. the PRESIDENT :—" The question is that the consideration of the Bill be postponed for three months."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I am not going into the merits of the case. The point before us is whether this university should have only one centre. That is the question to be decided now by the amendment of my hon. Friend on the right. This adjournment motion will not affect the present amendment brought by my hon. Friend; if an adjournment motion is brought after the present amendment is passed, then it will be in order. I do not see any reason why this adjournment motion should be brought at this stage. Whether Bezwada or Anantapur should be the headquarters of the university is a question to be decided later on; but if we decide that there is to be one centre, then there will be enough time for us to decide which should be the headquarters. But before deciding the question

10th October 1928]

[Mr. J. A. Saldanha]

of that single centre, this question of getting money—especially when there are so many centres prepared to give lakhs and even a crore should be decided first. If any centres in the Andhradesa want to have the university, they must of course pay large amounts for it, and that centre which pays most will certainly have the headquarters."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, I have considerable sympathy with the point of view expressed by my hon. Friend from Bezwada, but at the same time, may I request him and those who think with him to consider and wait adjourning the discussion of those Bills, till the House has voted on the Bill just now before the House? Because, Sir, even if the present Bill be passed without any further amendment, merely leaving it as a university having its colleges in one place, the question of the headquarters will depend on those considerations to which my hon. Friend has given expression, as to whether a particular place will be prepared to come forward with those magnificent endowments which will make it possible for the Government and this House to found a high class residential, teaching and unitary university in that place."

" But, Sir, for the sake of finding out a place, I would venture to suggest, in all humility to my Andhra friends that they ought not to postpone making up their minds, so far as this fundamental matter is concerned. A considerable impetus will be given to those who are enthusiastic about the new Andhra University and I am sure those great and philanthropic Zamindars to whose names my hon. Friend from Bezwada has made a reference, will feel more enthusiastic when they know that they are going to get, in return for their generosity and endowment to the university, a first-class teaching and unitary university. My hon. Friend from Bezwada used the word 'rushing.' That is exactly the word one would not like to use in the case of the Andhra University Bills. As you know, we are already going on at a snail's pace, and to talk of rushing in connexion with the Andhra University Bills, is exactly using the word which should not be used here. I would like to put it to my Andhra friends, if they would not misunderstand me, that it is not right that they ought to be quarrelling about this university and make no progress whatever. You have in your Vice-Chancellor, a man of great educational ideals, and you have had an Act for nearly three or four years; what have you done? You have simply to make up your minds as to whether each man should have a university in his own backyard or whether there should be a university in every district. Again, I would repeat, I mean no offence, that the Andhras must make up their minds to come by their own. The Tamil country—I am a Tamilian—is forging ahead. The Madras University you have given up; go forward and may God bless you. The Chidambaram University is going to be a fact in a day or two. What are the Andhras going to do; postpone every action for three months? What is going to happen after three months? I say nothing will happen till we all meet again in this Council for discussing the Bills. Then again some one will start postponing again for three more months. We have to settle something now and say that we shall decide once and for all and that we shall have a university of a particular type. It would give a great impetus for those who wish to give 20 lakhs or 30 lakhs to start a university. I say to my Andhra friends and to those with high university ideals not to trifle with this matter any longer, but to decide one way or the other, for the good name of the Andhra University itself."

12-45
p.m.

[10th October 1928]

* **Mr. G. HARISARVOTTAMA RAO** :—"Mr. President, Sir, without meaning any offence, as my hon. Friend for the University did not mean any offence to us, to those who have advised us in all these matters, I might immediately say, that even the Member for the University has not given us a solution. He has merely hinted that this Bill might be considered and the rest might be postponed, so that encouragement might be given to people to compete between themselves on very many grounds, more especially of money and yet delay the formation and proper functioning of the university. The Andhra University Bills are said to have been held up on account of the indecision of the Andhras. I have no hesitation in saying that the Andhras have certainly a great deal to do with the delay and I am not particularly proud of our own performance, but still, Sir, I feel that we are not entirely to blame. There was the Senate of the Andhra University that came to a particular conclusion. This House considered the question and appointed a Select Committee. The Select Committee came again to a similar conclusion and time after time the Senate's resolution, as well as the Select Committee's resolution have both been relegated to a corner for an indefinite period on account of the vacillation of all sides that are responsible for the functioning of the Andhra University. I therefore feel that no purpose will be served by delaying matters very much further, but if my hon. Friend Mr. Satyamurti would tell us that this is the only Bill that may be considered and the rest might be left over, I should certainly be sorry for an attitude like that. I expected that as a man of business, who means business, he would rise equal to the occasion and say, money or no money, the Government has a responsibility in regard to this university and they have to perform that responsibility and therefore they must go forward without looking to this side or that side and that the decision of the House may be taken immediately. Without saying that, he has told us that certain encouragement should be held out to certain centres. If that is the attitude it would be difficult for men like myself to decide. I am anxious that the question should be settled. We have been accused, all of us from Rajahmundry, Anantapur and Bezwada, we have all been accused of parochialism. So far as Anantapur is concerned, it is not true to the same extent as others. The conclusions arrived at by two authoritative bodies, this Council has not chosen to give sanction to. It is only our misfortune and nothing more. Therefore, I feel that the question should not be left over, but it must be decided immediately. I am not for the adjournment motion proposed by my hon. Friend from Bezwada."

* **The ZAMINDAR OF MIRZAPURAM** :—"Mr. President, Sir, I rise to support the adjournment motion of my Friend, Mr. Kaleswara Rao. The object of our asking for an adjournment motion is that the District Boards of Kistna and Guntur and the Municipal Councils of Bezwada and Guntur are coming up with proposals to contribute 15 lakhs towards the Andhra University provided that the headquarters and the centre are located at Bezwada. Hitherto the question of voluntary contribution did not come up, but it looked as though Government was going to spend money. If time is allowed we will be able to gather all the money and hand it over to the Government and ask them to give us the centre. If the other centres come forward with similar proposals then it may be considered so that the Andhra University may have sufficient funds at its disposal. Until then the discussion of this question may be adjourned; it is only a matter of three months. I am sure the House would support the motion for adjournment."

[10th October 1928]

Mr. A. RANGANATHA MUDALIYAR :—"I move, Sir, that the question be now put."

* **The hon. the PRESIDENT** :—"The question is that the question be now put."

The closure motion was put to the House and carried.

* **The hon. the PRESIDENT** :—"I now put the adjournment motion to the vote of the House. The question is that the consideration of this item be postponed to this day three months. All other items cannot be put because this is the only item that is now under the consideration of the House."

The motion was put to the House and declared lost.

Mr. A. Kaleswara Rao demanded a poll and the House provided thus :—

Ayes.

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|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 30. Mr. S. Venkayya. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 31. The Zamindar of Singampatti. |
| 3. " Mr. T. E. Moir. | 32. Mr. W. E. Smith. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 33. " S. N. Dorai Raja. |
| 5. " Mr. S. Muthiah Mudaliyar. | 34. The Zamindar of Kalikota. |
| 6. " Dr. P. Subbarayan. | 35. Mr. U. Ramaswami Ayyar. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 36. Rao Sahib R. Srinivasan. |
| 8. Mr. C. B. Cotterell, C.I.E., I.C.S. | 37. Mr. G. R. Premayya. |
| 9. " C. A. Souter. | 38. " V. Ramjee Rao. |
| 10. " S. H. Slater. | 39. Dr. B. S. Mulla. |
| 11. " A. McG. C. Tampoe. | 40. Mr. P. Bhaktavatsulu Nayudu. |
| 12. " C. W. E. Cotton. | 41. Sriman B. Swarnath Das Mahesayo. |
| 13. " V. Ch. John. | 42. Mr. A. Kaleswara Rao. |
| 14. " M. A. Manikkavelu Nayakar. | 43. " R. Srinivasa Ayyangar. |
| 15. Syed Tajudin Sahib Bahadur. | 44. " T. C. Srinivasa Ayyangar. |
| 16. Mr. Balakrishna Shetti. | 45. " P. Siva Rao. |
| 17. " J. Bheemayya. | 46. " Chavadi K. Subrahmanya Pillai. |
| 18. " R. Foulkes. | 47. " B. Ramachandra Reddi. |
| 19. " P. J. Gnanavaram Pillai. | 48. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 20. " Muppil Nayar. | 49. Raja of Panagal. |
| 21. " J. Kuppuswami. | 50. Mr. P. T. Rajan. |
| 22. Bahadar-Major S. A. Nanjappa Bahadur. | 51. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 23. Rao Bahadur O. M. Narayana Numbudripad. | 52. Muhammad Khadir Mohidin Sahib Bahadur. |
| 24. Mr. T. M. Narayanaswami Pillai. | 53. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 25. " K. Krishnan. | 54. Rao Bahadur B. Muniswami Nayudu. |
| 26. " N. Siva Raj. | 55. Mr. K. Sarabha Reddi. |
| 27. " W. P. A. Soundara Pandya Nadar. | 56. Zamindar of Mirzapuram. |
| 28. " Subrahmanya Mooppanar. | 57. Kumara Raja of Venkatagiri. |
| 29. Daniel Thomas. | 58. Mr. A. V. Bhanoji Rao. |

Noes.

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| 1. Diwan Bahadur P. Kesava Pillai. | 11. Mr. J. A. Saldanha. |
| 2. Mr. M. V. Gangadhara Siva. | 12. " Abdul Hamid Khan. |
| 3. Rao Sahib M. Hampayya. | 13. " G. Hariservottama Rao. |
| 4. Mr. C. B. Reddi. | 14. " C. N. Muthuranga Mudaliyar. |
| 5. " S. Arpudadaswami Udayar. | 15. " K. V. R. Swami. |
| 6. " S. Satyamurti. | 16. " D. Narayana Raja. |
| 7. " C. V. Venkataramana Ayyangar. | 17. " K. Uppi Sahib. |
| 8. " T. Adinarayana Chettiyar. | 18. " K. R. Karart. |
| 9. " P. Anjaneyulu. | 19. " C. Ramasomayajulu. |
| 10. " F. C. Venkatapati Raja. | 20. " K. Koti Reddi. |

V211, 321 N28
N28, 44, 2

[10th October 1928]

Noes—cont.

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| 21. Mr. V. Kameswara Rao Nayudu. | 27. Diwan Bahadur R. N. Arogyaswami |
| 22. " L. K. Tulasiram. | Mudaliyar. |
| 23. " C. Marudavanam Pillai. | 28. Mr. R. Nagan Gowda. |
| 24. " C. Venkatarangam Nayudu. | 29. The Zamindar of Gollapalli. |
| 25. " B. Venkataratnam. | 30. Mr. C. R. Parthasarathi Ayyangar. |
| 26. " A. Ranganatha Mudaliyar. | |

Ayes 58. Noes 30.

The motion was carried.

1 p.m. *The hon. the PRESIDENT :—" This adjournment motion disposes of item 8. Now, the House will resume consideration of item 1."

Mr. P. ANJANEYULU :—" Sir, I move that items 1 to 7 do stand adjourned to this day three months."

* Mr. S. SATYAMURTI :—" I second it."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, it is criminal neglect on the part of this Council that these items should be postponed. This question has been hanging fire for over one year. Funds have been withheld from the university by the responsible Minister. He has set at naught schemes sent up by the University authorities for execution with the help of the Government. To-day with the help of a majority he carries an adjournment motion postponing this matter for three months. Within three months the Budget of this province will have been practically made up, and it would be a very good excuse for the hon. the Education Minister to tell us that the University question not having been settled, he is not in a position to allot funds. I therefore think that he cannot go on in this manner wasting the time of this House. We have wasted sufficiently the time of this House and I do not feel that we will be entitled to do that sort of business in this House if we have any responsibility to our constituencies and to the ratepayers of the province. I therefore oppose this motion for adjournment."

Diwan Bahadur P. KESAVA PILLAI :—" I strongly oppose this motion, Sir. (Laughter.) The Chief Minister has not been impartial and he has been trying to undermine us. I understand that it is parliamentary to say 'undermine', and that I am entitled to say so. I have come here to vote for Anantapur. I have given notice of a Bill to that effect and expect it to be carried and to have the university centre at Anantapur. I only wanted that the Select Committee's report should be adopted and we are going to do it. I may say again that our friend is trying to undermine us, and with the help of the majority he is crushing us."

* Mr. P. SIVA RAO :—" Mr. President, now that the vote of the House has been taken regarding item 8 on the agenda, I do not think that any useful purpose will be served by my hon. Friends opposing this motion. The same principle should apply to all the Andhra University Bills. Now, Sir, there are excellent reasons for the adjournment of these items. Even last time there was a similar motion for adjournment on the ground that there had not been sufficient time to enable all the representative members of the Andhradesa to consider and agree among themselves. And I know, Sir, that an attempt was made by the hon. the Chief Minister to confer with people of the Andhradesa, but he could not do it for want of time. Now, we have not been able

[10th October 1928]

[Mr. P. Siva Rao]

to make up our minds on this fundamental question, whether there should be a unitary type of university for the Andhradesa or whether we should have a federal type of it. And then, the other important question is the location of headquarters which also caused a good deal of anxious consideration; and I do not agree with the reasons given by Mr. Kaleswara Rao for the adjournment. He wants to promote the interests of Bezawada. But for different reasons I heartily join with him in supporting this motion. The hon. Member for Anantapur for whom I have the greatest respect seems to be under a delusion that the way for Anantapur is smooth enough, but as one who has been in the midst of this party warfare and who has been going about eliciting opinions as to this locality or that being made the headquarters, I know the practical difficulties of Anantapur attaining its desired object. (A voice :—Don't prophesy). I shall make a forecast and I am at perfect liberty to do so. Whatever it may be I do not think that the interests of Anantapur—incidentally I may say that I am an Anantapurian myself—will suffer by the postponement of this question for three months. In the meantime let us sit together and consider what particular type of university would satisfy the present requirements."

Mr. ABDUL HAMID KHAN :—" Sir, it is highly deplorable that Andhra Members of this House should have thought it necessary to ask for an adjournment of this question even at this session. When this question was brought up before the Council at the last session, some of us did realize that this was a matter that was not going to be settled even at this session and our prophecy has come true. What I deplore most is the attitude of the Government (Hear, hear). It seems to me that the Government themselves have not made up their minds. (Mr. C. V. Venkataramana Ayyangar :—" They have no minds to make up). They either should go with the majority of the Andhra Members of this House or they should have a policy of their own. It was a sight to see the expert Member who is here for this very question in this Council, the Vice-Chancellor of the Andhra University voting against the Government. That shows that even with regard to this matter the Government is not acting with unanimity with the expert who is the Vice-Chancellor and who is expected to know more about the question than anybody else. When he is of that opinion, I was at a loss to find out why the Government did not think it necessary to vote the other way, that is, for deciding the question contained in this Bill now. Sir, they ask for three months time, and I am not sure that some of us may be feeling that these three months may be protracted. I do not know why an important question such as this, as has been said by many a Member, has been dragging along for months and months. It is very well known that the Andhra University is an important matter to be settled, and the university has been starved. Now, I do not know for what reasons, the Government is siding with such of those as are asking for postponement of the question. Besides, if this matter, as has been proposed, is adjourned, we will have to consider about the financial condition. If we consider the financial position of the Government we will realize that they will not have the money to come forward with, for one year more to help the Andhra University, because by that time the budget would have been settled and the Government will not have made any provision for helping the Andhra University. We foresaw this and now, the Government either with

[Mr. Abdul Hamid Khan] [10th October 1928]

a view not to help the Andhra University, or with a view not to help the Andhra people to realize their hopes of getting their University at least for a year or two to come, are supporting the adjournment of this question."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, Sir, I am sorry that the gentlemen who are responsible for the adjournment motion are not considering the disastrous results. . . ."

* The hon. the PRESIDENT :—" The hon. Member will be in order if he refers to this adjournment motion, not the previous one."

* Mr. P. C. VENKATAPATHI RAJU :—" I am just reminding the House of its previous action. The gentlemen that are now urging this postponement, not only the mover but also the supporters and especially the Andhra gentlemen do not seem to understand the disastrous effects it will have upon the working of the Andhra University Act. The Andhra University Act came into force three years back. Ever since that time, in spite of the strenuous efforts of the gentleman that is at the helm of the University, we are not able to progress. For some time want of facilities to the Government to consider the questions connected with the University in their departments, and for some time, existence of difference of opinion among the Andhras, have been alleged as the reasons for the Government not being able to make the Andhra University which they have created effectively work. The Andhra University has been created by the Government, if not by this Government, by the then Government with some ideas about the University. They might have had some idea as to what type it should be and proceeded with the work, but the University lies more or less in a dormant condition; the Government have only appointed the staff but they are not allowing it to function properly. Some of the Andhra gentlemen themselves have given the Government some handle to somehow or other evade doing their duty towards the University. Now the postponement of the consideration of these Bills for three months will be really disastrous. By the time these three months elapse proposals for the next budget for 1929-30 will be before the Government and will be considered. No new proposal or provision can be made then. Now, this is the first year, as we know, of the Government having the full remission of the provincial contribution to the India Government. When once the money is in their hands the Government will somehow or other see a way of utilizing it for purposes which they think best, and after such utilization, my Andhra brethren will find the Government without funds."

* The hon. the PRESIDENT :—" I wish to know from Mr. Harisarvottama Rao what he is reading." (Mr. Harisarvottama Rao was reading a newspaper).

* Mr. G. HARISARVOTTAMA RAO :—" I beg your pardon, Sir."

* Mr. P. C. VENKATAPATHI RAJU :—" Even if the gentlemen that are now for postponement want to come to a satisfactory conclusion with regard to the Andhra University Act, they will find that, in spite of its constitution being one of the best, the money, the real requisite, is wanting. Of course by the postponement of the other Bill, in spite of my strong feeling that the University should be of a particular type"

10th October 1928]

* The hon. the PRESIDENT :—" Order, order. The hon. Member will not be in order in commenting upon a vote of this House already passed."

* Mr. P. C. VENKATAPATHI RAJU :—" I am not commenting. In spite of my Bill being postponed, I am against the postponement of the other Bills, for the important reason that it will be also disastrous to postpone even these Bills. If we postpone them, even the Act as it stands without any improvement cannot be worked for some time to come. I am quite sure that this three months time asked for will create further complications. And I will not be surprised if the best solution is then found to be the repealing of the Act, and some member either from Andhra country or outside may come forward with a repealing Bill to do away with the Andhra University Act altogether."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I am sorry my hon. Friends thought that I had a deep motive in supporting the adjournment of this question. I can tell them that there is nothing farther from my mind than that I should go to kill the Andhra University. My only concern was that the University should be of a unitary type. I do not think we would have arrived at that conclusion on Mr. Venkatapathi Raju's Bill. No doubt the honours courses, etc., may be concentrated at the centre but still the University as it stands under the Act passed by Sir Patro will still have affiliating functions. That was tried at the London University and the Lord Haldane Committee which was specially appointed to enquire into the working of the system of extra territorial and territorial jurisdiction of the University of London declared emphatically that it would not be possible to run both the systems together and when my Friend, Mr. Kaleswara Rao, suggested that we may adjourn to three months and suggested there was a possibility of a large endowment coming from a part of the Andhradesa which will bring into existence a University like Chidambaram, I thought that it was a good opportunity and that the adjournment should be granted. A conclusion could not be arrived at by the Bill of Mr. Venkatapathi Raju and that was the reason which impelled the Government to vote for the adjournment and I can tell them that there was no sinister or base motive on the part of myself or my colleagues."

* The hon. the PRESIDENT :—" I request the hon. Member to confine his remarks to the present motion. He cannot take this opportunity to explain why Government voted one way on a previous motion."

The hon. Dr. P. SUBBARAYAN :—" I was impelled to refer to this because you never objected when Mr. Harisarvottama Rao imputed motives to the Government."

* The hon. the PRESIDENT :—" The hon. the Chief Minister is not quite in order in finding fault with the Chair by saying that it has not ruled out the speech of Mr. Harisarvottama Rao."

The hon. Dr. P. SUBBARAYAN :—" I apologize to the Chair for having made that reference. I bow to your ruling and won't consider that any further. That adjournment having been carried, Mr. President, I think it is a logical consequence that this adjournment should also be carried. Because having for once decided that there should be a unitary type, I do not think we will arrive at a conclusion and that is the reason why I supported the adjournment moved by Mr. Anjaneyulu."

[10th October 1928]

* Mr. A. KALESWARA RAO :—"I do not want to adduce any reason for the excellent reasons given by the Chief Minister. I was surprised to see that Mr. Venkatapathi Raju gave up his whole ground and wanted no real unitary type. I am really surprised to see that. Of course all his arguments might have been pertinent to the previous adjournment motion. Now that we have the most important Bill advocating the residential type of university postponed, it is but necessary that we should adjourn all the other Bills and reconsider them again after three months."

The motion was put and declared carried.

A poll was demanded and the House divided thus :

Ayes.

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|---|--|
| 1. The hon. Sir Norman Macjoribanks. | 33. Mr. Daniel Thomas. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 34. Mr. S. Venkayya. |
| 3. " Mr. T. E. Moir. | 35. " Syed Ibrahim Sahib Bahadur. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 36. The Zamindar of Singampatti. |
| 5. " Mr. S. Muthiah Mudaliyar. | 37. Mr. W. E. Smith. |
| 6. " Dr. P. Subbarayan. | 38. The Zamindar of Kallikota. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 39. Mr. S. Arpudaswami Udayar. |
| 8. Mr. C. B. Cotterell. | 40. Rajkumar S. N. Dorai Raja. |
| 9. " H. A. Watson. | 41. Mr. K. Ramachandra Padayachi. |
| 10. " C. A. Souter. | 42. " U. Ramaswami Ayyar. |
| 11. " S. H. Slater. | 43. Rao Sahib R. Srinivasan. |
| 12. " A. McG. C. Tampoe. | 44. Khan Bahadur P. Khalif-ul-Jah Sahib Bahadur. |
| 13. " C. W. E. Cotton. | 45. Mr. G. R. Premayya. |
| 14. " V. Ch. John. | 46. " V. Ramjee Rao. |
| 15. " M. A. Manikkavelu Nayakar. | 47. " S. Satyamurti. |
| 16. Syed Taj-ud-din Sahib Bahadur. | 48. " P. Anjaneyulu. |
| 17. Abdul Wahab Sahib Bahadur. | 49. Dr. B. S. Mallayya. |
| 18. Mr. C. D. Appavu Chettiyar. | 50. Mr. A. Kaleswara Rao. |
| 19. " A. B. Shetty. | 51. " R. Srinivasa Ayyangar. |
| 20. " J. Bheemayya. | 52. " T. C. Srinivasa Ayyangar. |
| 21. " P. J. Gnanavaram Pillai. | 53. " P. Siva Rao. |
| 22. " Muppil Nayar of Kavalappara. | 54. " Chavadi K. Subrahmanya Pillai. |
| 23. " J. Kuppuswami. | 55. " B. Ramachandra Reddi. |
| 24. Subadar-Major S. A. Nanjappa Bahadur. | 56. The Raja of Panagal. |
| 25. Rao Bahadur O. M. Narayanan Nambudiripad. | 57. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 26. Mr. T. M. Narayanaswami Pillai. | 58. Muhammad Khadir Mohideen Sahib Bahadur. |
| 27. " K. Krishnan. | 59. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 28. " N. Siva Raj. | 60. Rao Bahadur B. Muniswami Nayadu. |
| 29. Rao Sahib L. C. Guruswami. | 61. Mr. K. Sarabha Reddi. |
| 30. Mr. V. I. Muniswami Pillai. | 62. The Zamindar of Mirzapuram. |
| 31. " W. P. A. Soundara Pandia Nadar. | 63. The Kumara Raja of Venkatagiri. |
| 32. " S. Subrahmanya Moopanar. | 64. Mr. A. V. Bhanoji Rao. |

Noes.

- | | |
|------------------------------------|------------------------------------|
| 1. Diwan Bahadur P. Kesava Pillai. | 11. Mr. C. Ramasomayajulu. |
| 2. Mr. M. V. Gangadhara Siva. | 12. Sriwan Biswanath Das Mahasayo. |
| 3. Rao Sahib M. Hampayya. | 13. Mr. K. Koti Reddi. |
| 4. Mr. Abdul Hamid Khan. | 14. " L. K. Tulasiram. |
| 5. " G. Harisarvottama Rao. | 15. " C. Marudavanam Pillai. |
| 6. " C. N. Muthuranga Mudaliyar. | 16. " C. Venkatarangam Nayudu. |
| 7. " K. V. R. Swami. | 17. " B. Venkataratnam. |
| 8. " D. Narayana Raju. | 18. " R. Nagan Gowda. |
| 9. " K. Uppi Sahib Bahadur. | 19. The Zamindar of Gollapalli. |
| 10. " K. R. Karant. | |

Ayes 64. Noes 19.

The motion was carried.

[10th October 1928]

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I move that items 9 to 11 and 17 be adjourned for three months from to-day."

Mr. S. SATYAMURTI :—"I second it."

The motion was put and carried.

IV

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

Mr. BASHEER AHMED SAYEED :—"I move, Sir,

that the Bill * to amend the Local Boards Act, 1920, be taken into consideration."

Mr. P. BHAKTHAVATSULU NAYUDU :—"I second it."

Mr. S. SATYAMURTI :—"I beg to move that the Bill be referred to a Select Committee composed of the following gentlemen :—

- (1) The hon. the Minister for Local Self-Government.
- (2) The hon. the Advocate-General.
- (3) Mr. S. Arpudaswami Udayar.
- (4) Rao Bahadur B. Muniswami Nayudu.
- (5) Mr. V. I. Muniswami Pillai.
- (6) Khan Bahadur Muhammad Abdul Razaak Sahib Bahadur.
- (7) Mr. C. S. Govindaraja Mudaliyar.
- (8) " Abdul Hamid Khan Sahib.
- (9) " A. Kaleswara Rao.
- (10) " C. N. Muthuranga Mudaliyar.
- (11) " S. Satyamurti.
- (12) " Sami Venkatachalam Chetti.
- (13) Rao Bahadur C. S. Ratnasabhapathi Mudaliyar.
- (14) Mr. K. R. Venkatarama Ayyar.
- (15) " Basheer Ahmed Sayeed Sahib.

Dr. B. S. MALLAYYA :—"I second it."

The Council rose for lunch.

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

* The hon. the PRESIDENT :—"The Council will now resume the discussion of the motion of Mr. S. Satyamurti to refer Mr. Basheer Ahmed Sayeed's Bill to amend the Madras Local Boards Act to a Select Committee."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—"Mr. President, Sir, I beg to move that under Standing Order No. 40(2) permission be granted to refer the Bill to a Select Committee composed of more than 15 members."

Mr. P. ANJANEYULU :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"Sir, I wanted to oppose even the motion for reference to a Select Committee. . ."

* Published in the Fort St. George Gazette, dated 2nd October 1928, as Bill No. 15 of 1928.

[10th October 1928]

* The hon. the PRESIDENT :— " Let us dispose of this question of referring the Bill to a Select Committee of more than 15 members. The question is that under Standing Order No. 40(2), permission be granted to refer the Bill to a Select Committee composed of more than 15 members."

The question was put and carried.

* The hon. the PRESIDENT :— " Let the additional names be proposed."

Mr C. S. GOVINDARAJA MUDALIYAR :— " I beg to move that the following names be added to the list of persons already proposed for the Select Committee :—

- (1) Mr. P. Bhakthavatsulu Nayudu,
- (2) Mr. T. M. Narayanaswami Pillai,
- (3) Mr. J. Kuppuswami,

and, Mr. President, may I add a few more names "

* The hon. the PRESIDENT :— " I have not got any such amendment in my hands."

Mr. C. S. GOVINDARAJA MUDALIYAR :— " Those are the three names I propose to add to the Select Committee."

Mr. G. HARISARVOTTAMA RAO :— " I second it."

The question was put and carried.

* The hon. the PRESIDENT :— " The amended motion of Mr. Satyamurti is for the discussion of the House."

The hon. Dr. P. SUBBARAYAN :— " Sir, I want to oppose the reference of this Bill to a Select Committee, and my reason for this is that the Government have under consideration the amendment of the Local Boards Act in a comprehensive manner and that Bill will be placed before the Local Boards Advisory Committee, as stated in answer to a question by my hon. Friend Mr. A. Kaleswara Rao. A meeting of that committee is to be held next Monday. Soon after that, conclusions will be arrived at by Government, and the Bill will be ready for introduction at the next meeting of the Legislative Council. In these circumstances, I would like hon. Members to consider whether there is any necessity to proceed with this Bill which only deals with this question in a piecemeal fashion. Besides that, there is also a Bill by my hon. Friend, Mr. G. Harisarvottama Rao, which is more comprehensive than this Bill itself.

" The main principle of Mr. Basheer Ahmed Sayeed's Bill is the abolition of nominations to local boards. As will be seen from the published Bill of the Government, this question has been dealt with in the Government Bill itself. The second point in this Bill is the reservation of seats on local boards for minority communities on the basis of a joint electorate. This is a thing which has been provided for in the Government measure. Provision for the appointment of supernumerary members to district boards to represent Europeans, Anglo-Indians and officials is another feature of this Bill, which is also provided for in the Government Bill. The only new point in the Bill now brought forward by Mr. Basheer Ahmed Sayeed is with regard to the presidentship going by rotation to a member of the Hindu, Muslim and Christian communities respectively. This is a point which will also be considered by the Local Boards Advisory Committee when they consider the

10th October 1928]

[Dr. P. Subbarayan]

Government Bill. I have myself told Mr. Basheer Ahmed Sayeed that it is a new point which has not been raised before but that it will be considered in dealing with the Government Bill. In these circumstances, I do not think there is any necessity for this Bill going to a Select Committee."

* Mr. K. R. KARANT :— " Mr. President, Sir, I support this motion, and I cannot understand the reasons advanced by the hon. the Minister for Local Self-Government, viz., because his main reason seems to be that the Government have got a Bill, and therefore this Bill should not be gone through before that. So far as I know, the Bill published by the Government has raised a storm of protest in the country. The chief point in it is the abolition of taluk boards, and I think the Minister will not come forward with a Bill containing such a provision. I am quite sure that the Bill will not see the light of day before this House, and it is no use waiting for it because it will come up some day or other. I do not support this motion because I agree with the provisions of this Bill itself. As for example I cannot agree with the reservation of presidentships to particular communities by rotation. However, I do not see any reason why this Bill should not be considered and why we should wait till the Minister comes forward with a Bill in the future."

* Mr. L. K. TULASIRAM :— " Sir, I agree with my hon. Friend, Mr. Karant, when he says that this Bill of Mr. Basheer Ahmad Sayeed should be taken into consideration now. The Chief Minister's reason for opposing this motion is that Government will be bringing forward their own Bill. It may be according to their own ideas, and they may choose their own time. When there is a Bill before us by a private Member of this hon. House, it should be given an opportunity to be discussed here. The reason of Government bringing forward their own Bill is not a sufficient reason for opposing a legislation of this kind. The Government may bring in their own Bill, and at that time it may be considered. But when we have a Bill ready made, which has been circulated, I see no reason why Government should oppose this piece of legislation."

* The hon. the PRESIDENT :— " The question is that the Bill be referred to a Select Committee composed of the following members :—

- (1) The hon. the Minister for Local Self-Government
- (2) The hon. the Advocate-General.
- (3) Mr. S. Arpudaswami Udayar.
- (4) Rao Bahadur B. Muniswami Nayudu.
- (5) Mr. V. I. Muniswami Pillai.
- (6) Khan Bahadur S. K. Abdul Razaack Sahib Bahadur.
- (7) Mr. C. S. Govindaraja Mudaliyar.
- (8) Mr. Abdul Hamid Khan Sahib.
- (9) Mr. A. Kaleswara Rao.
- (10) Mr. C. N. Muthuranga Mudaliyar.
- (11) Mr. S. Satyamurti.
- (12) Mr. Sami Venkatachalam Chetti.
- (13) Rao Bahadur C. S. Ratnasabhpathi Mudaliyar.

[The President]

[10th October 1928]

- (14) Mr. K. R. Venkatarama Ayyar.
 (15) Mr. Basheer Ahmad Sayeed Sahib.
 (16) Mr. P. Bhaktavatsulu Nayudu.
 (17) Mr. T. M. Narayanaswami Pillai.
 (18) Mr. J. Kuppuswami Choudry."

The question was put and declared lost.

A poll was demanded, and the House divided thus :

Ayes.

- | | |
|---|---|
| 1. Mr. V. Ramjee Rao. | 17. Mr. C. Ohi Reddi. |
| 2. " Sami Venkatachalam Chetti. | 18. " A. Parasurami Rao Pantulu. |
| 3. " S. Satyamurti. | 19. " C. Ramasamiyajulu. |
| 4. " C. V. Venkataramana Ayyangar. | 20. " Basheer Ahmad Sayeed. |
| 5. " T. Adinarayana Chettiyar. | 21. " P. Bhaktavatsulu Nayudu. |
| 6. " P. Anjaneyulu. | 22. " A. Kaleswara Rao. |
| 7. " P. C. Venkatapati Raju. | 23. " R. Srinivasa Ayyangar. |
| 8. " J. A. Saldanha. | 24. " K. Koti Reddi. |
| 9. " C. S. Govindaraja Mudaliyar. | 25. " L. K. Talasiramu. |
| 10. " G. Harisarvottama Rao. | 26. " C. Marudavanam Pillai. |
| 11. " C. N. Muthuranga Mudaliyar. | 27. " K. V. Krishnaswami Nayakar. |
| 12. " K. V. R. Swami. | 28. " B. Venkataratnam. |
| 13. " K. P. V. S. Muhammad Meera
Ravuttar Bahadur. | 29. Khan Bahadur S. K. Abdul Razaak Sahib
Bahadur. |
| 14. " D. Narayana Raju. | 30. Muhammad Kadir Mohideen Sahib
Bahadur. |
| 15. Dr. B. S. Mallayya. | |
| 16. Mr. K. R. Karant. | |

Noes.

- | | |
|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 33. Mr. S. Subrahmanya Mooppanar. |
| 2. " Khan Bahadur Sir Muhammad
Uman Sahib Bahadur. | 34. " Daniel Thomas. |
| 3. " Mr. T. E. Moir. | 35. " S. Venkiah. |
| 4. " Diwan Bahadur M. Krishnan
Nayar. | 36. " D. K. Syed Ibrahim Sahib. |
| 5. " Mr. S. Muthiah Mudaliyar. | 37. Rao Sahib M. Hamppayya. |
| 6. " Dr. P. Subbarayan. | 38. Rajkumar S. N. Dorai Raja. |
| 7. Dr. (Mrs.) Muthalakshmi Reddi. | 39. The Zamindar of Kallikota. |
| 8. Mr. C. B. Cotterell. | 40. Mr. K. Ramachandra Padayachi. |
| 9. " H. A. Watson. | 41. Rao Sahib R. Srinivasan. |
| 10. " C. A. Souter. | 42. Khan Bahadur P. Khalif-ul-lah Sahib
Bahadur. |
| 11. " A. McG. C. Tampoe. | 43. Mr. G. R. Premayya. |
| 12. " C. W. E. Cotton. | 44. Diwan Bahadur R. N. Arogyaswami
Mudaliyar. |
| 13. " V. Ch. John. | 45. Mr. Ramanath Goenka. |
| 14. " M. A. Manikkavelu Nayakar. | 46. The Zamindar of Gollapalli. |
| 15. " Syed Tajuddin Sahib. | 47. Mr. C. R. Parthasarathi Ayyangar. |
| 16. " H. B. Ari Gowdar. | 48. " T. G. Srinivasa Ayyangar. |
| 17. " A. B. Shetty. | 49. " P. Siva Rao. |
| 18. " J. Bheemayya. | 50. " Chavadi K. Subrahmanya Pillai. |
| 19. " J. A. Davis. | 51. " K. R. Venkatarama Ayyar. |
| 20. " R. Foulkes. | 52. " K. P. Baman Menon. |
| 21. " P. J. Gnanavaram Pillai. | 53. " C. Gopal Menon. |
| 22. " Mahomad Sehamnad Sahib. | 54. " B. Ramachandra Reddi. |
| 23. " Muppil Nayar of Kavalappara. | 55. Rao Bahadur Sir A. P. Patro. |
| 24. Subadar-Major S. A. Nanjappa Bahadur. | 56. Mr. P. T. Rajan. |
| 25. Mr. Al. Ar. Narayanan Chettiyar. | 57. " T. K. Chidambaramudaliyar. |
| 26. " T. M. Narayanaswami Pillai. | 58. Diwan Bahadur S. Kumaraswami Reddi-
yar. |
| 27. " K. Krishnan. | 59. Mr. K. Sarabua Reddi. |
| 28. " N. Siva Raj. | 60. Kumara Raja of Venkatagiri. |
| 29. " M. Gangadhara Siva. | 61. Mr. A. V. Bhanaji Rao. |
| 30. Rao Sahib L. C. Guruswami. | 62. " S. H. Slater. |
| 31. Mr. V. I. Muniswami Pillai. | |
| 32. " W. P. A. Soundara Pandia Nadar. | |

Ayes 30. Noes 62.

The motion was lost.

[10th October 1928]

* The hon. the PRESIDENT :—" The motion of Mr. Basheer Ahmad to take the Bill into consideration is for the consideration of the House."

The hon. Dr. P. SUBBARAYAN :—" Sir, for the reasons I adduced for not referring the Bill to the Select Committee I think we need not consider this Bill now and that it may be deferred till the Government Bill is published."

* Mr. BASHEER AHMAD SAYEED :—" Mr. President, when the Minister 2-45 opposed my Bill I thought he had already given up his case. My Bill after p.m. all is a very modest one and it has incorporated within it the very provision which was in the Bill published by the Government and which Bill is now shelved, though the Minister says he has referred it to the Advisory Committee. The Advisory Committee has not yet met and so I should take it that the Bill has been shelved. I say that the provision contained in the Minister's Bill is itself incorporated in my Bill. What are the provisions in my Bill and what is their scope? One of the provisions says that nominations should go. The Minister and his party have off and on said that they are for the abolition of nominations. Then the other provision is that minorities should be ensured some reservation of seats, some representation. That principle also has been accepted on the floor of this House by the Minister and also by his predecessors in office, and it is that very principle which is now recommended in the Nehru Committee report which many of my colleagues, including even the ministerialists, have heartily supported. Mr. President, the third provision is that local boards of some districts should be reserved for members of the minority communities to elect presidents by rotation. This principle is not a novel one. In the Corporation of Bombay, this principle has been accepted and acted upon for a long time. The principle of reservation has been accepted and incorporated in the Act of 1923 regarding the Calcutta Corporation. I am surprised that having once admitted the reasonableness, the efficacy and the justice of the principles of this Bill the Minister and his party should have now opposed it. After all, they forget that this Bill comes from a member of the minority community which has been all along neglected by this Government, and also by the majority party—I make bold to say that—except of course the Congress party. I was surprised to see that the Justice party members also rose against this Bill. The Minister's only reason seems to be that since the Government is now considering to bring forward a Bill, no private or non-official member need take interest in legislation. If that is the reason, I do not see why there should be any provision at all in the Act and the Rules enabling non-official members to legislate. The Government might have been considering for years and years a certain Bill which has never may see the light of day. Could that be the reason which has influenced some of my colleagues here to vote against my Bill? After all, Mr. President, unless and until these three or four principles in the Bill are going to be settled amongst us, there is not going to be harmony between the two great communities and also third community, viz., the Christian community, in this country. Muslims are entitled to a certain proportion in the administrative departments. I don't say that I stand for communal representation, in its very bald and very narrow sense. I do claim that Muslims shall have a certain share in the administrative machinery of this Government and also in all those things which concern them in the government of the country. Local boards are an integral part of the

[Mr. Basheer Ahmad Sayeed] [10th October 1928]

machinery of the Government and there the minority community must have certain rights. These rights must also be reserved. I don't preach for separate representation nor for separate electorates. I say the general electorate may elect a few representatives to these union, taluk and district boards. So also in the election of presidents to these local boards. I have mentioned that to such of the boards as may be reserved by Government, and only to those boards, the principle of rotation might apply. It is but just that Muslims as such should be given the right to have some share in the administration and governance of local boards in order that they may come up to the level and cope with the other communities in the increasing political exigencies of this country. I do not see any valid reason for my colleagues to oppose this Bill. The Bill of the Minister may come in its own time. As I have already introduced this Bill, my desire is that it may be referred to a Select Committee. The Minister's Bill will not be delayed or detained on account of this Bill being referred to a Select Committee, or even passed. Mr. President, I am very sorry that some of my Muslim colleagues have also voted against the Bill, simply because Government said that they would bring forward a Bill—probably on Doomsday, and not before that, certainly not within the term of this Council. Some of the Muslims have always been duped by Government and their agents and I am sorry to note it even to-day. Except two of my colleagues on the left, the others opposite have opposed this Bill, not realizing that it is after all for the good of the minority communities that the Bill is sought to be introduced. Yet, when they go outside the Council they say 'We must act as a party and we must safeguard the Muslim interests.' Here is a clear case of Muslim interests involved and four of my Mussalman colleagues have voted against it. My Christian friends and the depressed classes whose interests are also sought to be safeguarded have voted against this Bill. I don't know what to say of them. They will very soon realize the folly of their action."

* Mr. R. SRINIVASA AYYANGAR :—"I rise to a point of order. I am not quite sure whether the motion made by the hon. the Chief Minister that the consideration of this Bill be postponed till the Government Bill is published is in order."

* The hon. the PRESIDENT :—"The hon. the Minister only opposed the motion before the House. He did not make any motion himself."

* Mr. BASHEER AHMAD SAYEED :—"I was referring to my colleagues, the Muslims, the Christians and the depressed classes who have voted against this Bill under the false idea that the Government would bring forward their Bill and that they would enjoy the fruits of paradise then. I only want that they should open their eyes and see things in their real state. Unless they unite and see that their interests are safeguarded, they will not in the long run stand to gain from a foreign and alien bureaucracy which is ruling here just for its own interests and not for the interests of the people. I appeal to my hon. Friends not to oppose this Bill, but to pass the motion before them."

* Mr. K. R. KARANT :—"I find, Sir, that the Bill has been refused to be sent to a Select Committee, and the hon. the Minister also has opposed it. When he made his speech, he said he had no objection for the postponement of the discussion, though he has not put in any amendment. So, I beg to move that the consideration of this motion be adjourned for two months from

10th October 1928] [Mr. K. R. Karant]

this date. Meantime, the Government may show their sincerity by bringing forward their own Bill. This time I think will be quite sufficient."

Mr. P. BHAKTAVATSULU NAYUDU :—"I beg to second it."

* The hon. the PRESIDENT :—"The question is that the consideration of this motion be adjourned for two months from this date."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, if my friend will make it three months I would agree to this amendment, because two months would be too short a time to bring in the Government Bill."

* The hon. the PRESIDENT :—"The motion is already before the House. The hon. Minister will do well to move it as an amendment of his own."

The hon. Dr. P. SUBBARAYAN :—"I have not given notice and with your permission. I move to amend the word 'two' into 'three' in the motion of Mr. Karant."

The amendment was put and carried.

* The hon. the PRESIDENT :—"The amended adjournment motion, viz., that the consideration of this motion be adjourned for three months from this date, is before the House."

* Mr. MAHMUD SCHAMNAD :—"I rise to oppose the adjournment motion of Mr. Karant, and support Mr. Basheer's motion while I strongly deprecate his insinuations against the Muslim members on this side of the House."

* The hon. the PRESIDENT :—"I do not think the hon. Member will be in order in taking this opportunity to reply to the accusations made by Mr. Basheer Ahmad Sayeed. Three months hence, when the motion comes for the consideration of the House, the hon. Member will certainly have the opportunity to attack Mr. Basheer Ahmad Sayeed." (Laughter.)

* Mr. MAHMUD SCHAMNAD :—"I oppose Mr. Karant's motion for this reason that if after three months the Bill is to be taken up, we may not have much time to go on with the Bill. That means putting it off indefinitely. I support Mr. Basheer Ahmad's Bill for this reason. As the rules exist, it is almost impossible for minority communities to become presidents of taluk boards or district boards. So if this opportunity is lost, we may not have another opportunity in the near future to have this amendment. There are other provisions which I do not very much press, such as doing away with nominations and so on. All the same we can discuss them and find out some *via media*. So I oppose Mr. Karant's motion."

* The hon. the PRESIDENT :—"The question is that the consideration of this motion be adjourned for three months from this date."

The motion was put and carried.

V

Mr. G. HARISARVOTTAMA RAO :—"Mr. President, I beg leave to introduce a Bill to amend the Madras Local Boards Act, 1920."

* The hon. the PRESIDENT (after a pause) :—"For want of a seconder the proposition is lost."

[10th October 1928]

Mr. A. KALESWARA RAO:—"I second it."

* The hon. the PRESIDENT:—"I have already said, after waiting long enough for the motion to be seconded, that for want of a seconder the motion is lost."

VI

A BILL TO AMEND THE MADRAS VILLAGE PANCHAYAT ACT, 1920.

* The hon. the PRESIDENT:—"I understand that the Zamindar of Gollapalli has withdrawn his Bill to amend the Village Panchayat Act, 1920."

The ZAMINDAR OF GOLLAPALLI:—"I have not withdrawn. I have applied to the Government of India to grant me permission to move it."

* The hon. the PRESIDENT:—"As the hon. Member has conceded that it requires the previous sanction of the Governor-General and that he has applied for it, he has again to give notice with the sanction of the Governor-General."

VII

A BILL TO FURTHER AMEND THE MADRAS CITY MUNICIPAL ACT, 1919.

Mr. BASHEER AHMAD SAYEED:—"Sir, I move that leave may be granted to me to introduce a Bill to further amend the Madras City Municipal Act, 1919."

Mr. A. KALESWARA RAO:—"I second it."

* The hon. Dr. P. SUBBARAYAN:—"I would like to point out for your consideration and for the consideration of the hon. Member that some of the provisions of this Bill require the sanction of the Governor-General before he can proceed with it."

* The hon. the PRESIDENT:—"Will the hon. Minister kindly point out the provisions which require the Governor-General's sanction?"

The hon. Dr. P. SUBBARAYAN:—"Clauses 43 and 58."

* The hon. the PRESIDENT:—"Does the hon. Mover concede that they require the sanction of the Governor-General?"

Mr. BASHEER AHMAD SAYEED:—"I have already deleted those provisions."

* The hon. the PRESIDENT:—"That is another stage. I want to know whether he concedes that those sections require the previous sanction of the Governor-General?"

Mr. BASHEER AHMAD SAYEED:—"Mr. President, they were originally

* The hon. the PRESIDENT:—"I want to know whether the hon. Member concedes that they require the previous sanction of the Governor-General."

Mr. BASHEER AHMAD SAYEED:—"I have conceded it and I have since deleted those provisions and I beg leave that I may be granted leave to introduce the Bill without those provisions."

* The hon. the PRESIDENT:—"The Bill of which the hon. Member has given notice and of which a copy has been supplied to the Secretary contains provisions which require the previous sanction, even according to him, of His Excellency the Governor-General. The notice is invalid without the previous sanction and the motion is out of order."

10th October 1928]

VIII

A BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

* Mr. K. R. VENKATARAMA AYYAR:—"Sir, I move that leave be granted for referring the Bill^a for the Suppression of Brothels and Immoral Traffic to a Select Committee composed of more than fifteen members under Standing Order No. 40 (2)."

Mr. C. GOPALA MENON:—"I second it."

The motion was put and carried and permission was granted.

* Mr. K. R. VENKATARAMA AYYAR:—"I now move that the Bill for the Suppression of Brothels and Immoral Traffic be referred to a Select Committee composed of the following members:—

- (1) The hon. the Law Member.
- (2) Dr. (Mrs.) S. Muthulakshmi Reddi.
- (3) Swami A. S. Sahajanandam.
- (4) Syed Tajudin Sahib Bahadur.
- (5) Mr. Abdul Hamid Khap.
- (6) Dr. B. S. Mallayya.
- (7) Mr. C. S. Govindaraja Mudaliyar.
- (8) " P. Anjaneyulu.
- (9) " B. Ramachandra Reddi.
- (10) Diwan Bahadur S. Kumaraswami Reddiyar.
- (11) Diwan Bahadur R. N. Arogyaswami Mudaliyar.
- (12) Mr. K. P. Raman Menon.
- (13) " C. Gopala Menon.
- (14) " W. O. Wright.
- (15) " K. R. Venkatarama Ayyar.
- (16) The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
- (17) The hon. the Advocate-General.
- (18) Mr. C. B. Cunningham.
- (19) " L. K. Tulasiram.
- (20) Rao Bahadur Sir A. P. Patro.
- (21) Rao Bahadur B. Muniswami Nayudu.
- (22) Rao Sahib R. Srinivasan.
- (23) Mr. Ramanath Goenka.
- (24) The Zamindar of Gollapalli.
- (25) Mr. S. Satyamurti.
- (26) " P. Siva Rao.
- (27) " Chavadi K. Subrahmanya Pillai.
- (28) " C. Ramasomayajulu.
- (29) " V. Ramjee Rao.
- (30) " K. V. R. Swami."

The hon. the PRESIDENT:—"I do not find these names in the list?"

* Mr. K. R. VENKATARAMA AYYAR:—

- "(31) Rao Sahib L. C. Guruswami.
- (32) The hon. the Minister for Public Health and Excise.
- (33) Mr. W. P. A. Soundarapandiya Nadar.
- (34) " Khadir Mohideen Sahib."

^a Published in the *Fort St. George Gazette*, dated 2nd October 1928 as Bill No. XVI of 1928.

[10th October 1928]

* The hon. the PRESIDENT :—"The hon. Member will kindly resume his seat. He has given a list of 24 names in the first instance and those names are printed in the agenda. He has given notice of another four names by means of an amendment and those names again are in the agenda. I now find yet another list of 6 names added to it. I am afraid that in the motion he is actually making now he is travelling beyond all these lists."

* Mr. K. R. VENKATARAMA AYYAR :—"I shall confine myself . . ."

* The hon. the PRESIDENT :—"The hon. Member will resume his seat. The motion he is making is out of order." (Laughter.)

* Mr. K. R. VENKATARAMA AYYAR :—"I beg your pardon, Sir . . ."

* The hon. the PRESIDENT :—"I said that the motion to refer the Bill to a Select Committee which he made was out of order."

IX

A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919.

Dr. B. S. MALLAYYA :—"I beg to introduce a Bill" to amend the Madras City Municipal Act, 1919, and move that the Bill be taken into consideration.

"Sir, in making this motion I beg to bring to the notice of this House that timber tax was first introduced in the city of Madras in the year 1884, at Rs. 2-8-0 per ton and then there was no provision for any rebate whatsoever. In the year 1889 Mr. Boyson of the Chamber of Commerce, Madras, brought to the notice of the Corporation great handicap to the trade and to the freight of the Port Trust by the levy of this tax by the Corporation on articles which are in transit but are not actually used in the city of Madras. He also brought to their notice that it was a great hardship to the consumers outside the city of Madras and that the trade of Madras would shift to Negapatam or Pondicherry where there was no such impost on timber. On consideration of this, the Government passed an order in 1890 (G.O. No. 10 M., dated 6th January 1891) approving the by-laws for the grant of refund under section 341 of the Act of 1884. The above was incorporated in the amending Act of 1892 as the matter had to be explicitly provided for in the Act. In the Act of 1904 provision for refund was made and the Government timber was exempted from the payment of this tax. In the Act of 1919 the exemption granted to Government timber was withdrawn, but the provision for refund was retained. Since then, Sir, a series of corruption has crept in the rebate of this tax. This is one of the sources of revenue of the Corporation bringing an income of nearly one lakh of rupees every year. From the year 1921 to 1927 the Corporation has been giving away a larger amount in the shape of rebate than the actual amount realized from the timber tax. In 1921-22 (the first year) the collections amounted to Rs. 1,91,108-12-0 and the refunds Rs. 87,155-2-0. In 1922-23 the collections were Rs. 1,77,132-8-0 and the refunds Rs. 83,037-0-5. In 1923-24, the figures were Rs. 1,61,738-12-0 and Rs. 1,40,057. The respective figures for 1924-25 and 1925-26 were Rs. 1,41,501 and Rs. 1,00,491-15-0, and Rs. 1,68,882-8-0 and Rs. 44,555-4-0. In the year 1924, the attention of the then Commissioner Mr. Bower was drawn to this state of affairs by me and he proposed to make certain alterations. As that

* Published in the Fort St. George Gazette, dated 25th September 1928 as Bill No. XIII of 1928.

[10th October 1928]

[Dr. B. S. Mallayya]

proposal was not actually beneficial and was not given effect to, the members of the Corporation insisted on a committee of enquiry being appointed to enquire into the scandalous state of affairs which then existed and the whole thing being handed over to the Police. A committee was appointed and after enquiry it came to the conclusion that there were defalcations in the accounts and swindling of the Corporation revenue. The committee also stated that under the existing conditions with the provision for the refund of timber tax, it was quite possible that cheating there would be to a considerable degree. Sir, to give rebate, the Corporation has to employ assessors and also overseers at four or six different points of exit from the city to watch day and night the quantity of timber going out of the city. There is a section in the Act which says that the consignee and consignor must reveal their names but this is not done on account of the principle that trade secrets should not be revealed. Sir, the servants of the Corporation were giving away large amounts as rebate on timber which was not imported into the city at all. This fact was brought to the notice of the enquiry committee, but when the committee sent for the papers relating to the affair, the papers mysteriously disappeared. Papers relating to the Corporation timber accounts and other files disappeared from the office itself. The committee then came to the conclusion that this system of giving rebate must be put an end to and some flat rate introduced. I suggested Rs. 3, but as that was thought to be low, Rs. 3-8-0 was agreed to. The Government stated that even that was low. Now we are all agreed that it might be fixed at Rs. 4 per ton. The Government agreed to this rate and the Chamber of Commerce represented by Sir James Simpson also agreed. Sir, by this arrangement nobody is going to lose. The Corporation is going to gain a good deal. If my Bill is passed it will do away with cheating and with the establishment that is now in charge of keeping accounts for granting rebate. Sir, the timber merchants also do not stand to lose. They can reduce the establishment which is now engaged in keeping accounts of timber going out. This will not affect honest dealers.

"Suppose a dealer who imports five tons into the city sells four tons in the city and one ton outside the city. For that one ton he will get a rebate of Rs. 4-8-0 while for the other four tons he will have to pay Rs. 5. Under my Bill he gives only Rs. 4 on all the five tons and he does not lose anything provided he is an honest dealer. On the other hand, the Corporation also would save a considerable amount of money which is spent on the staff employed for vigilance and for overseers who have to be there day and night. Sir, this Bill has been agreed to by all the persons concerned and if the House is pleased to accept this now, without being referred to a select committee, we will be saving about Rs. 30,000 to Rs. 40,000 at once and every year hereafter. I move, Sir, that the House be pleased to pass my Bill into law."

* Mr. ABDUL HAMID KHAN :—"I second it."

* The hon. the PRESIDENT :—"The question is only that the Bill be taken up for consideration."

* Mr. BASHEER AHMAD SAYEED :—"Sir, in supporting this motion I want to impress upon this House the urgent necessity of passing this Bill into law. The Madras Corporation has been losing a good deal of its legitimate income as the rules stand at present. The hon. the Mover

6-13
p.m.

[Mr. Basheer Ahmad Sayeed] [10th October 1928]

has already referred to the defalcations; but only a portion of them was discovered and there is a good deal yet to be discovered and put an end to if the Corporation is to save its revenues. Under the present Act a good deal of the revenue received by the Corporation is returned to the parties concerned when they export the timber. On the other hand, if a flat rate is fixed, it will save the revenues of the Corporation and there will be no room for defalcation in future. I therefore appeal to the House to pass this Bill into law at once if it can be done."

* The hon. the PRESIDENT:—"The motion is only that the Bill be taken up for consideration."

The hon. Dr. P. SUBBARAYAN: "Mr. President, Sir, I was waiting to see whether my hon. Friend, Mr. Govindaraja Mudaliyar, who had given notice of an amendment to this Bill would move it. Without his amendment, I do not think it will be possible for the Government to accept the Bill as it stands now, because I do not think it will be fair to make the mufassal pay for the city of Madras. I do not see why the City should derive advantage over timber imported for use in the mufassal. Under these circumstances, I am constrained to oppose the Bill of Dr. Mallayya."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I am very sorry that the hon. the Chief Minister has thought it fit to oppose this very innocent Bill of Dr. Mallayya. He said that he could not accept the Bill without the amendment given notice of by Mr. Govindaraja Mudaliyar to the effect that timber that is exported direct by rail from the City might be exempted. The object of the Bill is to avoid the possibility of cheating the Corporation in the matter of refund on timber exported from the City. That object will not be served by exempting one kind of timber that is to be exported by rail to mufassal stations. Further, Sir, I am not able to understand the reasonableness of levying any rate on the timber that is consumed in the city of Madras from the point of view of encouraging house-building in the City. On the other hand, it is only just that the Madras Corporation should levy a tax on the timber that is sent away to the mufassal timber here and for exporting it to another station. The mufassal places are indebted to the Madras Corporation for all the facilities offered by that body for the transit of the timber. Therefore it is just and proper that we should levy a tax on such timber purchased from Madras for all the facilities afforded by the City. (A Voice: Port Trust.) Whether it is the Port Trust or the Corporation, it is all a Madras concern. We know how the Madras Corporation contributes to the development of the Madras Port Trust. At any rate it is a matter for adjustment between the Corporation and the Port Trust and not between the Corporation and the mufassal places. The object of Dr. Mallayya's Bill will not be served if we make provision for refund applications on certain classes of timber. To obviate the evil, I would request the hon. Minister to reconsider his position and accept this proposal which has been accepted by the European Chamber of Commerce and the South Indian Chamber of Commerce. If the Corporation has not favoured this amendment it is because there are many other amendments of the City Municipal Act which require consideration. But now that Dr. Mallayya has brought forward this Bill, it will be unreasonable on the part of the Government to oppose this."

10th October 1928]

* Mr. S. SATYAMURTI:—"Mr. President, Sir, I also want to add my voice in support of the Bill of my hon. Friend for the City of Madras. I invite the attention of the hon. the Chief Minister to the Statement of Objects and Reasons which says that 'in the past there have been several instances in which refund of tax was made in respect of timber that was not actually exported.' The second proviso to section 129 of the City Municipal Act reads: 'Provided also that any timber in respect of which the tax has been paid is exported beyond the city nine-tenths of the tax levied thereon shall be refunded.' I do not know if the hon. the Minister is familiar with the notorious timber fraud case in the Madras Corporation which was enquired into by a committee and which involved large sums of money. Some lakhs of rupees were lost to the Corporation owing to these frauds in connexion with the timber refund. The Corporation after considering the question carefully came to the conclusion unanimously that the only way of effectively preventing frauds of any such kind was to omit the second proviso altogether. I may add, Mr. President, that the Chairman of the Port Trust was a member of the committee. The committee that enquired into the defalcations unanimously came to the conclusion that the second proviso ought to be omitted altogether. In order that the people concerned may not be put to unnecessary loss, the hon. the Mover has also suggested in his Bill that the rate of timber tax may be reduced from Rs. 5 to Rs. 4. Therefore this is the most equitable arrangement for all persons concerned. The amendment of the hon. Mr. Govindaraja Mudaliyar will give rise to more or less the same trouble, which the second proviso is now causing. It refers to the exemption of the class of timber arriving by sea and taken direct by rail. How is it going to be treated? What is the length of stay in Madras which will allow that timber to be exempted? Suppose the timber arrives by sea to-day and is kept in Madras for two or three months and then taken by rail, is that timber exempted? I see the hon. Member, the Secretary to the department, vigorously shaking his hand. Unfortunately courts of law do not take notice of shakes of hand even of Secretaries to Government. They rely on the words of the statute. The words as they stand are: 'Timber arriving by sea and taken direct by rail.' What does it mean? Undoubtedly it is open to any lawyer in a court to argue, if the timber arrives by sea and is not used for any other purpose but stored in a warehouse, for however long a period, and taken direct by rail, that it comes within the proviso. How can that be objected to? It may be in a warehouse for six months. It may be taken by the roads which are constructed, maintained and lighted by the Madras Corporation from the sea to the warehouse. I do not see why the Corporation should not get its share of the revenue when their roads are being used. After all, who are these people? They are the merchants who make a lot of profit by importing timber into Madras and selling it to the mufassal. I do not see why the finances of the Corporation of Madras which are already poor should be adversely affected in this manner. Moreover sub-section (2) as it stands which no one seeks to amend reads thus:

'No timber shall be brought into the city unless the tax due thereon be paid.'

"Therefore it is clear that whatever timber is brought into the city shall pay a tax. Therefore, there is no necessity at all for this exemption, and more than that, owing to the indefinite nature of the wording of this proviso, which does not fix any limit at all for the period the timber stays in Madras, before it is taken by rail, in order that it may be exempted from this tax,

[Mr. S. Satyamurti]

[10th October 1928]

I appeal to the House to accept the Bill as it stands. The hon. Minister accepts the principle of the Bill, namely, that this proviso should be deleted. It is the unanimous opinion of those who have dealt with the matter. As my hon. Friend Mr. Sami Venkatachalam Chetti has pointed out, both the European Chamber of Commerce and the South Indian Chamber of Commerce have accepted this principle. The Corporation also is unanimously in favour of it. Under the circumstances I ask the House to accept the Bill as it stands and not be led away by the lead given by the hon. Minister who says that unless the amendment given notice of not by the Government, but by a private member is accepted by the House, he would not accept the Bill. It is an unreasonable position for the Government to take up. After all, what is the class of timber that is going to be exempted? Assume for one moment that the hon. Minister is correct. I put it to him whether it is right that he should support a position which has made possible the perpetration of colossal frauds, when everybody concerned wants the proviso to be dropped. If really there is going to be any difficulty, when the 'comprehensive amending Bill' comes up before the House like so many other 'comprehensive Bills,' that difficulty may be removed. In the interests of the rate-payers of the city, I do appeal to the House to see to it that this Bill is accepted and passed into law."

Dr. B. S. MALLAYYA :—"Sir, since there has been a controversy about the quantity of timber passing direct to the mufassal I shall bring to the notice of the House a few facts. There used to be large quantities of timber brought down from Australia for the use of the Kolar Gold Mines and also sleepers for the railway lines. During the war when Burma teak was selling very high there used to be brought into this country several varieties of timber from outside. Now that the Burma teak has gone down, the mines are not taking any timber at all. I cannot find even five hundred tons going in for the last three years. The railway sleepers are supplied by Mysore and also by the Chenai Nair forests.

3-30 p.m. "There is timber coming straight from Burma to the interior, not halting in the city. We have nothing to do with that timber which goes straight to the railways or to the mines. This Bill is concerned with the timber that is landed in Madras, taken by our roads, stocked in our depots and sold to the mufassal or alleged to be sold. Only that timber which comes into the city and is sold by the dealers in the city is affected by this Bill and no other timber."

The hon. the PRESIDENT :—"The question is that the Bill be taken into consideration."

The motion was put to the House and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

- | | |
|------------------------------------|-------------------------------------|
| 1. Mr. Sami Venkatachalam Chetti. | 10. Mr. C. N. Muthuranga Mudaliyar. |
| 2. " S. Satyamurti. | 11. " K. V. R. Swami. |
| 3. " C. V. Venkataramana Ayyangar. | 12. " D. Narayana Raju. |
| 4. " P. Anjaneyulu. | 13. Dr. B. S. Mallayya. |
| 5. " P. C. Venkatapati Raju. | 14. Mr. K. Uppi Sahib. |
| 6. " J. A. Saldanha. | 15. " K. R. Karant. |
| 7. " Abdul Hamid Khan Sahib. | 16. " O. Obi Reddi. |
| 8. " C. S. Govindaraja Mudaliyar. | 17. " A. Parasurama Rao. |
| 9. " G. Harisarvottama Rao. | 18. " C. Ramasomayajulu. |

[10th October 1928]

Ayes—cont.

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|-------------------------------------|--------------------------------------|
| 19. Mr. Basheer Ahmad Sayeed. | 30. Mr. Ramanath Goenka. |
| 20. " P. Bhaktavatsulu Nayudu. | 31. " R. Nagan Gowda. |
| 21. Sriman Biswanath Das Mahasnyo | 32. The Zamindar of Gollapalli. |
| 22. Mr. A. Kaleswara Rao. | 33. Mr. C. R. Parthasarathi Ayyangar |
| 23. " R. Srinivasa Ayyangar. | 34. " T. C. Srinivasa Ayyangar. |
| 24. " L. K. Tulasiram. | 35. " P. Siva Rao. |
| 25. " C. Maruthuvanam Pillai. | 36. " K. P. Raman Menon. |
| 26. " K. V. Krishnaswami Nayakar. | 37. " C. Gopala Menon. |
| 27. " C. Venkatarangam Nayudu. | 38. " B. Ramachandra Reddi. |
| 28. " K. S. Sivasubrahmanya Ayyar. | 39. Rao Bahadur C. S. Ratnasabhapati |
| 29. Diwan Bahadur R. N. Arogyaswami | Mudaliyar. |

Noes.

- | | |
|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 26. Mr. V. I. Muniswami Pillai. |
| 2. " Khan Bahadur Sir Muhammad | 27. " W. P. A. Soundarapandia Nadar. |
| Usman Sahib Bahadur. | 28. " S. Subrahmanya Moopanar. |
| 3. " Mr. T. E. Moir. | 29. " Daniel Thomas. |
| 4. " Diwan Bahadur M. Krishnan | 30. " S. V. Vanavudaya Goundar. |
| Nayar. | 31. " S. Venkayya. |
| 5. " Mr. S. Mutthiah Mudaliyar. | 32. " Syed Ibrahim Sahib. |
| 6. " Dr. P. Subbarayan. | 33. The Zamindar of Singampatti. |
| 7. Mr. C. B. Cotterell. | 34. Mr. C. R. T. Congreve. |
| 8. " H. A. Watson. | 35. " S. N. Dorai Raja. |
| 9. " C. A. Souter. | 36. " S. Arpudaswami Udayar. |
| 10. " S. H. Slater. | 37. The Zamindar of Kallikota. |
| 11. " A. McG. C. Tampoc. | 38. Mr. K. Ramachandra Padayachi. |
| 12. " C. W. E. Cotton. | 39. Rao Sahib R. Srinivasan. |
| 13. " V. Ch. John. | 40. Khan Bahadur P. Khalif-ul-lah Sahib |
| 14. " M. A. Manikkavelu Nayakar. | Bahadur. |
| 15. " Syed Taj-ud-din Sahib. | 41. Mr. G. R. Premayya. |
| 16. " A. B. Shetty. | 42. The Raja of Panagal. |
| 17. " J. Bheemayya. | 43. Rao Bahadur Sir A. P. Patro. |
| 18. " R. Foulkes. | 44. Mr. T. K. Chidambaramatha Mudaliyar. |
| 19. " P. J. Gnanavaram Pillai. | 45. Khan Bahadur S. K. Abdul Razack Sahib |
| 20. " J. Kuppuswami. | Bahadur. |
| 21. Subedar-Major S. A. Nanjappa Bahadur. | 46. Muhammad Khadir Mohideen Sahib. |
| 22. Mr. C. M. Narayanaswami Pillai. | 47. Diwan Bahadur S. Kumaraswami Reddi- |
| 23. " K. Krishnan. | yar. |
| 24. " N. Siva Raj. | 48. The Zamindar of Mirzapuram. |
| 25. " M. V. Gangadhara Siva. | 49. Mr. A. V. Bhanaji Rao. |

Ayes 39. Noes 49.

The motion was lost.

X

A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Mr. President, Sir, I beg to move that my Bill^a to amend the Madras Hindu Religious Endowments Act, 1926, be referred to a Select Committee composed of the undermentioned members :—

- (1) Mr. Sami Venkatachalam Chetti.
- (2) " K. R. Karant.
- (3) " C. N. Muthuranga Mudaliyar.
- (4) " T. M. Narayanaswami Pillai.
- (5) " A. B. Shetty.
- (6) Rao Bahadur B. Muniswami Nayudu.
- (7) Mr. O. S. Ratnasabhapati Mudaliyar.

^a Published in the Fort. St. George Gazette dated 25th September 1928 as Bill No. 12 of 1928.

[Dr. (Mrs.) S. Muthulakshmi Reddi] [10th October 1928]

- (8) Mr. A. Ranganatha Mudaliyar.
- (9) Dr. (Mrs.) S. Muthulakshmi Reddi.
- (10) The hon. Diwan Bahadur M. Krishnan Nayar.
- (11) The hon. Sir Norman Marjoribanks."

Mr. A. B. SHETTY :—" Sir, I beg to second the motion."

The hon. the PRESIDENT :—" The question is that the Bill be referred to a Select Committee composed of the members mentioned above."

Mr. M. V. GANGADHARA SIVA :—" Mr. President, Sir, I beg to move the following amendment . . ."

The hon. the PRESIDENT :—" Has the hon. Member given notice of the amendment ?"

Mr. M. V. GANGADHARA SIVA :—" Yes, Sir."

The hon. the PRESIDENT :—" Does any hon. Member object to the amendment being moved now on the ground of being late ? (No hon. Member objected.) The hon. Member has the leave of the House."

* Mr. M. V. GANGADHARA SIVA :—" Sir, I beg to move the following amendment, viz., that the number of Members of the Select Committee be increased to 15 and that the following names be added :—

The Mover of the motion (Mr. M. V. Gangadhara Siva).

Mr. W. P. A. Soundarapandia Nadar.

" N. Siva Raj.

" V. I. Muniswami Pillai."

Mr. V. I. MUNISWAMI PILLAI :—" I beg to second the motion."

The hon. the PRESIDENT :—" The question is that the following names be added to the list of the members of the Select Committee :—

Mr. M. V. Gangadhara Siva.

" W. P. A. Soundarapandia Nadar.

" N. Siva Raj.

" V. I. Muniswami Pillai."

The motion was put and carried.

Mr. BASHEER AHMAD SAYEED SAHIB :—" Mr. President, Sir, I move that under Standing Order 40 (2) the number of the members of the Select Committee do exceed 15."

Mr. P. BHAKTAVATSULU NAYUDU :—" I second the motion."

The motion was put and carried.

Mr. BASHEER AHMAD SAYEED SAHIB :—" I move, Sir, that the name of Mr. Satyamurti be added to the list of the Members of the Select Committee."

Mr. P. BHAKTAVATSULU NAYUDU :—" I beg to second it."

The motion was put and carried.

The hon. the PRESIDENT :—" The amended motion is for the discussion of the House."

Mr. SAMI VENKATACHALAM CHETTI :—" Sir, I beg to move that the Select Committee be requested to prepare the report by the end of this month. The reason for making this motion is to prepare sufficient business

[10th October 1928] [Mr. Sami Venkatachalam Chetti]

for a meeting of the Legislative Council in November. We have to deal with the subject very soon and it is requested that the Select Committee may prepare its report by the end of this month."

Mr. ABDUL HAMID KHAN :—" I second it."

The hon. the PRESIDENT :—" The question is that the Select Committee be given a direction that they should report by the end of this month."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Sir, I beg to oppose the motion, because as the convener of the Select Committee it may not be possible for me to have the report ready at the end of this month."

The hon. the PRESIDENT :—" The hon. Member need not anticipate who the convener of the Select Committee meetings will be." (Laughter.)

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I meant 'mover of the motion.'"

Mr. SAMI VENKATACHALAM CHETTI :—" With your permission, Sir, may I ask whether the second week of November will be convenient time to the hon. Member ? In that case I will move an amended motion."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I am sorry I will not be able to fix the time."

The motion was, by leave of the House, withdrawn.

The hon. the PRESIDENT :—" The question is that the Bill be referred to a Select Committee composed of the undermentioned members :—

- (1) Mr. Sami Venkatachalam Chetti.
- (2) " K. R. Karant.
- (3) " C. N. Muthuranga Mudaliyar.
- (4) " T. M. Narayanaswami Pillai.
- (5) " A. B. Shetty.
- (6) Rao Bahadur B. Muniswami Nayudu.
- (7) " C. S. Ratnasabhapatil Mudaliyar.
- (8) Mr. A. Ranganatha Mudaliyar.
- (9) Dr. (Mrs.) S. Muthulakshmi Reddi.
- (10) The hon. Diwan Bahadur M. Krishnan Nayar.
- (11) " Sir Norman Marjoribanks.
- (12) Mr. M. V. Gangadhara Siva.
- (13) " W. P. A. Soundarapandia Nadar.
- (14) " N. Siva Raj.
- (15) " V. I. Muniswami Pillai.
- (16) " S. Satyamurti."

The motion was put and carried.

XI

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

Mr. A. KALESWARA RAO :—" Mr. President, Sir, I beg to move for leave to introduce a Bill to amend the Madras District Municipalities Act, 1920."

Mr. G. HARISARVOTTAMA RAO :—" I beg to second the motion."

The motion was put and carried.

Mr. A. KALESWARA RAO :—" I beg to introduce the Bill."

Mr. R. SRINIVASA AYYANGAR :—" I second the motion."

[10th October 1928]

XII

A BILL TO AMEND THE MADRAS ABKARI ACT, 1886.

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I beg to move that my Bill ^a to amend the Madras Abkari Act, 1886, be referred to a Select Committee. I have sent an amendment to ask the permission of the House that the number of Members on the Select Committee may exceed 15 and may be increased to 20."

3-45 p.m. The hon. the PRESIDENT :—" The question is that the Select Committee may consist of twenty members."

The motion was put to the House and carried.

* Mr. J. A. SALDANHA :—" I now beg to move, Sir, that the Bill to amend the Madras Abkari Act, 1886, be referred to a Select Committee composed of the following Members :—

- (1) The hon. Mr. S. Muthiah Mudaliyar,
- (2) Rao Bahadur Sir A. P. Patro,
- (3) Diwan Bahadur R. N. Arogyaswami Mudaliyar,
- (4) The hon. the Advocate-General,
- (5) Mr. J. A. Saldanha,
- (6) „ J. A. Davis,
- (7) „ W. O. Wright,
- (8) Dr. B. S. Mallayya,
- (9) Mr. K. Uppi Sahib,
- (10) „ P. Bhaktavatsulu Nayudu,
- (11) „ G. Harisarvottama Rao,
- (12) „ L. K. Tulasiram,
- (13) Rao Sahib R. Srinivasan,
- (14) Mr. K. R. Karant,
- (15) „ A. B. Shetty,
- (16) „ O. B. Cotterell,
- (17) „ S. N. Dorai Raja,
- (18) „ D. K. Syed Ibrahim Sahib,
- (19) „ K. Krishnan and
- (20) „ P. T. Rajan.

" In making this motion, Sir, I request the House to bear with me with some patience while I explain the reasons for the present Bill to amend the Abkari Act of 1886."

The hon. the PRESIDENT :—" Does the hon. Member think that it is likely to be opposed ?"

Mr. J. A. SALDANHA :—" I am going to explain the reasons, Sir."

The hon. the PRESIDENT :—" Is it necessary to do so if the Bill is not going to be opposed, in the interests of expeditious disposal of business ?"

Mr. J. A. SALDANHA :—" I do not expect opposition seriously. But I want to briefly explain my position."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am not opposing the Bill exactly; but I want to say a few words on the questions specifically raised there."

^a Published in the *Fort St. George Gazette*, dated 25th September 1928 as Bill No. 11 of 1928.

[10th October 1928]

* Mr. J. A. SALDANHA :—" Sir, the Madras Abkari Act of 1886 is based to a great extent on the Bombay Act of 1878, probably because the Bombay Presidency has been going ahead of us in the matter of their excise policy which is of a most reactionary nature and very injurious to the welfare of the people of this country. Be that as it may, I am now proposing certain amendments to the Abkari Act which are certainly not of a retrograde character and which should certainly commend themselves to the Government. One of the amendments, if passed, will also bring some additional revenue to the Government and the other will to some extent restrict the arbitrary action of the Abkari officials in the matter of the seizure of articles of the people in the villages who commit abkari offences."

" I shall now deal first with the second of my amendments which relates to clubs. Clause 3 of my Bill provides that to section 15 of the Madras Abkari Act of 1886 the following explanation shall be added :—

Explanation.—"The supply of liquor in clubs to their members on payment of a price or of any fee subscription is a sale within the meaning of this section."

" These words, Sir, I have taken from the Amending Act of 1925 of the Bombay Government. When that Act was passed by the Bombay Government, I brought it to the notice of the Members of this Council, but I was subjected to much sceptical laughter on that occasion when I stated that that Act was brought forward by the Bombay Minister. The effect of that Act was to place all clubs on a par with the liquor shops. I may here point out that clubs are exempt from payment of duties which liquor shops have to pay. Apart from the customs duties, the liquor shops are also subjected to a number of duties which clubs are free from; for instance, the liquor shops have to pay Rs. 1,000 every year for getting a licence for selling foreign liquor in cases, i.e., F.L. No. 1. They have also to pay Rs. 500 a year for selling liquor in bottles, and they are also paying a lot of other duties. By this means, the Government are making good revenue. At the same time, clubs are free from all these exacting duties. In this way, Government are losing a large sum of money, although they are entitled to it. Sir, it is not from a point of petty jealousy that I move this Bill, but I do so in the interests of the revenues of the State as well as with a view to do justice to the liquor shops who alone have now to pay the duties, from which the clubs are exempt, whether they sell liquor wholesale or in retail. Personally I should like to have exemption from liquor duties on a large scale, but I do not know why some people should get liquor duty free. For this reason, Sir, just as the Bombay Government have done, I trust this Government also place the clubs on a par with the liquor shops, and accept my proposal. There are many liquor shops in this Presidency, and I do not think the number is in any way less than that in the Bombay Presidency; and so, in the interests of the State revenues, I propose that the clubs also should be placed on a par with the liquor shops."

" As regards my other amendment, Sir, there might perhaps be some difficulty in inducing Government to accept my proposal. But I base my proposition on a fundamental principle. In the case of seizing articles under the Criminal Procedure Code, Sir, I think the Police officer will be justified in going and seizing articles of the man whom he thinks has committed any criminal offence; but in the case of the Abkari Act I say the scope for

[Mr. J. A. Saldanha]

[10th October 1928]

abuse is much greater and there is a restriction on the liberty of man. I do not think there is any moral turpitude in manufacturing liquor; it is a liberty enjoyed by all the people in the world. (Hear, hear.) It is a liberty which mankind has been enjoying from ancient times. We do not see any restriction placed in the case of foreign liquor, but when it is a question of manufacture in India, all sorts of restrictions are imposed. In every country licence fees are imposed; but this interference with our right to manufacture and sell liquor in India seems to be an interference with one of the liberties which people all over the world enjoy. I may point out, Sir, that in the case of the seizure of an article by the Police which they have reason to suspect is stolen property, the burden of proof rests with the Police officer but in the case of the seizures under the Abkari Act, it is just the reverse and we know very well from experience that this power is often abused by the officials who always bring innocent persons to trouble because some article is found in their possession or in the backyard of their houses, etc. As a matter of fact, in many cases, the articles are thrown into other people's houses by somebody and the wrong person is always brought to account. Therefore, for the protection of the innocent people, I have brought forward this amendment. Section 103 of the Criminal Procedure Code under which the Police make searches says:

Before making a search under this chapter, the officer or other person about to make it shall call upon two or more respectable inhabitants of the locality in which the place to be searched is situate to attend and witness the search, and may issue an order in writing to them or any of them so to do.

The search shall be made in their presence, and a list of all things seized in the course of such search and of the places in which they are respectively found shall be prepared by such officer or other person and signed by such witnesses; but no person witnessing a search under this section shall be required to attend the court as a witness of the search unless specially summoned by it.

"What I say is that the abkari officer also should be placed under the same restrictions before making seizure without search. It is for the Select Committee to give particular facilities to the abkari officer or the village officer, etc., and I have no objection to the Abkari Act being so amended as not to make it easy, without unnecessary obstruction, for the abkari officer to seize an article. I would therefore press upon the attention of the Members of this Council that firstly in the interests of the revenues of the State and secondly for the protection of the liberty of men this Bill ought to commend itself to the acceptance of the hon. Members of this House.

"I hope, Sir, I have made my points clear, and that I shall have the support of the House in this matter."

MR. K. UPPI SAHIB:—"Mr. President, Sir, I second the motion."

4 p.m. The hon. the PRESIDENT:—"The question is that the Bill be referred to a Select Committee consisting of twenty members as read out by the Mover of the Bill."

* The hon. MR. S. MUTHIAH MUDALIYAR:—"Mr. President, Sir, I am indebted to the hon. Member from Mangalore for some of the observations he made. I may assure hon. Members of this House that the Government do not want to take advantage of such observations. What the hon. Member wants is that when liquor is seized without a search,

[Mr. S. Muthiah Mudaliyar]

[10th October 1928]

the Abkari officer should have two more witnesses to the seizure. Section 103 of the Criminal Procedure Code applies where articles are seized, and in the Abkari Act there are two sections, one dealing with search and another with seizure without search. Where there is seizure without search, my hon. Friend wants that the provisions which apply to search should also apply. Reading the two sections together, of the Criminal Procedure Code and of the Abkari Act, I am not quite sure we would be able to make any reasonable interpretation of the clause as put by the hon. the Mover of the Bill. I think radical amendments will have to be made if possible to make something useful out of it, and if that is not possible it may have to be deleted and Government do not propose to oppose this at present. Then, the next thing the hon. Mover wanted was to enhance the revenues. I am not perfectly sure that if this provision is made in the Abkari Act, whether the income will be more or expenditure that will have to be incurred for staff by enforcing the law will be more. I am not quite sure whether it would be a source of gain. If my hon. Friend is really anxious that the revenue should be enhanced, I believe an alteration of the whole scheme will have to be made. The hon. Member says that in Bombay they have introduced it. There were a number of bogus clubs and to avoid the evil, the legislation was made. I am not quite sure how many clubs there are to answer the description in this province. My hon. Friend has not given any statistics in support of his statement. After all how many clubs there are in this province which are exempted from licence fees? It is only non-proprietary clubs that are exempted from these licences, because Government consider, and I think rightly, that the distribution of liquor among the members of a club is not sale at all. If my hon. Friend wants to change the definition of sale and wants to impose any duty on these clubs, all right. If suitable amendments are made, the Government won't have any objection to it. With these few observations as regards the principles and objects of the Bill, I have no objection to this Bill going to a Select Committee."

The hon. the PRESIDENT:—"The question is that the Bill be referred to a Select Committee composed of the following members:—

- (1) The hon. Mr. S. Muthiah Mudaliyar.
- (2) Rao Bahadur Sir A. P. Patro.
- (3) Diwan Bahadur R. N. Arogyaswami Mudaliyar.
- (4) The hon. the Advocate-General.
- (5) Mr. J. A. Saldanha.
- (6) " J. A. Davis.
- (7) " W. O. Wright.
- (8) Dr. B. S. Mallayya.
- (9) Mr. K. Uppi Sahib.
- (10) " P. Bhaktavatsalu Nayudu.
- (11) " G. Harisavottama Rao.
- (12) " L. K. Tulasiram.
- (13) Rao Sahib R. Srinivasan.
- (14) Mr. K. B. Karant.
- (15) " A. B. Shetty.
- (16) " C. B. Cotterell.
- (17) " S. N. Dorai Raja.

[The President]

[10th October 1928]

(18) Mr. Syed Ibrahim Sahib.

(19) „ K. Krishnan,

(20) „ P. T. Rajan.”

The motion was put to the House and carried.

VIII—cont.

A BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC—cont.

* Mr. K. R. VENKATARAMA AYYAR :—“ Sir, I wish to express my sincere regret for having caused some inconvenience to you, Mr. President, and to the House and for having caused some dislocation in the course of the transaction of the day's business. I hope you will accept my apologies.

“ I now wish to move that the House do give me leave to take up again item No. 16 on the agenda, viz., the Bill for the Suppression of Brothels and Immoral Traffic.”

The hon. the PRESIDENT :—“ I wish to know whether there is any objection ? ”

Mr. SAMI VENKATACHALAM CHETTI :—“ There is no objection except that this might not be a precedent for future occasions.”

The hon. the PRESIDENT :—“ Since there is no objection by the House, on condition that it shall not form a precedent in future, the hon. Member has got the leave of the House to move.”

* Mr. K. R. VENKATARAMA AYYAR :—“ I now move that the Bill for the Suppression of Brothels and Immoral Traffic be referred to a Select Committee composed of the following members :—

- (1) The hon. the Law Member.
- (2) Dr. (Mrs) S. Muthulakshmi Reddi.
- (3) Swami A. S. Sahajanandam.
- (4) Syed Tajuddin Sahib Bahadur.
- (5) Mr. Abdul Hamid Khan.
- (6) Dr. B. S. Mallayya.
- (7) Mr. C. S. Govindaraja Mudaliyar.
- (8) „ P. Anjaneyulu.
- (9) „ B. Ramachandra Reddi.
- (10) Diwan Bahadur S. Kumaraswami Reddiyar.
- (11) Diwan Bahadur R. N. Arogyaswami Mudaliyar.
- (12) Mr. K. P. Raman Menon.
- (13) „ C. Gopala Menon.
- (14) „ W. O. Wright.
- (15) „ K. R. Venkatarama Ayyar.
- (16) The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
- (17) The hon. the Advocate-General.
- (18) Mr. C. B. Cunningham.
- (19) „ L. K. Tulasiram.
- (20) Rao Bahadur Sir A. P. Patro,
- (21) Rao Bahadur B. Muniswami Nayudu.
- (22) Rao Sahib R. Srinivasan.
- (23) Mr. Ramnath Goenka.
- (24) The Zamindar of Gollapalli.”

Mr. C. GOPALA MENON :—“ I second the motion, Sir.”

10th October 1928]

The hon. the PRESIDENT :—“ The question is that the Bill be referred to a Select Committee composed of the members as printed in the agenda.”

* Mr. S. SATYAMURTI :—“ Sir, I beg to move that the Bill be circulated for eliciting public opinion. Sir, I know that in matters of this kind a person, who advises caution or who advises opinion being taken, is easily misconstrued by social enthusiasts to be obstructive in their desire for purifying life in our country. In order, Sir, that I may not be so misunderstood, I want to make it perfectly clear, that I do not yield to my Friend the Mover of the Bill in my desire to see that all the evils referred to in this Bill are put an end to, and as speedily and effectively as possible. But, Sir, I venture to put it to this House that this is, if not completely, at least partially, a piece of social legislation, affecting the home life of many people who whatever their faults may be are also citizens of this country and deserve to be treated as people who have got their rights, subject and subject only to this, that these rights do not trespass on those canons of public morality which civilization has made compulsory for civilized life to exist and to progress. Now, Sir, I do not want to say for one moment that this evil should not be checked ; but, Sir, when my hon. Friend the Mover of the Bill paints in some lurid colours in his Statement of Objects and Reasons that this evil is increasing, is a serious danger and must be put an end to, I venture to enter my very humble caveat against that overstatement. Sir, I have been to several cities, besides Madras, and I have also been to Madura ; I have been to other cities in the rest of India, cities in Europe ; and although I do not want to minimise evils such as may exist, I claim for Madras to-day that of all the cities I have seen, Madras is the purest and the cleanest, from the point of view of the subject with which this Bill deals. Sir, I am sorry I have to refer to certain unsavoury things in the course of the discussion on this motion. To the best of my opinion, there is no public solicitation as such in any of the streets of Madras or in any of its thoroughfares, such as to disfigure these streets and thoroughfares as in Calcutta, Bombay, Colombo, London and Paris. (Mr. L. K. Tulasiram : ‘ Chengam Bazaar excepted ’). Perhaps my hon. Friend knows Chengam Bazaar ; but I do not know Chengam Bazaar. It seems to me, Sir, that even there, I have been informed that there is no public solicitation in the sense in which, for example, the street-walkers, as one knows, exist in other countries. Now, if there are evils even in Chengam Bazaar, as my hon. Friend from Madura interjects, I put it to him whether it is right that because there is one small area in Madras, where according to him there is this public solicitation, you ought to put the whole of the city of Madras under this somewhat Draconian and drastic piece of legislation. May I put it to my Friend, if Madura is entirely free from this kind of social evil ? And this Bill, coming as it does from a Madura Member, exempts Madura and all mufassal towns and attacks only the Madras City, and leaves it to this Government to apply this Bill later on to the mufassal. But, so far as the Madras City is concerned, my friend here has been deeply touched and wants to save Madras, letting Madura take care of itself. It seems to me that there is a great deal of wisdom in the saying of Socrates, ‘ if you want to reform the world, try to begin by reforming your nearest surroundings.’ If my hon. Friend knows Madura, as he must, he must come forward with a Bill to purify Madura, and then ask us to cleanse other cities, saying that he comes with an intimate knowledge of social conditions existing in his own place and therefore the

[Mr. S. Satyamurti]

[10th October 1928]

Bill should be given a trial there. Now, Sir, apart from that, assuming for one moment that the evils which the hon. Mover portrays do exist, I grant that we must make legislative measures to put down social evils. But, Sir, I want to point out to this House that this matter is not one to deal with which there is no provision at all under the existing law. Sir, there are two provisions in the Madras City Police Act, section 52 and section 71. This is an existing provision in the City Police Act, under which the Commissioner of Police can take steps to deal with brothels or houses for the purpose of prostitution; the impression is likely to be created by my hon. Friend's speech, that, for the first time, he is dealing with this evil, and therefore this Bill ought to be supported. It is not so; my hon. Friend is not a pioneer. He has been anticipated by the authors of the Madras City Police Act, who in section 52 of the Act have enacted this provision: 'If the Commissioner has reason to believe that a house is used as a common brothel or lodging house for prostitutes or disorderly persons of any description, he may summon the owner or tenant of the house and on being satisfied that the house is so used and is a source of annoyance and offence to the neighbours may order the owner or tenant to discontinue such use of it.' I should like to know from my Friend what is wrong with this section. If the object of my hon. Friend with which I entirely sympathise is to suppress the use of houses for brothels or for purposes of prostitution, is or is not the section quite adequate for this purpose?

4-15
p.m.

"If it be argued that the section is not being rigorously worked, what is the guarantee that the new section which he is now asking the House to enact is going to be more rigorously enforced? After all, what a Council like this can do is to enact suitable and adequate legislation, and to rely on the honesty and efficiency of the Police and the Magistracy to give effect to and enforce these legal provisions. It seems to me, Mr. President, that both under this section and also under section 71, sub-clause (xx), of the Madras City Police Act, the same provision is made; in the latter clause it is enacted thus: 'whoever solicits or molests any passenger for purposes of prostitution in any public street, road, thoroughfare or place of public resort shall be liable on conviction to a fine not exceeding Rs. 50 or imprisonment which may extend to one month'. That applies also to Chengam Bazaar, and if to-day in Chengam Bazaar there is this offence being committed, somebody is responsible for it, the Commissioner of Police or his subordinates, or the hon. the Home Member in charge of Police. Sir, I do not know whether such a thing exists or does not exist. But I do maintain that there are adequate provisions to-day on the statute-book to deal with both these evils, houses of prostitution or brothels, as well as public solicitation in streets, or public thoroughfares. If these two evils are adequately dealt with, I ask the hon. Mover of this Bill, what is the reason for bringing forward this bill. Sir, the only difference I can see between his section and the present Act is that he has worded his section thus: 'It need not be a source of annoyance or trouble to the neighbours or to people remaining in those places.' Even so, the Commissioner can declare the house to be a condemned house and then it cannot be occupied or used for this purpose. Sir, and, before doing so, I expect any Commissioner of Police naturally to weigh all the circumstances of the case. If my hon. Friend had said that if a house is so occupied or used for any such purpose, if a house is so alleged to be

10th October 1928]

[Mr. S. Satyamurti]

used, the Commissioner of Police shall declare any such house to be unoccupiable, without providing for any enquiry into the matter, then I understand he *ipso facto* prohibits the use. But there is an enquiry to be made. An enquiry, I take it, will also include all relevant considerations. If even when a house is not alleged to be a source of annoyance or trouble to the neighbours, it must be prohibited, I venture to say that it is a matter on which public opinion will have to be obtained. I am not saying that public opinion justifies it. If apart from any source of annoyance to the neighbours, such houses are used or are likely to be used for any of these purposes, by all means let there be legislation. But I am asking modestly whether in a matter of this kind you will be justified in passing an Act without taking public opinion and being guided by it.

"But the most dangerous part of this Bill is this. In our anxiety for social legislation, we must not lose sight of necessary safeguards. The hon. the Mover of the Bill who, I thought, was a democrat and believes in the freedom of person and property, has, in his anxiety for social legislation, empowered the Commissioner of Police, Madras, who is very rarely a lawyer and who is always an executive officer, with ultimate unappealable authority of issuing a fiat, which is final. There is no human tribunal to which an appeal is provided over the act of the Commissioner of Police. Sir, section 5, clauses (iii) and (iv), make this perfectly clear. The Commissioner, if he is satisfied with or without further enquiry that such house, room or place is again used in such a manner, shall by order in writing on the owner, lessor, manager, lessee, tenant or occupier of such house, room or place direct that the use as so described of such house, room or place be discontinued or such house, room or place be closed and quitted within a period of seven days and be not thereafter resumed. The next clause says: 'For the purpose of this section, the decision of the Commissioner of Police that a house, room or place is used in any manner or for any purpose described in sub-section (i) shall be final and the legality or propriety thereof shall not be questioned in any trial or judicial proceeding in any court.' Now, Sir, I do not think any trial or judicial proceeding ought to blind us to the possible, and even enthusiasm for public morality ought to blind us to the possible, and may I add, probable abuse of this power by the Commissioner of Police. What will it in practice mean? It means the head constable, the sub-inspector or the sergeant. I put it to my hon. Friend with his wide experience of public affairs whether practically this will not mean the head constable, the sub-inspector or the sergeant or other subordinate police officer. What can the Commissioner do? He is not going to be in touch with all these houses. He will depend naturally upon the reports of his subordinates. Although I do not say that our police are absolutely corrupt or anything of the kind, I do feel without being misunderstood—that there are in the Police, say without any fear of being misunderstood—that there are in the Police, both among the higher and the lower ranks, people who are not absolutely free from corruption. I put it to my hon. Friend whether it is right without any appeal whatsoever to invest these executive officers who in the last resort will have to depend upon their subordinates, with these arbitrary and final powers.

"Then, Sir, with regard to the various other sections about removal of minors from brothels and their commitment to suitable custody, my hon. Friend, I hope, remembers that there are sections in the Indian Penal Code

[Mr. S. Satyamurti]

[10th October 1928]

already. But he has vested in the Commissioner of Police or any police officer not below the rank of inspector specially authorized in this behalf by the Commissioner or Deputy Commissioner, etc., the power to seize any girl who is believed to be below 18 years of age and is being made to carry on this business. And when he comes to the next section he talks of such girl being placed in suitable custody in the prescribed manner until she attains the age of 21 years or for any shorter period. Has my hon. Friend thought what this suitable place is going to be? I know even in such cases what will happen. The only bodies who will take care of such girls will be the missionary homes. Again, is not this a matter on which public opinion has to be invited and we have to be guided by that opinion as to what is the kind of suitable accommodation for these unfortunate victims of commercialized vice?"

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"They have got a home for receiving and taking care of children under 18."

* The hon. the PRESIDENT:—"The hon. Member will have an opportunity to give information."

* Mr. S. SATYAMURTI:—"My hon. Friend the Deputy President is very optimistic. She says there is a home for such people. I wish all success to the home, but does she realize that when the police begin to act in this manner, we do not know—I do not know—what the number of girls will be, whether the home will be adequate and congenial to the welfare of the girls, and whether the Police Commissioner of Madras will consider the home maintained by the society to which the hon. the Deputy President refers to be suitable or not? I certainly do not object to any home managed by distinguished reformers like the Deputy President, but we have no guarantee, so far as this Bill goes, that it will be accepted as a suitable place by the Police Commissioner."

"Then, Sir, we have got provisions with regard to the importation of girls or detention which, although they are offences which should be punished, have reversed the whole doctrine of burden of proof well known to all lawyers, including, I hope, my hon. Friend, i.e., that an accused person must be presumed to be innocent until he is proved to be guilty. But my hon. Friend, a distinguished lawyer, has reversed the whole process, and says in effect, 'You shall be presumed to be guilty and it is left to you to prove your innocence.'"

"Then, Sir, he has introduced the punishment of whipping in section 11. Procuring is really a very heinous offence, but is it right that in this enlightened age we should provide for even this heinous offence this barbarous punishment of whipping? Then we get a strange power under section 13: 'if a policeman cannot know the address of a man, he can arrest him at once, if he sees him committing any of these offences.' And the Local Government, with a pathetic faith in it which I did not expect from my hon. Friend after our recent experience, is empowered to make rules for the most important essential of our social problem, namely, the care, treatment, instruction and maintenance of girls placed in suitable custody. Is this social legislation? My Friend has no constructive ideas on the matter. He does not know what to do. He is a policeman. He authorizes the police in essential matters and also leaves important items to the Local Government to

[10th October 1928]

[Mr. S. Satyamurti]

make rules. He invests the police with summary powers, and he does not seem to have applied his mind more carefully to provisions of this Bill. And so, I think, public opinion will be very helpful in these matters, namely, care, treatment, instruction and maintenance of girls placed in suitable custody, prescribing places in which girls may be detained. So, these are matters on which I want public opinion to be elicited. And now, I want to assure those who are keen on seeing that this Bill becomes law as soon as possible, that it is not desirable that some kind of law should be placed on the statute book, but that a proper law should be passed. That may be the ambition of those who only want their names to go down to posterity, that their legislation should be left on the statute book; but those of us, humbler men who want to serve society in the best manner possible, would rather wait and take social public opinion with us. I have no doubt in my mind that every enlightened man and woman will stand behind my hon. Friend in his desire to put down these despicable vices; but in our anxiety to put them down, let us not add new vices to the chapter of iniquity. From that point of view, I venture to appeal to this House to agree to this motion to circulate this Bill for public opinion. After getting opinions, we can have the Bill in January or so, and then I am sure the Select Committee will then be able to produce a Bill which will have the sanction of public opinion behind it, and will therefore be accepted by the people; and they will be satisfied and willingly and enthusiastically work its provisions; and we shall not have to depend upon an overworked Police Commissioner or some other police officer for this. From that point of view, I would appeal to my hon. Friend to allow this Bill to be circulated."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to second this motion. It will be admitted by every one especially after the speech of my hon. Friend for the University that this Bill has got some far-reaching consequences. While we sympathize with all attempts to put an end as much as possible to these vices, we should also try to safeguard the interests of society as a whole. Now there are provisions in the Police Act which for reasons best known to themselves the police are not putting into operation to a large extent. After all, what has been asked for in this motion is that the Bill should be circulated, which means that we may have to wait for about three months, so that such a measure of social legislation should have if possible the support of public opinion throughout the Presidency. We all sympathize with the objects of this Bill. But the most important thing to be looked into is whether adequate safeguards have been provided in the Bill, and there is no reason why we should consider that this House alone has got the monopoly of wisdom, and that it is not necessary that public opinion should be elicited. One question I would ask the hon. the Member from Madura, and that is whether he has made any provision to prevent these women from going out of Madras to Madura, Coimbatore or other places. These people now in Madras may as soon as the Act is passed remove to other places. Has any step been taken to prevent such action? Such are the considerations which require very great thought. Then there is the whole class of devadasis whom the society has relegated to this unfortunate profession. If there are two or more devadasis in a place, such place may be at once invaded if this Bill is passed. Is it to be desired that such a thing should take place? It may be that time, education and social reform may remedy these evils."

[Mr. C. V. Venkataramana Ayyangar] [10th October 1928]

4-30
p.m.

"We know how police cases are sometimes invented. Is it possible in such a case to allow the policeman to have complete power in spite of all the confidence that we may have in the new Commissioner? I know him to be an able officer. But it is difficult even for him to control the subordinate staff though he may be clever in dealing with them. Again, Sir, in a particular street the neighbours may not like each other and the police may be used as an instrument of oppression. This is a legislation of such a far reaching effect that it goes to the root of many of our practices. It is desirable that we should take the necessary precautions to have a successful law, for the carrying out of which we must take the public with us. After all this is a modest proposition for postponement for about three months in order to try and obtain public opinion. We can then carry out the suggestions that may be made as I hope there may be unanimity in such a case."

* Mr. K. R. VENKATARAMA AYYAR :—" Mr. President, Sir, I have listened carefully to the speech made with great enthusiasm by the hon. Member for the University. I thought his enthusiasm and eloquence with which we are very familiar would have been reserved for nobler and holier causes than the present that he has taken up. I think the points he has attempted to make are hardly points worth the attention of the House and the delay which he seeks to interpose is not worth having regard being had to the results which he indicates we can secure by such a delay. It is the gathering of public opinion he wants. For the gathering of public opinion he says that this Bill be circulated for public opinion as if the subject with which this Bill deals is for the first time a topic of legislation in this country. This Bill is closely modelled on Bills which have already been passed into law by the Burma Legislative Council, the Bengal Legislative Council and the Bombay Legislative Council. The subject with which this Bill deals has attracted world-wide attention. The recent visit of the Committee of the Council of British Social Hygiene also drew public attention in a pointed manner to the evils arising out of the spread of brothels, and venereal diseases and the deterioration of public health in general. There was a very influential public meeting recently held about the 1st of September presided over by Sir Alexander MacDougall in which the opinion of the public of Madras was very strongly emphasised, that the Bill was already overdue and that public support should be accorded in an unhesitating and unanimous manner to the passage of this Bill in this House. The Bill itself was drafted by the Madras Vigilance Association which took upon itself this duty after considerable local experience, and the association got itself into touch with the then Commissioner of Police, Mr. Travers Philips, and I understand the representatives of the association have since been in touch with the present Commissioner of Police also, and some of the provisions of the draft are provisions which have had the concurrence and the favourable opinion, if not the active support, of these officials whose local experience of the conditions obtaining in the City of Madras is that the rapid increase of this vice is certainly not negligible. Now my Friend Mr. Satyamurti attempted to suggest that in the Statement of Objects and Reasons the evil that is sought to be counteracted by this piece of legislation is overstated. He has been attempting to suggest that I come from Madura and that if the evil was so great in the City of Madras the duty of sponsoring some such Bill should more properly have fallen on some Madras Member. I do not

10th October 1928] [Mr. K. R. Venkatarama Ayyar]

know that this is an argument which by itself is convincing. We do not know why no Madras Member has not thought of it but certainly those who have made themselves responsible for the drafting of this Bill are not people connected with the mufassal so much as with the City of Madras. The Vigilance Association consists of members, both officials and non-officials, ladies and gentlemen, who are resident in the City of Madras and who have very great experience of the conditions obtaining here. I have heard it said by the members of the association that almost next door to the premises of the Servants of India Society at Royapetta this particular nuisance has been quite intolerable. I mention that only by way of illustration. My hon. Friend Mr. Tulasiram mentioned Chengam Bazaar as another instance. There are, I suppose, several other instances, and medical practitioners in this city have their own experience arising out of their practice in the city. I think they will be able to vouch for the spread of this social evil in this city in a manner and to an extent which requires prompt and immediate attention. I do not think therefore that my Friend Mr. Satyamurti is correct in saying that the evil that is referred to is overstated. I think, if anything, we have lost time in going ahead with this piece of legislation. He asks: 'Is Madura free from this evil? Why not you start with a piece of legislation for Madura before you think of Madras?' I say Madras is a more crowded city. Madras spreads this evil to a much larger extent than smaller towns. Madura, I know, is also suffering under this social evil and it requires attention. In order, however, to steer clear of the very criticism which my Friend Mr. Satyamurti has been urging, the point that is made in this Bill is that we shall first gain experience by working this Act in the City of Madras which is the biggest city in this province where this evil is more rampant than in any other place, and having gained experience we will extend it to other local areas. There is no time limit after which alone it is open to Government to extend this Bill to mufassal municipalities. This Bill does not propose to put off indefinitely its application to the mufassal centres. As early as a mufassal centre feels the need for the extension of this Act, immediately it will certainly take advantage of this piece of legislation and get it extended.

Then my Friend said that there are two sections, section 52 of the Madras City Police Act and clause 20 of section 71, which contain powers already for the Commissioner of Police to close a brothel and also the power for the magistrate to punish open solicitation in the streets. Undoubtedly there are those sections. The present Bill gets rid of those provisions. It substitutes more elaborate provisions and provides in the interests of greater public safety for a quasi-judicial investigation or enquiry by the Commissioner of Police which is not provided for in the City Police Act. A very long time has elapsed since Act III of 1888 was enacted and the very experience gained by the officials concerned in its administration has led up to the drafting of the fresh provisions, in its place, and in making these fresh provisions care has been taken to emphasise the point of view which my Friend Mr. Satyamurti himself wanted to put emphasis upon, viz., that instead of closing the brothel without an enquiry the Commissioner has now to make an investigation which is a quasi-judicial investigation on notice to parties concerned. Therefore it is no good saying that there are sufficient powers already. Those provisions do not contain anything like the provisions that we have in this proposed Bill in section 6 onward. This contains provisions for the rescue

[Mr. K. R. Venkatarama Ayyar] [10th October 1928]

of girls from these houses of shame and for their protection in suitable rescue homes. That is a provision which you do not find in the sections to which Mr. Satyamurti referred and it is a very important provision. The Government may have to bear the cost of such a rescue home, where these rescued girls will be kept and protected and the social service organizations such as the Seva Sadan may have to take charge of the management of such homes. There are also other sections which are new, such as those dealing with the importing of girls for prostitution into the City or inducing a girl or woman living in the City to carry on the business of prostitution, the detention of a girl or woman against her will in a brothel for prostitution and then procuration; all these are offences for which you do not find any provision in the City Police Act or any other existing enactment. These are not provisions which can be said to be not required in the interests either of public morality or of public health. I do not think that public opinion in the general sense is required to be gauged beforehand on all these topics. It is difficult to imagine public opinion not to require these safeguards in respect of the great interests of public health and social morality. On the other hand if by asking for public opinion Mr. Satyamurti and others who go with him merely mean that this Bill as drafted is not perfect and calls for careful consideration of the details, the Select Committee which if anything is over-strong, will get ample opportunity for the expression of public opinion and for the expression of diverse views not excluding the views of gentlemen like my Friend on this subject.

4-45
p.m.

"All shades of opinion can be represented before the Select Committee, who may be asked to take evidence if necessary and make as detailed and full a report as may be expedient or necessary. Various municipal chairmen, health officers, medical practitioners and social workers may have an opportunity to place before the Select Committee differing views on this important subject, and in that way the point of view which my hon. Friend, Mr. Satyamurti presents, may be adequately safeguarded.

"My Friend then went into certain details as to custody, etc. Now there is no other custody for these young girls than brothels. The Social Service Leagues which have been doing good work will hereafter take care of them. There are Seva Sadan institutions which will take up the management of rescue homes. I think, when this Bill is put into proper shape, Government will fulfil their duty of providing adequate funds for such homes.

"Then, another point was attempted to be made because of some presumption in one of the clauses. These are details which I dare say will be adequately considered by those sounder and more democratic lawyers, who are also to be on the Select Committee, than myself. Again it is not merely missionary homes that will be available to take care of these girls. What if they are missionary homes? If they are willing to take up that work, certainly they are not unwelcome.

"It is wrong to suggest that, merely because the rule-making power is allowed in one of the sections to the Local Government, the Mover of the Bill or those behind him are absolutely devoid of constructive ideas on the subject ('Hear, hear'). Certainly, in matters of this kind, the germ of constructive ideas is in the Bill, and details of constructive ideas can be elaborated before the Select Committee, and afterwards, either more sections may be added if there are more matters of dominant importance or rules may

10th October 1928] [Mr. K. R. Venkatarama Ayyar]

be made. If the Government is not the most satisfactory body to be solely empowered with the power of making rules, the rule-making section can be adequately amended by associating with the Government such other agency as may be deemed proper, I think. Sir, this stage is the stage when there is adequate public opinion to make this Bill go forward at once before a competent Select Committee, and I think time will be wasted and opportunity will be lost if you put off this piece of very urgent social legislation. There is no justification for prolonged circulation for collecting opinions. The time has arrived, I think, for this Bill to go forward at once before a Select Committee."

* Dr. (Mrs) S. MUTHULAKSHMI REDDI:—"Mr. President, Sir, I rise to oppose this motion for these reasons. People who have been connected with the social service organizations in the City, people who have been taking a good deal of interest in social purity work feel that this legislation has been overdue for this City. Do you know, Sir, Calcutta has got a Bill of this kind; Burma has got one; Bombay has got one; and Ceylon has got one. In the Statement of Objects and Reasons it is said that this Bill is intended to protect minor girls and to punish procurers which is not provided for in the existing Police Act. There is a Vigilance Association that has been doing work in this direction for the last three or four years. I do not know whether the hon. Member for the University is in touch with that Association. I do not know whether he is in touch with the Children's Aid Society which has been in existence for the last four or five years. The Children's Aid Society is working under the provisions of the Children's Aid Act, and now it is accommodating a number of girl children in its home. There is a junior and senior certificate school attached to it, and it is being conducted by a committee of men and women. Most of the money for it, no doubt, comes from the Government because the public mind has not become enlightened enough as to the usefulness of this social service work. There, girls under eighteen are rescued and trained to become useful citizens.

"Now the main object of the Bill is to punish procuration. If I only state to this House some of the pathetic cases that have come to my personal knowledge because of my connexion with the Children's Aid Society and Home, I do not think this Council will delay this legislation any longer. There has been recently a case of an innocent girl of fourteen who came from the mufassal and who was decoyed to a brothel, because there are middlemen, called procurers, who are ready to take advantage of the helplessness of women and trade upon it. You know our women are not accustomed to a free life, and there have been cases where women have been taken away to unknown places by procurers. Again, there have been many cases before courts, and we are reading reports in the newspapers on the subject.

"No doubt, I agree with the hon. Member of the University when he says that he does not want to give more power to the police. I have been myself thinking of introducing an amendment so that the police may not be allowed to enter a place where minor girls are suspected to be without being accompanied by a woman social worker. It is our duty, it is the duty of medical practitioners and of social workers to help the police in that way. When this Bill goes before the Select Committee, necessary amendments may be made in that direction. There is no use circulating this at this stage

[Dr. (Mrs.) S. Muthulakshmi Reddi] [10th October 1928]

for eliciting public opinion. The public do not take sufficient interest. They do not know what is taking place in some brothels. It is reported by reliable authorities that there are three hundred brothels in the City of Madras. A brothel is a concentrated area of social vice. It is a menace to family life; it is a menace to public morality and public health. How long are you going to tolerate this state of things? It is reported that there are a thousand prostitutes who are living on this social evil. The evil trade has to be suppressed. The sooner it is done, the better. I know personally that in certain quarters like the Elephant Gate Street in the City of Madras no respectable family member can go and live, because the whole street is full of brothels. There have been cases coming to me of women who have been seduced to those places, and I myself have gone to the Police Commissioner and reported, but the women could not be rescued. Those profiteers called procurers must be punished very severely as is done in other countries. In other civilized countries, there are laws existing which deal with this evil. This evil is one which cannot any longer be tolerated, which cannot any longer be ignored. The profiteers take advantage of the youthfulness and helplessness of these minor girls. Sir, I am not exaggerating in any way before this assembly the suffering and the torture these innocent minor girls undergo in brothels. In the name of humanity, in the name of the young children, are you not going to stop at once this exploitation of vice? No doubt, the police should not be given large powers and I am as much interested in it, because in any law which happens to be a social legislation women are more intimately affected. In this matter we can take lesson from the experience of the west. No doubt, good laws to protect the innocent have been made there. There have been unjust laws also and in all such laws the stronger sex has been protected more, while the weaker sex has not got the benefit of the law. So, I would appeal to this House that this Bill may be allowed to go before a Select Committee, when women social workers may be consulted and every precaution may be taken to prevent the police abusing their power.

"Then, Sir, with regard to the existing Police Act,—I have studied it myself—there have been complaints from the Police that it is not at all sufficient for the suppression of vice, because none can now enter a brothel and children and girls suffer most thereby. I know a girl of 9 and a girl of 11 have become infested and have been outraged. How are you going to stop it unless you give some more powers to the authorities concerned? No doubt, power has to be given under sufficient safeguards. In western countries they have got great organizations, they have got women police, who enter brothels and have the children examined medically. Women social workers have been trained for such work. It is women's work. Our educated women should be trained as in those countries that have already taken a lead in the matter. But please do not put this good legislation off in the interest of humanity and in the interest of the sacred rights of children, to close the brothels, the dens of vice, and depravity and crime. I think I have said enough to convince this House, and I feel very very strongly that this Bill should not be delayed any longer because of the serious consequences that will ensue and of the suffering and torture that will go on unmitigated for many a month to come. If you delay it any longer, it will not become law in the life of this Council. This Bill has been ready for the last two or

10th October 1928] [Dr. (Mrs.) S. Muthulakshmi Reddi]

three years. It has been drafted by an eminent lawyer of Madras, and if this Council accepts it, I know Government also will co-operate with it. The Government has already given its consent for the introduction of this Bill. No doubt, the Bill is not perfect as it is, but you can make it perfect, you can amend it in such a way that the public interest will be fully safeguarded, and at the same time those people who make a profit out of commercialized vice and who exploit the innocence and inexperience of young girls will be severely punished.

"Another matter is that connected with the Devadasi women. This Devadasi system should go. We cannot any longer allow a system that breeds impurity and immorality in our mind and no civilization should tolerate or connive at such a custom in the temples, the system that train young minor girls to become prostitutes. Prostitution is a sin, it is a criminal act, because it has produced not a little harm to society, to family life, and to the nation. As such, I appeal that this Bill may not be delayed a moment longer and that this motion to circulate the Bill for public opinion be not consented to by this Council. I oppose the motion on grounds which I have already stated before this House, and say that the Bill may be allowed to go to the Select Committee, and in the Select Committee proper amendments may be made, so that this may be passed into law as early as possible.

"With these words, I oppose the motion."

Mr. RAMANATH GOENKA :—"I move that the question be put."

The hon. the PRESIDENT :—"The Council will now adjourn and reassemble at 11 a.m. to-morrow."

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

[10th October 1928]

APPENDIX I.

[Vide answer to question No. 476 asked by Mr. P. Bhaktavatsulu Nayudu at the meeting of the Legislative Council held on the 10th October 1928, page 267 *supra*.]

(i)

G.O. No. 3346, Law (General), dated 22nd October 1927.

With reference to paragraph 3 of G.O. No. 135, Law (General), dated 17th January 1927, the Inspector-General of Police has submitted the following suggestions for securing better representation of the Crown in Criminal Appeals, viz. :—

(1) Notices of criminal appeals, with copies of the grounds of appeals, should be furnished to the Superintendent of Police, in order to enable him, if necessary, to prepare his instructions.

(2) A police officer of the district concerned should always be present to instruct the Public Prosecutor, Madras.

(3) The Public Prosecutor should have at least one assistant appointed by Government.

(4) The Public Prosecutor should correspond direct with the Superintendents of Police concerning cases.

2. The Government have considered these suggestions and are pleased to approve all of them except the third, regarding which separate orders will be issued.

3. The necessary amendments to the Criminal Rules of Practice will be made.

(ii)

G.O. No. 3751, Law (General), dated 25th November 1927.

In G.O. No. 3346, Law (General), dated 22nd October 1927, the Government accepted the suggestion, among others, of the Inspector-General of Police, that a police officer of the district concerned should always be present to instruct the Public Prosecutor in Criminal Appeals before the High Court. The Government now agree with the Public Prosecutor that this rule need not be made absolute, and that the deputation of police officers may be left to the discretion of the District Superintendents of Police, in consultation with the Public Prosecutor, if necessary. They also agree that the Superintendents of Police should be directed to ascertain from the Public Prosecutor in advance the exact date of the hearing of cases in which it is considered desirable to send an officer to instruct him. The Inspector-General of Police is requested to issue instructions accordingly.

2. The presumption of the Public Prosecutor, Madras, that the instructions from the Superintendent of Police referred to in paragraph (1) of G.O. No. 3346, dated 22nd October 1927, are additional to those furnished by the District Magistrate, is correct.

[10th October 1928]

Criminal Appeals—Better Representation of the Crown—Instructions of the Public Prosecutor, Madras.

The following circular of the Public Prosecutor, Madras, No. 143, dated 5th March 1928, is published :—

[Reference.—G.O. Mis. No. 3346, Law (General), dated 22nd October 1927—G.O. No. 751, Law (General), dated 25th November 1927.]

In accordance with the above orders of Government copies of notices in all criminal appeals are sent to Superintendents of Police by the High Court. Superintendents of Police decide in consultation with me if necessary whether a deputation of a police officer is necessary and intimate to the High Court whether an additional set of records will be required. Ordinarily in jury cases police officers need not be deputed. In criminal revision cases notices are sent by this office to the District Magistrate who in some cases forwards them to the Superintendents of Police. Ordinarily, in revision cases deputation of an officer is unnecessary.

II. Date of hearing.—(a) Criminal appeals, Referred Trials and References in jury cases to be heard before a Bench on a Monday will be posted in the rough list on the previous Tuesday when intimations will be sent to Superintendents of Police in cases where they have asked for such intimation and only after receipt of such intimation from this office, the officer deputed should proceed to Madras to instruct me.

(b) Criminal revision cases are ordinarily posted before a single Judge on Thursday and the approximate date of hearing in such cases is known seven days before the hearing.

(c) Sometimes officers come up on the date given in the notice issued by the High Court, but this date is only a formal one and *no case ordinarily comes on for hearing on the date given in the notice.*

III. Application for transfer.—(a) Under section 526 (6), Criminal Procedure Code, no application for transfer on behalf of the accused can be moved in the High Court unless 24 hours' notice is given to the Public Prosecutor. The High Court either calls for a report or adjourns the case to enable me to obtain instructions from District Magistrates, or dismisses the petition summarily. The petition, if adjourned, is posted to a specific date and I request that instructions may be sent before that date. In some cases the High Court awards costs under section 526 (6-A) which are recoverable under section 547, Criminal Procedure Code.

(b) In applications for transfer by complainants, the Court generally orders notice to me and in such cases instructions are obtained in the usual way.

(c) If any District Magistrate wants a case to be transferred from the file of one Sessions Court to another, requisition should be sent to me and I will then obtain orders of Government in accordance with the rules annexed to G.O. No. 646, Judicial, dated 4th April 1913.

IV. Bail.—Ordinarily no notice is given to the Public Prosecutor before moving an application for bail. Sometimes the Court after the application is moved directs notice to me and adjourns the case to a specific date to enable me to get instructions. Sometimes practitioners give me notice of

[10th October 1928

their intention to apply for bail, in which case I apply to the District Magistrate for instructions. If District Magistrates or Superintendents of Police desire me to appear and oppose any application for bail which is likely to be moved in the High Court, the procedure laid down in G.O. Mis. No. 632, Public, dated 24th June 1928, should be followed.

V. Enhancement or reduction of sentence.—(a) In all cases in which the District Magistrate is of opinion that a sentence awarded by a Subordinate Magistrate ought to be enhanced or reduced, he may make a recommendation to the High Court under section 438, Criminal Procedure Code.

(b) If the District Magistrate thinks that a sentence awarded by a Sessions Court ought to be enhanced, he should make the recommendation to Government in accordance with G.O. No. 1494, Judicial, dated 25th September 1901.

(c) If an accused sentenced by the Sessions Court has appealed to or moved the High Court in revision against the order of the Sessions Judge, the District Magistrate can in such cases instruct the Public Prosecutor to move for enhancement of sentence—vide G.O. No. 302, Judicial, dated 24th February 1910, and G.O. No. 1256, Judicial, dated 8th June 1915.

VI. Appeals against acquittals.—(a) In forwarding recommendations to Government for appeal against acquittals, District Magistrates are requested to put up the following records also :—

(1) Certified copy of the judgment of the lower Court and, if more than one court has dealt with the case, copies of the judgments of all the courts should be forwarded. *The certified copies need not be on stamp paper as the officers of Government have been exempted from stamp duty on judgments and copies of depositions.*

(2) Copies of evidence wherever possible.

(b) The information called for in this office Circular Letter No. 140, dated 23rd January 1928, to District Magistrates regarding the status of the accused may also be furnished.

VII. Attention is also invited to this office Circular Letter No. 141, dated 14th February 1928, requesting District Magistrates to send me formal instructions to appear in cases immediately after receipt of notice from this office.

10th October 1928]

APPENDIX II.

[Vide answer to question No. 480 asked by Mr. Abdul Hamid Khan at the meeting of the Legislative Council held on the 10th October 1928, page 272 supra.]

G.O. No. 1909, Judicial, dated 10th August 1880.

The “ * Act for the appointment of persons to the office of Kazi ” having been passed by the Legislative Council of the Government of India and become law, His Grace the Governor in Council resolves with reference to section 2 of the Act, to direct the officer in charge of the Government Agent's office, Chepauk, to consult with His Highness the Prince of Arcot, the hon. Mir Humayun Jah Bahadur, Mr. Muhammad Usuf Sahib, J. P. Honorary Surgeon Mohideen Sheriff Khan Bahadur, and any other Muhammadan gentlemen whom he may consider necessary, and report to Government, at an early date, the names of one or more persons who may be considered fit to be appointed as Kazi in the town of Madras.

(True extract)

Chief Secretary.

To the Officer in charge of the Government Agent's office, Chepauk.

APPENDIX III.

[Vide answer to question No. 483 asked by Mr. Abdul Hamid Khan at the meeting of the Legislative Council held on the 10th October 1928, page 276 supra.]

G.O. No. 331, Political, dated 24th May 1899.

The Governor in Council directs that, in future, a minimum fee of Rs. 25 shall be paid to the Kazi of Madras for each case in which Government officers may obtain his opinion on questions of Muhammadan law and custom. In special cases it will be open to officers to apply to Government for sanction to a higher fee.

(True extract)

G. STOKES,
Chief Secretary.

To the Kazi of Madras.
“ Board of Revenue.
“ Departments of the Secretariat.

[10th October 1928]

APPENDIX IV.

[Vide answer to question No. 502 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 10th October 1928, page 288 supra.]

(i)

Statement showing the number of attacks and deaths (cholera) in each taluk of Kurnool district from January to August 1928.

Serial number and taluk.	January.	February.	March.	April.	May.	June.	July.	August.	Total.
1. Pattikonda ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 6 D. 2	A. Nil. D. 8	A. 94 D. 27	A. 75 D. 32	A. 197 D. 69
2. Dhone ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. 6	A. 1 D. 0	A. 4 D. 1	A. 5 D. 1
3. Kurnool ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 1 D. 1	A. 18 D. 9	A. 32 D. 17
4. Nandikotkur ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 29 D. 17	A. 3 D. 3
5. Nandyal M.T. ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 563 D. 300	A. 700 D. 367
6. Nandyal ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 571 D. 223	A. 688 D. 264
7. Sirvel ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 311 D. 137	A. 519 D. 240
8. Cumbum ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 684 D. 274	A. 1,216 D. 515
9. Markapur ..	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. Nil. D. Nil.	A. 1,556 D. 734	A. 2,056 D. 943
Total ..	53 39	55 26	148 66	147 61	48 20	82 88	1,268 540	4,328 1,947	6,159 2,737

[10th October 1928]

Statement showing additional staff employed.

Number and Taluk.	Ordinary staff.	Additional special staff.	Date of appointment of special staff.	Date of termination.
1. Sirvel ..	One Health Inspector and Sub-Assistant Surgeons of Allagadda, Sirvel and Chagalmarri.	One Additional Health Inspector One First-class Vaccinator One Special Sub-Assistant Surgeon Two Additional Health Inspectors	22nd July 1928 15th July 1928 10th August 1928 One from 5th August 1928 and the other from 23rd Aug. 1928.	Still working. Do. Do. 25th August 1928. Still working.
2. Nandyal ..	Officers of Bandi Atmakur and Panyam dispensaries.	One Vaccinator Two Special Sub-Assistant Surgeons	20th July 1928 One from 11th August 1928 and another from 30th August 1928.	Do. 1st September 1928. Still working.
3. Cumbum ..	Two Health Inspectors of Markapur and Giddalbre and Medical Officers of Cumbum and Giddalbre dispensaries.	One Additional Health Inspector One First-class Vaccinator One Second-class Health Officer Two Special Sub-Assistant Surgeons, one at Cumbum and another at Giddalbre.	23rd August 1928 23rd July 1928 5th August 1928 27th August 1928	Do. Do. Do. Do.
4. Markapur ..	Two Health Inspectors of Markapur and Yerragundapalem and Medical Officers of Markapur and Yerragundapalem.	One Special Sub-Assistant Surgeon Reserve Vaccinator	27th August 1928 1st August 1928	5th September 1928. 20th August 1928.
5. Koilkuntla ..	One Health Inspector and Medical Officers of Koilkuntla Nossam and Owk dispensaries.	Nil.	....	....
6. Nandikotkur.	Range Health Inspector ..	Nil.	....	....
7. Kurnool ..	Range Health Inspector and First-class Vaccinator.	Nil.	....	....
8. Dhone ..	Range Health Inspector ..	Nil.	....	....
9. Pattikonda ..	Do.	Nil.	....	....
Nandyal M.T. ..	One Sanitary Inspector, one Assistant Surgeon, one Sub-Assistant Surgeon.	One Special Sub-Assistant Surgeon	5th August 1928	5th September 1928.

[10th October 1928]

Voluntary workers.

Nandyal M.T. and Sirvel taluks.	Nandyal and	Dr. L. C. Roberts, M.R.C.S., S.P.G. Mission.
		Dr. J. Bunyan, L.M.P.
Markapur	Giddalore	Dr. C. D. Abrahaman.
		Miss Emmet.
.. .. .	.. .. .	Sister Jones.
		Mr. G. Harisurvottama Rao, M.A., M.L.C.
.. .. .	.. .. .	Dr. Sarma.
		Rev. Wathney.
.. .. .	.. .. .	Dr. Gopal Sarma, L.M.P.

Statement showing the number of anti-cholera inoculations done in Kurnool district.

Number and taluk.	Number of inoculations.							
	January.	February.	March.	April.	May.	June.	July.	August.
1. Kurnool	Nil.		Nil.	Nil.	Nil.	120	Nil.	354
2. Nandikotkur	Nil.		Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
3. Dhone	Nil.		Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
4. Pattikonda	Nil.		Nil.	Nil.	Nil.	220	227	1,152
5. Nandyal	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	158	6,430
6. Koilkuntla	Nil.	Nil.	Nil.	Nil.	450	470	370	1,295
7. Sirvel	Nil.		Nil.	Nil.	Nil.	Nil.	3,410	4,815
8. Cumbum	655		813	50	Nil.	Nil.	1,613	8,791
9. Markapur	Nil.		789	111	50	Nil.	Nil.	3,646
Total for the district ..	655		1,602	161	500	810	5,778	26,483

(ii)

Steps taken to combat cholera in the Kurnool district up to the end of August 1928.

January 1928.—In the month of January cholera occurred in epidemic form in only one taluk, i.e., Cumbum, which registered 76 attacks and 35 deaths, respectively. Nine villages were affected. The Health Inspectors of Markapur and Giddalore ranges visited all the villages promptly and took all the necessary preventive measures. The Medical Officers of Cumbum and Giddalore also visited the affected villages and conducted 655 inoculations.

Besides the epidemic in Cumbum taluk there were 4 attacks and 2 deaths in Kurnool taluk and 2 attacks and 2 deaths in Sirvel taluk. Those of the Kurnool taluk were the continuation of the epidemic in December 1927 and in Sirvel the cases were stray cases. These were promptly attended to by the Range Health Inspectors.

February 1928.—The only taluks affected in this month were Cumbum and Markapur. Cumbum registered 41 attacks and 18 deaths and Markapur 14 attacks and 8 deaths. Six villages were affected in Cumbum taluk and two villages in Markapur taluk. The epidemic of January continued in this month also. The Health Inspectors of Markapur and Giddalore ranges promptly visited the villages and took all the necessary preventive steps.

[10th October 1928]

March 1928.—The epidemic continued to exist in the same taluks, Cumbum and Markapur, in March. In Cumbum three villages were affected, one village very seriously and in Markapur three villages. Cumbum taluk registered 96 attacks and 41 deaths and Markapur taluk 40 and 20. The Health Inspectors of Markapur and Giddalore ranges were constantly visiting and re-visiting the affected villages and taking the preventive measures, but as all these villages are situated on the Gundalakamma river and as the people never resisted from drinking the river water and as the people did not follow the advice of the Health staff the epidemic continued. The District Health Officers and Medical Officers of Cumbum, Markapur and Giddalore visited the affected villages and conducted 1,602 inoculations besides taking all the preventive steps.

Nandyal municipality registered 12 attacks and 5 deaths in March. The Chairman reported that these were stray imported cases and that necessary preventive steps were taken by the Sanitary Inspector and the Sanitary staff.

April 1928.—In this month the epidemic in Markapur taluk continued, the town of Markapur being the chief sufferer. There were 106 attacks and 40 deaths respectively in this taluk. The Health Inspector was on the spot and took all the preventive steps in consultation and with the aid of the District Health Officer who visited the place, and the Sub-Assistant Surgeon. One hundred and sixty-one inoculations were also conducted. The disease was imported into Markapur from Nellore district. The first-class vaccinator was also posted for cholera duty in addition to the Health Inspector. There were 2 attacks and 2 deaths in Cumbum taluk, remains of the epidemic in the previous month.

In Koilkuntla taluk four villages were affected. Seventeen attacks and ten deaths were registered.

Sirvel taluk also reported 20 attacks and 9 deaths. Two villages were affected. The disease was imported from Markapur taluk.

The Range Health Inspectors of Koilkuntla and Sirvel visited the villages and took all the preventive measures.

May 1928.—The epidemic in Markapur taluk did not completely die out. In May there were 25 attacks and 7 deaths in that taluk. The Health Inspector attended to the preventive side and the Sub-Assistant Surgeon of Markapur did 50 inoculations.

In Koilkuntla taluk, one village was affected, attacks and deaths being 12 and 7, respectively. The Range Health Inspector and the Sub-Assistant Surgeon, Koilkuntla, promptly attended to the outbreak which was soon brought under control. Four hundred and fifty inoculations were also done.

In Pattikonda taluk the disease was imported into one village Pendekal by some pilgrims returning from Tirupati which was affected previously. Six attacks and two deaths were registered. The Health Inspector visited the village promptly and took preventive steps.

June 1928.—The epidemic in Pattikonda taluk continued till 9th June, the last attack occurring on that date. Twenty-two attacks and eight deaths were registered in June. The District Health Officer and the Health Inspector visited the village and took all the preventive steps including 220 anti-cholera inoculations.

[10th October 1928]

In Kurnool taluk, two villages on the northern bank of the Tungabhadra just opposite the Kurnool town were slightly affected, attacks and deaths being six and two, respectively. The disease was imported from a neighbouring village in His Exalted Highness the Nizam's Dominions. The Health Inspector and the District Health Officer promptly visited the place and took all the necessary preventive measures. One hundred and twenty inoculations were also conducted in those villages by the District Health Officer. The disease was brought down quickly. Steps were taken to see that the town of Kurnool was not attacked by preventing the import of all food stuffs into the town from those infected villages.

About the later half of June the disease broke out in several villages in Koilkuntla taluk probably due to the fresh floods in the rivers as the villages affected were all situated on the river and the people resorted to taking the river water. Thirty-four attacks and 15 deaths were registered. Besides, the Range Health Inspector who visited all the affected villages and took the preventive measures such as disinfection and chlorination of wells, the District Health Officer also visited most of the villages and conducted 470 inoculations.

In Sirvel taluk, the disease commenced in the latter half of June. Four villages were affected, attacks and deaths being 13 and 7. The Health Inspector of the range attended to the infection.

July and August 1928.—As predicted by the Director of Public Health the months of July and August experienced a very severe epidemic of cholera throughout practically the whole district.

In the month of July, the taluks of Sirvel, Cumbum, Koilkuntla and Nandyal were seriously affected; Pattikonda and Markapur also showed a mild infection. The taluks of Kurnool, Dhone and Nandikotkur were completely free. Nandikotkur taluk was infected only in the latter half of August by people coming into that taluk from Nandyal.

Nandyal municipality also was seriously affected. The disease was imported into the district from the districts of Cuddapah and Bellary. The number of attacks and deaths in each taluk is given in the annexed statement.

Owing to the seriousness of the epidemic the ordinary staff were not able to cope with the disease. Hence special staff was appointed.

The Medical officers of the existing Government and Local Fund Dispensaries rendered valuable assistance to the Health staff both on preventive and curative side. Besides, the ordinary staff and the special staff appointed, much help and assistance in stamping out the disease was received by the voluntary workers mentioned in the statement attached.

Almost all the affected villages were visited by the combined efforts of the Health staff, the Special staff and the Voluntary workers. The District Health Officer toured through Koilkuntla, Sirvel, Nandyal, Giddalore and Markapur taluks visiting most of the affected villages, conducting inoculations and assisting the Health staff.

The Assistant Director of Public Health (Fairs and Festivals) also toured through the affected taluks of Nandyal, Sirvel, Cumbum and Markapur taluks and gave valuable advice and instructions to the Health staff on the preventive measures to be taken.

All the local bodies except the Koilkuntla Taluk Board responded promptly to the requests of the Health Officer for the early supply of medicines and appointment of special staff.

[10th October 1928]

Although the District Health Officer made repeated requests to the President, Taluk Board, Koilkuntla, to appoint special staff and to supply the medicines promptly, he did not respond. Medicines for which indents were sent in June were supplied only in the middle of August. Since the President did not act promptly the District Health Officer approached the Collector and requested him to appoint a Special Sub-Assistant Surgeon which he at once did. Till the appointment of Special Medical officers inoculations could not be carried out vigorously in proportion to the severity of epidemic. But after the entertainment of special staff the advantage of inoculation was given to every affected village in August as many as 26,483 inoculations were done as compared to 5,778 for July 1928.

APPENDIX V.

[Vide item II—Communications to the Council at page 290 supra.]

REVENUE DEPARTMENT.

Note, dated 2nd October 1928.

Forests—Bodokhemidi—Seigniorage Rates—Increase.

The following report of the Court of Wards is placed on the Table with reference to question No. 1 asked at the meeting of the Council held on 3rd September 1928 and the answer given by the Hon'ble the Revenue Member to the supplementary question to that question:—

(a) The Estate Collector, Bodokhemidi, submitted to the Court of Wards in 1925 a list of the seigniorage fees levied on timber, fuel and other forest produce and the Court approved it subject to certain modifications after consulting the Chief Conservator of Forests in the matter. The Estate Collector reports that these rates have been in force since 1923, that the increase was only in the cases noted below and there was no subsequent increase—

First-class timber	Babuli.
Third-class split fuel	Grass and
Green fuel	Broomstick.

(b) Detailed enquiries were made by the local officers about the rates prevailing in this estate and in other big estates in the district, viz., Kallikote and Atagada and Parlakimedi, before the rates were proposed to the Collector for sanction. The Collector sanctioned them tentatively in August 1923. The rates in the adjacent Government forests are not lower than those obtaining in the estate.

(c) The increase was proposed in order to maintain uniformity with the rates prevailing in the forests of the other estates in the district and in the adjacent Government forests.

(d) and (e) Wood taken by the estate ryots for agricultural implements and for their *bona fide* domestic use as well as the fuel required by the ryots for their domestic use are exempt from the seigniorage rates.

[10th October 1928]

(f) The removal of wood required by the ryots for domestic and agricultural purposes was not entirely free during the late zamindar's regime. He imposed a forest royalty of one per cent on the annual rental of each village and allowed the ryots to remove wood not exceeding 6 inches girth for making ploughs or for their agricultural and domestic purposes.

(g) The late zamindar included the royalty in the mustajari leases of the respective villages and made the mustajars responsible for its payment. After the Court of Wards assumed management, the Manager of the Estate excluded this item from the leases and entrusted its collection to the forest establishment and the village officers. This deviation resulted in the accumulation of arrears. The old method of including the royalty in the leases was therefore adopted again. This method is now in force.

(h) and (i) The mustajari system applying both to forests and agricultural lands has not resulted in any hardship to the ryots. They even seem to favour it.

(j) This point does not arise as the Court of Wards has recently accepted the proposal to drop the question of reservation of estate forests in general.

APPENDIX VI.

[Vide item II—Communications to the Council at page 290 supra.]

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to a supplementary question to Question No. 261 at the meeting of the Legislative Council held on 8th September 1928, the following statement is laid on the table:—

Statement showing the number of shops closed or opened in the Ceded districts after the formation of the Excise Advisory Committees.

Districts.	Shops closed.						Shops opened.					
	Arrack.		Toddy.		Ganja.		Arrack.		Toddy.		Ganja.	
	Number.	Annual rentals.	Number.	Annual rentals.	Number.	Annual rentals.	Number.	Annual rentals.	Number.	Annual rentals.	Number.	Annual rentals.
Cuddapah (a) ..	9	Rs. 1,686	1	Rs. 504	Nil.	Nil.	Nil.	Rs. Nil.	Es. Nil.	Es. Nil.	Nil.	Rs. Nil.
Anantapur (b) ..	Nil.	Nil.	3	2,604	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
Bellary (c) ..	4	840	Nil.	Nil.	Nil.	Nil.	1	2,514	Nil.	Nil.	1	708
Kurnool ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	4	7,056	2	8,520	1	1,116

(a) Excludes two arrack shops which were closed during the previous lease.

(b) Excludes five arrack and three toddy shops which were closed during the previous lease.

(c) Excludes three arrack shops and one toddy shop which were closed during the previous lease.

NOTE.—The shops newly opened were opened with the consent of the Excise Advisory Committee concerned.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 11th October 1928.

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

PRESENT:

farjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
 Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.
 Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M.
 Subbarayan, The hon. Dr. P.
 Muthiah Mudaliyar, The hon. Mr. S.
 Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.
 Abdul Wahab Sahib Bahadur, Munshi.
 Adinarayana Chettiyar, Bar-at-Law, 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.
 Bhanoji Rao, Mr. A. V.
 Bheemayya, Mr. J.
 Biswanath Das Mahasayo, Sriman.
 Chidambaranatha Mudaliyar, Mr. T. K.
 Congreve, Mr. C. R. T.
 Corley, Mr. F. E.
 Cotterell, C.I.E., I.C.S., C. B.
 Cotton, C.I.E., I.C.S., C. W. E.
 Dorai Raja, Mr. S. N.
 Ekkirajulu Nayudu, Diwan Bahadur P. C.
 Foulkes, Mr. R.
 Gangadhara Siva, Mr. M. V.
 Gnanavaram Pillai, Mr. P. J.
 Gopala Menon, Mr. C.
 Govindaraja Mudaliyar, Mr. C. S.
 Gurusami, Rao Sahib L. C.
 Hanuman Sahib Bahadur, Abdul.
 Hanumanthamma Rao, Mr. G.
 John, Mr. V. Ch.
 Kaleswara Rao, Mr. A.
 Kameswara Rao Nayudu, Mr. V.
 Karant, Mr. K. R.
 Kesava Pillai, C.I.E., Diwan Bahadur P.
 Khadir Mohidin Sahib Bahadur, Muhammad.
 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
 Koti Reddi, Mr. K.
 Krishnan, Mr. K.
 Krishnaswami Nayakar, Mr. K. V.
 Kumara Raja of Venkatagiri.
 Kumaraswami Reddiyar, Diwan Bahadur S.
 Kuppaswami, Mr. J.
 Mahmud Schammad Sahib Bahadur.
 Mallayya, Dr. B. S.
 Manikkavelu Nayakar, Mr. M. A.

Marudavanam Pillai, Mr. C.
 Moera Ravuttar, Bahadur K. P. V. S. Muhammad.
 Munuswami Nayudu, Rao Bahadur B.
 Muniswami Pillai, Mr. V. I.
 Muppil Nayar of Kavalappara, Mr.
 Murugappa Chettiyar, Diwan Bahadur A. M. M.
 Muthulakshmi Reddi, Dr. (Mrs.).
 Muthuranga Mudaliyar, Mr. C. N.
 Nagan Gowda, Mr. R.
 Nanjappa Bahadur, Subadar-Major S. A.
 Narayana Raju, Mr. D.
 Narayanan Chettiyar, Mr. A. I. Ar.
 Narayanaswami Pillai, Mr. T. M.
 Obi Reddi, Mr. C.
 Parasurama Rao Pantulu, Mr. A.
 Patro, Kt., Rao Bahadur Sir A. P.
 Premayya, Mr. G. R.
 Raja of Jeypore.
 Raja of Panagal, K.C.I.E.
 Rajan, Mr. P. T.
 Ramachandra Padayachi, Mr. K.
 Ramachandra Reddi, Mr. B.
 Raman Menon, Mr. K. P.
 Ramanath Gcenka, Mr.
 Ramasomayajulu, Mr. C.
 Ramjee Rao, Mr. V.
 Ramaswami Ayyar, Mr. U.
 Ramunni Menon, Diwan Bahadur K.
 Ranganatha Mudaliyar, Mr. A.
 Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
 Saldanha, Mr. J. A.
 Sami Venkatachalam Chetti, Mr.
 Satyamurti, Mr. S.
 Shetty, Mr. A. B.
 Sitarema Reddi, Rao Bahadur K.
 Siva Raj, Mr. N.
 Sivasubrahmanya Ayyar, Mr. K. S.
 Slater, C.I.E., I.C.S., Mr. S. H.
 Smith, Mr. W. E.
 Soundara Pandya Natar, Mr. W. P. A.
 Souter, I.C.S., Mr. C. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasa Ayyangar, Mr. T. O.
 Srinivasan, Rao Sahib B.
 Subrahmanya Moopunur, Mr. S.
 Subrahmanya Pillai, Mr. Chavadi K.
 Swami, Mr. K. V. R.
 Syed Ibrahim Sahib Bahadur, Sattan Dubash Kadir Sahib.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. Mott. C.
 Thomas, Daniel.
 Tulasiram, Mr. L. K.
 Uppi Sahib Bahadur, K.
 Vanavudaiya Goundar, Mr. S. V.

[11th October 1928]

PRESENT—cont.

Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkataramam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.

Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Kallikota.
Zamindar of Mirzaparam.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Industries

Recommendation of the Tariff Board for the grant of a loan to the Carnatic Paper Mills.

* 507 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state why the recommendation of the Tariff Board that a loan of Rupees ten lakhs may be granted to the Carnatic Paper Mills, has not been given effect to?

A.—The Tariff Board made no such recommendation.

Mr. K. V. R. SWAMI:—“Will the hon. the Minister kindly say whether the Tariff Board made any recommendations for a less sum?”

The hon. Dr. P. SUBBARAYAN (for the hon. the Development Minister):—
“The Tariff Board made no recommendations.”

Excise

Drink evil in Kistna district.

* 508 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) the excise revenue derived by Government from the Kistna district during the last five years;

(b) the number of liquor and toddy shops in the district during each one of those years;

(c) the number of trees tapped during each one of those years;

(d) the number of persons who have visited those shops for purposes of drink during each one of those years and the approximate amount of money spent on drink by people during every one of those years;

(e) whether any and, if so, what steps have been taken by the Government during the last three years for reducing drink evil in Kistna district; and

(f) if not, whether the Government propose to take any?

A.—(a) & (b) The hon. Member is referred to the Annual Excise Administration Reports of the past five years which have been published.

[11th October 1928]

(c) The number of trees licensed in the district for tapping during the past five years for which complete figures are available are given below:—

Year.	Palmyras.	Dates.
1922-23	82,639	36,828
1923-24	86,243	35,712
1924-25	88,096	34,587
1925-26	73,591	30,813
1926-27	74,553	28,141

(d) The Government have not the information.

(e) & (f) The measures specially applicable to Kistna district are—
The rate of tree tax has been increased by 15 per cent from the lease commencing from 1st October 1925 and the duty on arrack in portions of the district has been raised from Rs. 5 to Rs. 8-7-0 from 1st April 1926. The limit of private possession of arrack without licence has been reduced from 6 to 4 drams in all the municipalities in the district.

Mr. A. KALESWARA RAO:—“With reference to the answer to clauses (e) and (f), does the Government believe that by these measures they will decrease the evil of drink?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“We have taken the steps mentioned in clauses (e) and (f) and whether the drink evil has been actually reduced or not will have to be tested with reference to local experience.”

Medical

Transfers of doctors in rural dispensaries.

* 509 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether any orders have recently been issued by the Government to the effect that doctors now serving in rural dispensaries should not be transferred from place to place, not even within the area of the district board or taluk board in which they are employed; and

(b) if so, the reasons underlying this new policy, together with the orders, if any, issued to local bodies?

A.—(a) Orders were issued to this effect in June 1927.

(b) The object of the rural medical relief scheme is to induce private medical practitioners to settle permanently in rural areas and to build up a practice there. The Government therefore considered that the transfer of such practitioners from one dispensary to another would frustrate the very object of the scheme and should under no circumstances be agreed to. Orders in this sense were accordingly issued to all presidents of taluk and district boards.

Mr. A. RANGANATHA MUDALIYAR:—“May I know from the Government what steps would be taken with regard to doctors who are not popular in their villages?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Powers are given to the local boards to terminate their services.”

[11th October 1928]

Acquisition of site for the Government Headquarters Hospital at Calicut.

* 510 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that Government have appointed a committee to enquire and select a suitable plot for the Government headquarters hospital at Calicut; if so, who its members are and what their qualifications;

(b) whether any non-official of the Calicut public has been appointed as a member of the committee;

(c) whether the committee has submitted its report and if so what its recommendations are;

(d) what sites the committee visited besides the adjoining grounds belonging to the Basel Mission and what opinion they have given as to the suitability or unsuitability of each of these places and on what grounds;

(e) whether the committee or Government have considered the suitability of (1) the site opposite the Government hospital for women and children (the Kottaparamba site) and the question of acquiring the plots and houses near it for the purpose in view, (2) the Evans Road site, (3) the site opposite to the Christian College, and (4) the Police Superintendent's office site;

(f) whether the Evans Road site was recommended by the late Surgeon-General Giffard and Dr. T. M. Nair and if so, on what grounds the recommendations were based and thrown out;

(g) whether the hon. the Minister received a representation from the attorney of the Mission Trust of Southern India protesting against the alleged proposal to acquire the site belonging to the Basel Mission; and

(h) what action Government have taken thereon?

A.—(a) In March last the Government appointed a committee constituted as follows to examine and report on the question of the selection of a site for the Calicut Headquarter Hospital:—

- (1) The Surgeon-General (Chairman).
- (2) The Collector of Malabar.
- (3) M.R.Ry. (now the hon.) Diwan Bahadur M. Krishnan Nayar Avargal.

(4) „ K. R. Kavalappara Muppil Nayar Avargal, M.L.C.

(5) „ K. Krishnan Avargal, M.L.C.

(b) No.

(c) Yes. The report is under the consideration of the Government and its contents cannot be published at present.

(d) to (h) The whole question is now under the consideration of the Government.

Mr. J. A. SALDANHA:—“With regard to (h), may I ask why the Government did not include any non-official of the Calicut public in the Committee?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“One of the members who was put on the committee was well aware of the conditions in Calicut, more than any other resident of Calicut; but most unfortunately he was not able to be present.”

[11th October 1928]

Mr. K. R. KARANT:—“So far as Calicut hospital is concerned are Government ready to spend eight or ten lakhs and if so, will they consider the site question with this view?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The anxiety of the Government is to establish a good hospital for Calicut, and if that costs even eight or ten lakhs, Government probably will have to grant it.”

Acquisition of the site for the Headquarters Hospital at Calicut.

* 511 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the Government in or about the year 1925 notified in the *Fort St. George Gazette*, for the purpose of extensions to the Government Headquarters Hospital at Calicut, the acquisition of the Mission Hospital for Women and Children and adjacent buildings, the site on which they stand, and the road leading thereto;

(b) on what grounds further acquisition proceedings were abandoned;

(c) what were the reasons for selecting the above site in preference to the site now proposed to be acquired;

(d) whether it is a fact that the grant of Rs. 10,000 was made to the Basel Mission for construction of the hospital building for women and children;

(e) whether a condition was laid down in the agreement between Government and the Mission that the grant should be refunded if the building was deviated to other purposes;

(f) whether the Government as late as 1925 threatened the Mission with a demand for refund of Rs. 10,000 for breach of the condition by failure to run it as a hospital;

(g) whether the Government have informed the Mission through the Collector of Malabar that they do not propose to press for the refund;

(h) whether the committee appointed by Government has recommended (i) that the abovementioned Mission Hospital for Women and Children should be utilized for Mission High School for girls, while the same school building with its site is to be acquired for the extension of the Government Headquarters Hospital, and (ii) that if the Mission does not accede to the acquisition proposed the proposal to reassume the grant of Rs. 10,000 alluded to above should not be dropped; and

(i) whether there is any such proposal?

[11th October 1928]

prevented the Mission from fulfilling the conditions of the grant, and they accordingly decided not to press their claim on the score of a breach of the agreement in the past. As regards the future, the conditions of the grant still remain in force.

- (h) & (i) The Committee's recommendations regarding the selection of a site for the headquarter hospital are still under the consideration of the Government and cannot at present be disclosed.

Mr. K. R. KARANT :—" May I know whether in the matter now before the consideration of the Government, the question of locating the hospital at a separate place is also under consideration or only of extending the present hospital ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Both are under consideration."

Education

Change of the curricula of studies in girls' schools.

* 512 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government are aware that conferences of Indian ladies held throughout India have condemned the present system of education given to Indian girls in schools as being unsuitable to their needs; and
(b) whether the Government propose to take any steps to investigate into the question and to change the curricula of studies of girls so as to be more useful to them in afterlife?

- A.—(a) Government are aware that some dissatisfaction exists.
(b) Government will consider the suggestion.

Mr. A. KALESWARA RAO :—" May I know whether the Government propose to take any immediate steps ? "

The hon. Dr. P. SUBBARAYAN :—" It is said in the answer to (b) that the Government will consider the suggestion; whether it will be immediate or proximate I cannot say at present."

Non-stipendiaries in the Government Training College, Rajahmundry.

* 513 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the districts to which the five non-stipendiaries out of 69 students in the B. Ed. section of the Government Training College, Rajahmundry, belong; and
(b) the number of stipendiaries among the fourteen students from the Ceded and Chittoor districts, who were studying in the college in 1927-28?

A.—The Government have called for the information.

Mr. A. RANGANATHA MUDALIYAR :—" Have Government since received the information ? "

The hon. Dr. P. SUBBARAYAN :—" No, Sir."

[11th October 1928]

Spread of adult education through non-official and honorary agency.

* 514 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) in what stage the investigation of the Director of Public Instruction regarding the spread of adult education through un-official and honorary workers is;
(b) whether any proposals have been received from Kistna district particularly from Nuzvid division; if so, what they are; and
(c) what is the amount that the Government propose to allot for the above scheme?

A.—(a) The attention of the hon. Member is invited to G.O. No. 746, Law (Education), dated 14th April 1928, a copy of which has been placed in the Council Library.

- (b) Three schemes relating to the Kistna district have been received by the Director of Public Instruction, of which one relates to the Nuzvid division. This scheme is the proposal of the Self-Improving Society, Nuzvid, to conduct mass education by the publication of a pamphlet written in Telugu and its free distribution to establish circulating libraries and to organize magic lantern lectures.

(c) The scheme is under consideration by the Director of Public Instruction.

General

Tours of the hon. the Minister for Education and Local Self-Government.

* 515 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) why he stayed in Ootacamund, in September, although the offices of the Secretariat have come down to Madras;
(b) whether he was absent from Madras after the September session of the Council, on any particular business in Ootacamund;
(c) if answer to (b) be in the affirmative, the business on which he stayed in Ootacamund during the month of September after the September session of the Council;
(d) how many days he stayed in Ootacamund in the month of September;
(e) whether he came to Madras from Ootacamund on the 20th September and returned to Ootacamund the same evening; and
(f) if answer to (e) be in the affirmative, the cost of the tour referred to in (e) and its object?

A.—(a) He stayed in Ootacamund as His Excellency was there.

(b) Yes.

(c) As it was more convenient to be near His Excellency for purposes of transacting business.

(d) From the 9th to the end of the month.

(e) Yes.

(f) To attend the Select Committee meeting on the Local Boards and Municipalities Amendment Bill of Mr. Saldanha. It is not possible to give the cost now as these journeys by railway are done by requisition and the cost of such journeys are only known later.

[11th October 1928]

Mr. S. SATYAMURTI :—" May I know, Sir, whether there is any practice or arrangement by which the stay of the Ministers at Madras or Ootacamund is guided, or whether this depends entirely upon the sense of administrative convenience of each Minister of Government ? "

The hon. Dr. P. SUBBARAYAN :—" I do not know how this question was put down. But I don't object to its being put down as you came to the decision it ought to be put. I therefore bow to your ruling. I think, as far as the stay of Members of Government is concerned, they being in charge of the whole of the Presidency can stay anywhere they desire."

Local Boards

Nominations made by the hon. the Minister for Education and Local Self-Government.

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

(a) the number of nominations and the names of the persons nominated by him to Local Self-Government, Educational and Religious Endowment bodies under his control since the 15th of March last; and

(b) the political party to which those nominees belong according to the information available to the Government?

A.—(a) In regard to nominations to Municipal Councils, District Boards and Temple Committees the hon. Member will be able to obtain the information he requires from Part I-A of the *Fort St. George Gazette* which is supplied to all Members of the Legislative Council. A statement^a showing the nominations made to educational bodies is laid on the table.

(b) The Government have no information as to the political party to which the nominees belong, except in the case of Members of the Legislative Council.

Mr. A. KALESWARA RAO :—" May I know when the Collectors have been nominated ? "

The hon. Dr. P. SUBBARAYAN :—" The information the hon. Member wants, as I have said, will be found in the issues of the *Fort St. George Gazette*."

Mr. A. KALESWARA RAO :—" May I know whether the Minister will be able to give the information ? "

The hon. Dr. P. SUBBARAYAN :—" The hon. Member ought to have taken the trouble to find out the thing he wants."

Religious and Charitable Endowments

Preparation of electoral roll for elections to temple committees in Anantapur district.

* 517 Q.—Mr. C. OBI REDDI : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of temple committees in the district of Anantapur;

^a Printed as Appendix I on page 426 to 428 infra.

[11th October 1928]

(b) whether it is a fact that the members of the temple committee or committees in that district are nominated but not elected;

(c) whether in that district electoral rolls for the election of members of temple committees have been prepared, and if not, why not;

(d) from what funds all expenses connected with the preparation of electoral rolls are to be met; and

(e) whether any provision has been made in the Madras Hindu Religious Endowments Act (Act II of 1927, as amended by Act I of 1928) or the rules framed thereunder, as to the authority or authorities that are responsible for the preparation of electoral rolls and the funds out of which the expenditure incurred in the preparation of such rolls is to be met?

A.—(a) Two.

(b) Yes.

(c) The electoral rolls of the two committees have not yet been prepared. In view of the poor finances of the committees and of the fact that little or no useful work had been turned out by them, the Board has proposed the abolition of the existing committees and the reconstitution of a single committee for the entire district.

(d) From the funds of the committees concerned.

(e) Under the rules for the preparation of electoral rolls of temple committees and for the conduct of elections, Revenue Divisional Officers have been appointed by Government as Registration Officers for the preparation and publication of electoral rolls and all expenses connected with elections to temple committees are debitable to their funds.

Mr. C. OBI REDDI :—" May I know why it is, that the Revenue authorities though charged with the duty of the preparation of electoral rolls, have not prepared the rolls for the temple committee as yet for the district of Anantapur ? "

The hon. Dr. P. SUBBARAYAN :—" I do not know why; I shall call for information."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. Minister whether the one committee that he talks of as going to be established will be elected ? "

The hon. Dr. P. SUBBARAYAN :—" As stated there, as the electoral rolls have not been ready, that committee will be nominated."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. Minister whether the Government is not prepared to make loans to such committees as have no funds to enable such committees to prepare their electoral rolls ? "

The hon. Dr. P. SUBBARAYAN :—" The Government have already advanced enough money for this purpose."

[11th October 1928]

Forests*Sale of agricultural implements in Kurnool East.*

* 518 Q.—Mr. G. HARISARVOTTAMA RAO: With reference to the notification of sale of agricultural implements by the District Forest Officer, Kurnool East, at page 46 of the Forest Supplement to the *Kurnool District Gazette*, dated 3rd August 1928, will the hon. the Law Member be pleased to state—

- (a) what the kinds of woods are that are generally used and supplied for spokes and felloes;
- (b) what approximate cubical contents of such wood are required for making one set of spokes and felloes; and
- (c) what the forest schedule rate is per cubic foot of such wood in bulk?

- A.—(a) The only species that is in general use for spokes and felloes is *Pterocarpus marsupium* known in Kurnool as 'Yegi.'
- (b) Twenty to twenty-five cubic feet.
 - (c) The rate for the timber in the log sold at depot is Rs. 1-8-0 per cubic foot.

Central Record Office*Curator of the Madras Record Office.*

* 519 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state—

- (a) when the present Curator was appointed to the Madras Record Office and what were the duties assigned to him;
- (b) whether he has been confirmed;
- (c) whether the Government will be pleased to lay the papers relating to the appointment on the table;
- (d) whether it is a fact that except the passing of proofs of the printing of old records as corrected by the clerks allotted for this work there is no other work for the Curator;
- (e) if not, what are the specific duties which he is now discharging; and
- (f) why such a highly paid officer on Rs. 350—850 grade is necessary to continue the printing of old manuscript records on the same lines and methods as the office has been pursuing between 1922 and 1927, i.e., till this Curator took charge of the office?

A.—(a) The present Curator took charge on 16th December 1927. The duty assigned to him is the custody of the records in the Record office.

- (b) No.
- (c) The Government do not propose to place the papers on the table.
- (d) No.
- (e) All duties and responsibilities connected with the charge and working of the Record office.
- (f) The assumption as to scope of the duties is wrong and the question does not therefore arise.

11th October 1928]

Mr. BASHEER AHMAD SAYEED SAHIB:—"With reference to clause (e), may I know what the specific duties of the Curator are and why they are not mentioned here?"

The hon. Mr. T. E. MOIR:—"They are not mentioned here, because it would make the answer exceedingly lengthy. The Curator is in charge of every thing connected with the custody and management of Government Record Office."

Construction of additional record-rooms in the Madras Record Office.

* 520 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state whether the Government will kindly place on the table the papers relating to the construction of the additional record-rooms in the Madras Record office?

A.—A copy * of the note explaining the proposal which was placed before the Finance Committee at its meeting held on 8th October 1924 is placed on the table.

Police*Reorganization of the Madras City Police.*

* 521 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

- (a) whether it is a fact that the Commissioner of Police, Madras, has submitted to the Government a scheme for reorganizing the Madras City Police;
- (b) whether it is a fact that the scheme in contemplation proposes to revise the pay of all European Sergeants and to give an extra allowance to European Traffic Inspectors;
- (c) whether the Government propose to increase the scale of pay of European Sergeants to Rs. 150—50—250 and grant certain allowances for educating their children;
- (d) why the Government propose to give preferential concessions only to European officers;
- (e) whether the Government are aware that the Indian Sub-Inspectors of Police get less pay than European Sergeants;
- (f) whether the Government will consider the advisability of posting Indian officers to Traffic regulation work; if not, why not; and
- (g) whether the Government will place on the table a statement as to what they propose to do with regard to the reorganization of the Police in the City and in the Presidency and with regard to the revision of pay?

- A.—(a) Yes.
- (b) Yes.
 - (c) & (d) The proposals are under the consideration of the Government.
 - (e) They are not aware of this.
 - (f) Traffic points are manned mostly by Indian head constables and constables.
 - (g) As the proposals are under the consideration of the Government, they cannot be placed on the table now.

[11th October 1928]

Mr. P. ANJANEYULU :—" Sir, may I know whether the Government made any attempt to know what pay the sub-inspectors and inspectors get and whether the pay of European sergeants is as alleged in the question ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The highest pay of a sub-inspector is more than the highest pay of a sergeant."

Mr. P. ANJANEYULU :—" What is the lowest pay of a sub-inspector ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I shall give the different grades of pay :—

Sub-Inspectors, 1st grade	...	...	...	...	Rs.
Do. 2nd	"	...	...	...	150
Do. 3rd	"	...	...	...	135
Do. 4th	"	...	...	...	125
Do. 5th	"	...	...	...	100
Sergeant-Major	...	...	...	...	85
Sergeant, 1st grade	...	...	...	...	145
Do. 2nd	"	...	...	...	135
Do. 3rd	"	...	...	...	122½
		...	...	...	110."

Mr. S. SATYAMURTI :—" May I know if any similar scheme or one with slight modifications was submitted to the Government by any of the predecessors of the present Commissioner of Police ? If so, whether the Government considered it and what orders were passed on it ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. S. SATYAMURTI :—" May I know the reasons why the Commissioner has suggested that the pay of the European sergeants should be increased and also some extra allowance should be given to the European traffic inspectors, the reasons that he has urged in support of his proposals ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The proposals are under the consideration of Government."

Mr. S. SATYAMURTI :—" I am asking whether the Government can tell this House the reasons advanced by the Commissioner of Police for this preferential treatment to European sergeants by way of increasing their allowances, and their pay ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. S. SATYAMURTI :—" May I know whether there is a dearth of applicants for European sergeant's post to-day on the present scale of salary and allowances and whether in order to recruit a better class of men these proposals are made, or whether there is any other reason ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" We are not paying at present a living wage to the European sergeants; they are therefore running into debt."

Mr. S. SATYAMURTI :—" May I know if the Government are satisfied that they give a living wage to the Indian inspectors and sub-inspectors; if not, why should they not consider the revision of their pay and allowances."

[11th October 1928]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Such difficulty has not been felt with regard to them."

Mr. G. HARISARVOTAMA RAO :—" May I know if a living wage has been paid to the head constables and constables ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I think so."

Mr. A. KANGANATHA MUDALIYAR :—" May I know if this running into debt is due to avoidable causes ? "

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

Mr. T. ADINARAYANA CHETTIYAR :—" May I ask the hon. the Home Member whether he has taken any pains to ascertain from the hundreds of constables and inspectors and sub-inspectors whether they are not also running into debt ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" That question does not arise."

Mr. T. ADINARAYANA CHETTIYAR :—" How did the other question arise ? From whom did the move about the indebtedness of the sergeants originate ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" From the number of cases that have come before Government, it was found that the salaries they are paying to European sergeants are not enough and as a result they are running into debt."

Mr. R. NAGAN GOWDA :—" May I know whether the Government have investigated as to what is a living wage for a sergeant and what is a living wage for an inspector or sub-inspector, and if so, whether they will be pleased to place it on the table ? "

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

Mr. S. SATYAMURTI :—" May I know whether this scheme involves as part of the proposals any reduction in the pay of the Indian inspectors and sub-inspectors ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I want notice."

Mr. BASHIR AHMAD SAYEED :—" May I know whether the scheme provides for the creation of any Imperial posts ? "

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

Mr. R. NAGAN GOWDA :—" May I know what the hon. Home Member considers as the living wage for a sergeant ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. K. R. KARANT :—" May I know why these sergeants should be European and not Indians or ex-service men ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" There is no reason why we should not have European sergeants."

Mr. K. R. KARANT :—" Why should they be recruited ? "

[11th October 1928]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We want them for police purposes."

Mr. P. BHAKTAVATSALU NAYUDU:—"Will the Government, after their consideration, place the scheme before the Council, before they arrive at any decisions?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I am sorry it is not possible for me to give an undertaking in that direction."

Mr. S. SATYAMURTI:—"May I know what is the total recurring expenditure involved in the Government accepting the scheme?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have said, the Government have not come to any conclusion."

Mr. S. SATYAMURTI:—"I am not asking for conclusions. I am asking what will be the total expenditure involved if the Government accepts this scheme of Mr. Cunningham?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I want notice."

Mr. A. RANGANATHA MUDALIYAR:—"May I know, Sir, if in calculating the living cost of the officer concerned, his obligations towards his family are also taken into account?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I want notice."

Irrigation

Repairs to the Vadattur Kasam in Tiruvallur taluk.

* 522 Q.—Mr. P. BHAKTAVATSALU NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that by the decision of Second Appeal No. 1584 of 1907 of the High Court of Judicature, Madras, the irrigation source known as Vadattur Kasam, No. 455 of the Public Works Department Imperial list, in Tiruvallur taluk, Chingleput district, is solely in charge of the Government;

(b) if so, whether any repairs were done to this Kasam for the last two decades; and

(c) if not, whether the Government will now be pleased to repair this source?

A.—(a) to (c) A report has been called for from the Chief Engineer.

11-15 a.m. Mr. P. BHAKTAVATSALU NAYUDU:—"Sir, the answer to this question is that a report has been called for from the Chief Engineer. May I know when the report is expected and how long the scheme has been neglected?"

The hon. Sir NORMAN MARJORIBANKS:—"I do not know when it can be expected, Sir."

Mr. P. BHAKTAVATSALU NAYUDU:—"May I know why this important scheme has been neglected so long, Sir, seeing that the courts have decreed long long ago that it is a Government property?"

The hon. Sir NORMAN MARJORIBANKS:—"Without knowing the facts I cannot admit the implications in the hon. Member's question."

[11th October 1928]

Decision of Government on the report of the Chief Engineer for Irrigation.

* 523 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have arrived at any decision on the report from the Chief Engineer for Irrigation on the resolution passed in this Council on 24th January 1928 to appoint a committee to investigate into the schemes of the high flood channel from the Kistna beginning from Mulapadu;

(b) whether a committee has been appointed; if so, what the committee did; and

(c) whether the Government have received any representations that the ryots concerned are prepared to make some contribution towards the cost of the schemes?

A.—(a) & (b) The Chief Engineer submitted a report at the end of July last. The gist of it was that the levels which had been taken showed that the scheme in the form suggested was impracticable, but that it might be possible to evolve some satisfactory scheme if correct gaugings of the flow of the Kistna river above the Bezvada anicut were taken for three years. The Government have issued orders asking the Chief Engineer to apply for a special staff to gauge the river flow at several places. As the gauging season for the present year is nearly over it is proposed to include provision for the cost of this establishment in the next year's budget. Until the gaugings are taken, no definite conclusion is possible.

(c) Yes.

Mr. A. KALESWARA RAO:—"May I know why as yet a committee has not been appointed in pursuance of a resolution of this House?"

The hon. Sir NORMAN MARJORIBANKS:—"The reason has been given in the printed answer, Sir. Further, we want to know whether the scheme is possible from the engineering point of view."

Land Assignment

Assignment of lands to ex-military men in Nellore district.

* 524 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) the number of men recruited from Nellore district for military service during the Great War;

(b) how many of them have applied for a grant of land, either by themselves directly or through their relatives or heirs;

(c) how many of the applicants have been so assigned lands till now;

(d) how many cases are still pending assignment;

(e) the terms on which recruitment was made, especially in respect of the grant of land; and

(f) whether those conditions as to grants of land have been completely and without reservation or differentiation adhered to at the time of assignment of lands; or whether the Government have been changing or modifying the rules from time to time; and if so, in what manner or in what instances?

[11th October 1928]

A.—(a) Two hundred and sixty-nine combatants and 264 non-combatants.

(b), (c) & (d) The following statement gives particulars regarding applications for grant of land (on account of service in the army, in the Nellore district from October 1924 to 30th June 1928 —

Number of applications received ...	...	...	513
Number of assignments made ...	...	...	277
Number of applications rejected ...	...	...	203
Number pending on 30th June 1928 ...	...	...	33

It is not known how many of these applications were from men recruited from Nellore district for military service during the Great War and how many from ex-army men who enlisted before the War or who lived in other districts. Figures relating to applications made prior to October 1924 are not available.

(e) The terms of recruitment provided for the payment of war bonus, certain rates of pay and in the case of sepoys free rations in addition to pay. The grant of land was not one of the terms of recruitment of either combatants or non-combatants nor was it a condition subject to which recruits were enlisted. The Government, however, in 1916 and 1917 issued orders under which men who enlisted whether before or after the outbreak of hostilities in the combatant ranks of the Indian Army were given preference over other applicants under the darkhast rules up to a limit of five acres of wet land or ten acres of dry. Men newly recruited were permitted to put in their darkhast applications immediately on enlistment but the grant was made only after the recruit had served for six months to the satisfaction of his commanding officer. Collectors were authorized to waive the collection of the value of trees on the land up to Rs. 50—a limit which was subsequently raised to Rs. 500.

(f) In May 1919, the war being over, the Government applied the concessions specified above to discharged combatant soldiers provided that application was made within twelve months from the date of discharge and that the applicant's discharge certificate showed that his service had been satisfactory. In August 1920 the Government withdrew these darkhast concessions but directed that military service should be taken into account in deciding rival claims to grants of land under the darkhast rules. In April 1921, the Government directed that officers and men of the Indian Army who actually served in the Great War whether as combatants or non-combatants should be accorded a preference over other applicants in regard to assignment of land on darkhast and accordingly empowered Collectors to authorize the assignment of lands to such persons in preference to other claimants. The concession was to be in force for a period of three years from April 1921, and the preferential claim was limited to a single grant not ordinarily exceeding five acres of wet land or ten acres of dry. The concession sanctioned in April 1921 expired in April 1924. In

[11th October 1928]

October 1924, the Government extended the concessions for a further period of three years from April 1924 but restricted them to officers and men of the Indian Army who were recruited before the armistice to the combatant ranks of the Army. The concession was not continued to non-combatants because the supply of suitable land was limited and because it was considered that non-combatants had less need of special treatment than the fighting men. In order to ensure that the benefit of the concessions was fully availed of by combatants, Collectors were requested to reserve suitable lands as far as possible and to prepare lists of eligible men who had already applied for but had not been granted any land and to deal with them first. In order to watch the progress of assignment, Collectors were required to submit a quarterly return. In April and June 1925, the Government extended the scope of these concessions by empowering Collectors to waive the recovery of subdivision fees and of the value of the trees standing on the land up to a maximum of Rs. 500. Later in the same year the Government authorized the assignment of valuable land including tank-bed land free to ex-soldiers. To provide further facilities for the grant of land, the Government in December 1925 requested Collectors to publish in the District Gazette lists of land available for assignment to combatants, to have copies of the lists hung up in the village chavadi and taluk office and communicated to Honorary correspondents and to require karnams to give the necessary particulars to intending applicants and to render them all possible help. The concessions expired in April 1927. But as it was represented to the Government that there were still many deserving persons to whom land had not been assigned the Government in an order of April 1927—to which wide publicity was given—extended the concession to applications received on or before 30th June 1927. In regard to applications presented after that date, it was directed that officers and men of the Indian Army who actually served as combatants in the Great War should be entitled to preferential consideration in regard to the assignment of land in the village in which they resided unless the applicant had been assigned in that village land amounting to five acres of wet or its equivalent at two acres of dry for one of wet after 14th April 1921 the date on which the concessions were first granted. The preferential claim of such officers or men is to rank immediately after that of a person who has occupied the land and improved it or is holding the trees on the land under the tree-tax system or is using the water of the well on the land for cultivation.

Mr. B. RAMACHANDRA REDDI:—"In the answers to clauses (b), (c) and (d) of this question, it is stated that as many as 203 applications were rejected. May I know on what grounds they were rejected and also the nature of the applications?"

The hon. Sir NORMAN MARJORIBANKS:—"I want notice, Sir."

Land Revenue

[11th October 1928]

Disbursement of subdivision fees for the year 1926-27.

* 525 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

- (a) the total sum collected as subdivision fees for 1926-27;
- (b) the moiety paid to the karnam;
- (c) the balance still due to the karnams at the end of the year; and
- (d) the amount disbursed out of that balance in the year 1927-28 and after respectively?

A.—(a), (b) & (c) The hon. Member is referred to appendix IV to the administration report on the operations connected with survey, settlement and the maintenance of revenue records and registration for the official year 1926-27 which has been placed on the Editors' Table.

- (d) The information has not been compiled in any existing statement or return and would have to be specially gathered.

Mr. A. RANGANATHA MUDALIYAR:—"May I know whether in cases where subdivisions have not been carried the amounts collected are refunded to the parties?"

The hon. Sir NORMAN MARJORIBANKS:—"Notice, Sir."

Disbursement of subdivision fees for 1927-28.

* 526 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

- (a) the total amount collected as subdivision fees for 1927-28;
- (b) the moiety paid to the karnams during the year;
- (c) the balance still due to them at the end of the year; and
- (d) the amount since disbursed out of that balance to the karnams concerned?

A.—(a), (b) & (c) The hon. Member is referred to appendix IV to the administration report on the operations connected with survey, settlement and the maintenance of revenue records and registration for the official year 1927-28, which has been placed on the Editors' Table.

- (d) The Government have not the information. There is no return or account from which it could readily be compiled and so it would have to be specially collected. The hon. Member will doubtless have noticed from paragraph 30 of the report for 1927-28 that the Board of Revenue has issued special instructions to get the arrears disbursed and it is hoped that the report for the current year will show that this has been done.

Mr. R. NAGAN GOWDA:—"May I know whether it is the policy of the Government not to refund, without being requested by the parties, the amounts collected for subdivision work that is not carried out?"

The hon. Sir NORMAN MARJORIBANKS:—"I just asked for notice of a similar question, Sir."

11th October 1928]

Lands resumed in South Kanara owing to the assignee's failure to pay the assessment.

* 527 Q.—Mr. A. B. SHETTY: With reference to the answer to my question No. 109 answered on 4th September 1928, will the hon. the Member for Revenue be pleased to lay on the table of the House the report he has received from South Kanara regarding the lands resumed year after year on account of the assignee's failure to pay the assessment?

A.—The report has not been received.

Minor Irrigation

Berm cutting in Cuddapah district.

* 528 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state, in view of the replies given to question No. 8 on 3rd September 1928 regarding the berm cutting in Cuddapah district—

- (a) whether the reports from the Board of Revenue and the Chief Engineer have been received;
- (b) if so, what they are; and
- (c) what action the Government propose to take on these reports?

A.—(a) to (c) The Board's report has been received and is under the consideration of the Government. The question of placing the report on the Editors' Table will be considered. The Chief Engineer's report has not yet been received.

Action taken regarding kudimaramat in Cumbum and Markapur taluks.

* 529 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

- (a) the villages in the Cumbum and Markapur taluks of the Kurnool district in which action was taken regarding kudimaramat under the Compulsory Labour Act during the years 1927-28 and 1928-29 up to date;
- (b) the works in regard to which such action was taken;
- (c) the total water-rate payable annually upon such works;
- (d) the amount levied in each case for the kudimaramat work; and
- (e) the kind of work executed or proposed to be executed by the Revenue Department?

A.—(a) to (e) The Government regret that there is no register or return from which the particulars asked could be readily posted.

Mr. G. HARISARVOTTAMA RAO:—"May I know whether these details cannot be got?"

The hon. Sir NORMAN MARJORIBANKS:—"It is possible to get them by examining various records. But unless there was some object in doing that, I should hesitate to issue orders for such a laborious enquiry."

Mr. G. HARISARVOTTAMA RAO:—"In view of the fact that I have been very often urging the hardships that the ryots undergo under this particular Act of kudimaramat, may I know if the hon. the Revenue Member will be pleased to get me these figures?"

The hon. Sir NORMAN MARJORIBANKS:—"I will see if it can be compiled without much trouble, and if it could be, I will have it done."

[11th October 1928]

Repairs to Tamarai Madugu tank in Movur village.

* 530 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a sum of Rs. 2,080 was allotted by the Government for repairing the Tamarai Madugu tank in Movur village in the Chingleput district;

(b) whether it is a fact that repairs have been ordered to the extent of the value of only Rs. 850;

(c) whether it is a fact that the Tamarai Madugu tank has to irrigate about 150 acres of lands;

(d) whether the Government have received a memorial from the ryots that the repairs proposed to be made were very inadequate; and

(e) whether the Government will consider the advisability of arranging for sufficient repairs to the tank to the extent of the sum allotted by the Government for the purpose?

A.—(a) & (e) No sum was allotted by the Government.

(b) & (c) The hon. Member's attention is invited to the papers placed on the table in reply to question No. 356.

(d) Yes. The memorial was transferred to the Board of Revenue on 18th May 1928.

Settlement*Enquiries into the economic condition of villages in Godavari and Kistna districts.*

* 531 Q.—Mr. G. HABISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state, in view of replies given to question No. 26 on 3rd September 1928, what instructions were issued by the Special Settlement Officer to the officers under him in regard to making enquiries into the economic conditions of villages in Godavari and Kistna districts?

A.—The Government have called for a report.

Water-rate*Equalizing the penalty for breach irrigation in the case of zamindari jirayati with that of Government jirayati.*

* 532 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in the case of alleged breach irrigation full wet assessment is being charged in the case of a Government jirayati land, whereas for similar irrigation in the case of zamindari jirayati lands or inams only the water-rate of Rs. 5 per acre is being charged; and

(b) if so, whether the Government intend to remove this differential treatment so as to bring down the penalty in the case of the former to the same level as in the case of zamindari, jirayati and inam lands?

A.—(a) & (b) The hon. Member will find set out on page 28 of Volume II of the Board's Standing Order the rules for the levy of water-cess for water irregularly taken for irrigation. No distinction is made between Government and zamindari or inam lands in respect of the enhanced water-rate levied under the rules for irregular irrigation.

[11th October 1928]

Black water irrigation of low-lying lands in East Godavari deltas.

* 533 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state with reference to black water irrigation of low-lying lands before 15th June in East Godavari delta—

(a) whether the concession rates apply to lands lying in low level villages or to low-lying lands in all villages;

(b) whether the Government are aware that uniform interpretation is not being given by all officers in the matter and penalty is being levied promiscuously; and

(c) whether the Government maintain separate lists of villages which are entitled to this concession or separate lists of lands which are entitled to this concession in either case?

A.—The Government have called for a report.

Observance of the rule regarding joint inspection in cases of breach irrigation.

* 534 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether in the case of breach and irregular irrigation, the rules provide for the joint inspection before the levy of penal rate;

(b) whether it is a fact that the rule regarding joint inspection is not being observed in practice; and

(c) whether the Government intend to issue a circular to the effect that the same may be observed in future before levy of penal rate?

A.—(a), (b) & (c) The hon. Member will find the rules on the subject at page 28 of the Board's Standing Orders, Volume II. There is no reference in these rules to joint inspection.

Mr. C. RAMASOMAYAJULU:—"May I know whether it is not a fact that the joint inspection is to be made by the Tahsildar and the Public Works Department officer?"

The hon. Sir NORMAN MARJORIBANKS:—"I find nothing to that effect in the rules, Sir."

Mr. R. NAGAN GOWDA:—"May I know whether the Government make a distinction between water taken purposely by ryots and water that flows of its own accord into the fields?"

The hon. Sir NORMAN MARJORIBANKS:—"Whether the water flows of its own accord or not is a matter of opinion."

Mr. R. NAGAN GOWDA:—"May I know whether the Government are aware that whole ayacuts under certain sluices are sometimes subjected to punishment for the mistake committed by one individual ryot?"

The hon. Sir NORMAN MARJORIBANKS:—"If the hon. Member will give me an example, Sir, we can enquire into the case."

Mr. ABUL HAMID KHAN:—"Sir, in view of the fact that we have 40 minutes more of question time, will you kindly allow us to put a few more supplementary questions on the question regarding the reorganization of the Madras city police?"

[11th October 1928]

II

COMMUNICATIONS TO THE COUNCIL.

The Secretary laid on the table copies of

(1) Return of officers^a under the Government of Madras who held permanent appointments on the 1st April of each of the years 1924, 1925, 1926, 1927 and 1928.

(2) Return of officers^a under the Government of Madras who held temporary, acting or probationary appointments on the 1st April of each of the years 1924, 1925, 1926, 1927 and 1928.

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

III

ANNOUNCEMENT BY THE HON. THE PRESIDENT.

* The hon. the PRESIDENT :—“I have to announce to the House that I have appointed Diwan Bahadur R. N. Arogyaswami Mudaliyar as the Chairman of the Select Committee on Mr. Saldanha's Bill to amend the Madras Abkari Act and the Mover of the Bill (Dr. S. Muthulakshmi Reddi) as the Chairman of the Select Committee on Dr. Muthulakshmi Reddi's Bill to amend the Madras Hindu Religious Endowments Act, 1926.”

IV

THE ANNAMALAI UNIVERSITY BILL.

The hon. Dr. P. SUBBARAYAN :—“Sir, I present the report^b of the Select Committee on the Annamalai University Bill and move that the Bill as amended by the Select Committee be taken into consideration.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“I second it.”

The motion was put and carried.

* The hon. the PRESIDENT :—“I will now put the Bill clause by clause to the vote of the House.

“The question is that clause 1 stand part of the Bill.”

The motion was put and carried, and clause 1 was added to the Bill

Clause 2.

* The hon. Dr. P. SUBBARAYAN :—“Sir, in clause 2, sub-clause (c), for the first paragraph substitute the following :—

“(c) ‘Founder’ means the hon. Diwan Bahadur Sir S. R. M. Annamalai Chettiyar and after him his son, Mr. M. A. Muthiah Chettiyar, and for all time after the lives of the said two persons, in respect of every vacancy, any adult male member chosen by the Chancellor from among the members of the said Sir Annamalai Chettiyar's family consisting of his other sons and his descendants tracing their descent through males, and if no such member exists or if one such exists and he does not consent to act as Founder, or if no such member is competent in the opinion of the Chancellor to act as Founder, then and until such a competent member comes into existence and is willing to act, or one who was not competent becomes competent, an adult male member of the said family chosen by the Chancellor from among the said Sir Annamalai Chettiyar's descendants tracing their descent from him through a female or females.”

^a Printed separately.

^b Printed as Appendix III at pages 480-487 infra.

11th October 1928]

[Dr. P. Subbarayan]

“Mr. President, in the original Bill we had a definition of ‘Founder’ which some hon. Members in the Select Committee thought did not carry out the wishes of the Founder. In the provision in the original Bill, it was intended only to give the power of life-founders to Sir Annamalai Chettiyar and to his son Mr. M. A. Muthiah Chettiyar, and after that the Chancellor's discretion was not intended to be fettered by any such definition as suggested by the Select Committee now. I accepted the Select Committee's decision and the amendment was carried. The amendment I am now proposing carries out the same proposal. But I have been told that it is anomalous to define the term of Founder by means of the definition clause itself. This is provided for in another amendment I am going to suggest under clause 11, sub-clause (1). So, I hope hon. Members will have no objection to accept this amendment.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“I second it.”

* Mr. S. SATYAMURTI :—“With your leave, I beg to move what I consider a purely drafting amendment. I want, Sir, that the provision with regard to the right to become the Founder, which is vested under certain contingencies in the descendants of the Founder through females, shall cease on the availability, the consent, and the appointment of a descendant through the male side by the Chancellor as the Founder, and it should be provided for in this very definition clause of Founder. I see my hon. Friend, the Minister for Education, has referred to this provision being found under section 11 of the Act. Yes. He has made that provision, Sir. I agree that the amendment which my hon. Friend has just now moved, in the place of the definition of the Founder as agreed to by the Select Committee, is important in three respects. First of all, it expressly provides that for all time after the lives of the said two persons the choice of the Founder by the Chancellor shall be confined to the members through male descent of this family. Then, it provides for the other sons of Sir Annamalai Chettiyar being a source from which the possible and eligible appointees may trace their descent to this family. And, thirdly, it also provides for the consent of the person who is to be appointed as Founder being obtained in advance. I agree to all these three points. But I put it to my hon. Friend that, as a matter of mere drafting, it is much better that we provide in this very clause itself which provides for the descent through the female line—it is not as if this particular clause does not refer to the appointment under certain contingencies of descendants through females—the circumstances under which that appointment will *ipso facto* cease.”

“The amendment I am moving, Sir, is this—

‘At the end of the amendment to the first paragraph by the hon. Dr. P. Subbarayan substitute a comma for the full stop and add the following words :—

‘Provided that as soon as any eligible member tracing descent from Sir Annamalai Chettiyar through males becomes available, consents to act and is chosen by the Chancellor, the member chosen from Sir Annamalai Chettiyar's descendants tracing descent through females shall *ipso facto* cease to be ‘Founder’.”

“Sir, I am not advancing any argument in its favour, except saying that it is a mere matter of drafting. I consider that the acceptance of my amendment will make the definition complete and self-contained, and for that reason

[Mr. S. Satyamurti]

[11th October 1928]

only, I am moving this amendment. I may add that the provision for life tenure for this appointee as Founder, I have made by another amendment, to be retained in clause 11. It is inappropriate in a clause in which we define the functions of this office that a part of it should contain provisions for his successor in office."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second the amendment, Sir. After all it is only a verbal change. The Select Committee considered this point and thought that the definition might be full. Accordingly, the Minister has made it quite full as far as the first portion is concerned and all the doubts on that point have been removed. I would request the hon. Minister to accept the latter portion instead of putting it in another place. I think it is better that we try to be as unanimous as possible in these matters and, as there is no question of principle involved, I think it is better to adopt this wording."

1-30 m. * The hon. Dr. P. SUBBARAYAN:—"I have no objection to the amendment suggested by my hon. Friend Mr. Satyamurti; but I think it will be better if the following words were put in instead of Mr. Satyamurti's amendment:—

'Provided that in any case of a person who traces his descent from the said Sir Annamalai Chettiyar through a female or females such person shall hold office only till a member of the said Sir Annamalai Chettiyar's family claiming through males is chosen by the Chancellor.'"

* Mr. S. SATYAMURTI:—"Sir, if the hon. Minister accepts the position that the position for the reverter, as it were, of this office back to the male line the moment a person in that line is available and chosen by the Chancellor is to find a place here, I have no objection to the particular wording. My only difficulty is that I am not able to pronounce upon that wording, that not being available to me. But if however it is going to be retained here, I am agreeable to that amendment seeing that it has been the result of the expert advice of the Advocate-General."

Sriman BISWANATH DAS Mahasaya:—"Sir, I am sorry that Government should have thought it fit to rush through this Bill and at the same time bring in so many amendments at this late stage."

* The hon. the PRESIDENT:—"Does the hon. Member object to the amendment or to the procedure adopted?"

Sriman BISWANATH DAS Mahasaya:—"I oppose the amendment. If at this late hour of the day amendments after amendments come from Government, then what is the Select Committee for? I think that Government ought to have taken note of the changes that they contemplated and moved the amendments duly in the Select Committee itself and voted upon. Without adopting that course, now they want to rush through this Bill and at the same time bring in a number of amendments. We must frankly confess that we have not been able to give our due attention to the various provisions of the Bill and how far then amendments fit in to bring out the expressions of this House. It is therefore in the justness of things that I urge that the provisions in the Bill as decided upon by the Select Committee may be retained and if necessary an amending Bill may be brought forward after the measure has been tried for sometime. With these remarks, I oppose the amendment of the Government."

[11th October 1928]

Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, as one who took an active part in the proceedings of the Select Committee I should say that the idea in the definition of the word 'Founder' in the Bill as it emerged from the Select Committee has not been in the least altered by the amendment which is now proposed by the hon. Minister. If there is any change in the idea, certainly hon. Members, like the hon. Member from Ganjam, have a right to complain. But the idea is retained and it is only a question of putting it in a clearer form as the hon. Member for the University has pointed out. I should therefore submit that to oppose it on the ground that the Bill is being rushed through is unjustifiable."

Mr. S. SATYAMURTI:—"I beg leave of the House to withdraw my amendment."

The amendment was by leave withdrawn.

* The hon. Dr. P. SUBBARAYAN:—"I now move that the following words be added to the amendment already moved by me:—

'Provided that in any case of a person who traces his descent from the said Sir Annamalai Chettiyar through a female or females such person shall hold office only till a member of the said Sir Annamalai Chettiyar's family claiming through males is chosen by the Chancellor.'"

Rao Bahadur C. V. ANANTAKRISHNA AYYAR:—"I second it."

* The hon. the PRESIDENT:—"The amendment is for the discussion of the House."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, I have no desire to obstruct in any manner the passing of this Bill. I have the greatest regard for the munificence of Sir Annamalai Chettiyar, but before a definition of the word 'Founder' is accepted by the House, I should like to have some information from the hon. the Chief Minister. In the preamble of the Bill we are told that a sum of Rs. 20 lakhs has been."

* The hon. the PRESIDENT:—"The hon. Member will be in order in discussing the merits of the clause after the amendment is disposed of and when the clause is for the consideration of the House. The only question now for the consideration of the House is the amendment of the hon. Minister and I shall give an opportunity to the hon. Member to discuss the merits of the clause."

"I take it that the House is ready for a vote on the amendment of the hon. the Chief Minister as further amended by him."

The amendment with the further amendment of the hon. the Chief Minister to paragraph 1 of sub-clause (c) was put and carried.

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I move that in the second paragraph of sub-clause (c), in line three after the word, 'family' the word 'and' be inserted, and that in line eight for the words, 'and his descendants tracing descent from him' the words 'and those tracing descent from the said Ramanathan Chettiyar' be substituted."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put to the House and carried.

* The hon. the PRESIDENT:—"Clause 2 as amended is for the discussion of the House."

[11th October 1928]

* Mr. G. HARISARVOTTAMA RAO :—" Sir, I have no desire to stand in the way of this Bill passing into law, nor have I any desire to question the rights that this Bill desires to give to the Founder. But before I give my consent to this particular clause I desire to know how exactly matters stand, so that we may be informed before we go on with this particular Bill. It has been said that Sir Annamalai Chettiyar, has agreed with the Local Government to hand over certain institutions together with all the properties and further to give a sum of Rs. 20 lakhs. I want to know exactly if the Rs. 20 lakhs have been paid to the Government and also whether the properties spoken of in this clause have been valued and if they have been valued I should like also to have a detailed estimate that must have been prepared for the Government."

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, with regard to the first question put by my hon. Friend from Kurnool, I may tell the House now that Sir Annamalai Chettiyar, has invested Rs. 20 lakhs in the latest Government of India loan and has handed over the security to the Secretary to Government in the Law Department. It will afterwards be handed over to the person who will be entitled to manage the securities on behalf of the University. With regard to the valuation of the buildings, etc., no valuation has been made for this purpose; but I can tell my hon. Friend that roughly these properties, including the Government grants that have been given for the purpose of the buildings, etc., of the Sri Minakshi College, Chidambaram, would amount, taking their face valuation, to 12 or 15 lakhs of rupees."

* Mr. T. C. SRINIVASA AYYANGAR :—" Mr. President, Sir, I am very sorry that a non-official Member from this side of the House should put a question that raises unpleasant questions. I am glad in one way that my hon. Friend raised it. For we have not only this munificent donation of Rs. 20 lakhs and of the properties worth about Rs. 15 lakhs in the buildings and the equipment of the Sri Minakshi College, but we have also got a High School at Chidambaram with buildings, equipment and an endowment which will serve as a feeder to this University. The buildings, etc., of the school are worth about Rs. 5 lakhs. His elder brother has by a very large donation helped to provide water-supply to the town. I do not want to mention the various other members of the family who have given large sums of money for establishing various institutions in the town and for the renovation of the sacred edifices of the place. They have spent tens of lakhs. They have also established in their own place in Ramnad district hospitals equipped on modern lines. There are also many other munificent endowments. The Madras University Act made a provision to attract private munificence and the only person who has till now become a life member by making a large endowment to the University is the hon. Sir Annamalai Chettiyar."

* Mr. G. HARISARVOTTAMA RAO :—" I raised no objection to it. I merely put that question to get information so that the public may be assured. I do not understand why the hon. Member should refer to hospitals in Ramnad and other instances."

* The hon. the PRESIDENT :—" The hon. Member does not object to the definition of 'Founder' finding a place in the Bill! Therefore I now put the clause as amended to the vote of the House."

The clause as amended was put, passed and added to the Bill.

[11th October 1928]

Clause 3.

* The hon. the PRESIDENT :—" Clause 3 is for the consideration of the House."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Mr. President, Sir, I move—
'that in sub-clause (a) (i), after the word 'technology' the word 'commerce' be inserted.'

"This is a very small amendment and I hope the Government will accept it. It is not even necessary to provide for this faculty at once. But let it be put as one of the objects of the university. This university is in a large measure due to the munificence of the great Nagarathar gentleman who is one of the members of that community who owe their wealth chiefly to commerce. I therefore urge that commerce must be one of the subjects which the University should encourage when funds are available."

Mr. J. A. SALDANHA :—" I second it."

* The hon. Dr. P. SUBBARAYAN :—" I am very sorry to have to oppose the amendment. We must consider the circumstances that exist in a particular place before we try to widen the definition as my hon. Friend seeks to do. Commerce is a subject which has to be learnt practically, and there must be a place where students taking their degrees in commerce could go and apprentice themselves and learn practically the business of commerce."

"Chidambaram is not exactly the place which is well-noted for commercial activities or for the existence of big commercial houses. (Mr. C. V. Venkata-¹¹⁻⁴⁵
ramana Ayyangar : 'Make it one.') My hon. Friend shouts 'make it one.'
a.m.
Things are not made simply because you define them in the Act or legislation. Things are made according as the locality is suited for the purposes for which people want to settle down there. Under these circumstances, I do not think it is necessary to introduce this word in this Act at all. I oppose the amendment."

* Mr. G. HARISARVOTTAMA RAO :—" Sir, I am really surprised at the arguments of the hon. the Chief Minister. I do not know what claim can be made on behalf of Chidambaram for its suitability to teach technology. If Chidambaram is suitable for the study of technological subjects, I am sure it must be equally suitable for the study of commerce. When we are founding a University, there is nothing particularly harmful in having the objects as wide as we may wish, for this simple reason; if circumstances arise when commerce may be introduced into the University and when it may be taught, there must be room enough for that in the Act for imparting education in that particular branch of learning. I do not see how there can be any objection to that coming under the purposes of the University. The purposes may not be carried out just immediately or even in the near future, say in five years or ten years. But, if there should come a time when they can be carried out suitably, I do not know why the University should be precluded from imparting instruction in a particular branch of education. I therefore feel it my duty to support the amendment moved by my hon. Friend from Coimbatore."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, may I appeal to my hon. Friend not to press this amendment? My reasons are these: assuming for one moment that you do want this University to make provision for higher teaching and research in commerce also, I put it to him and those who think with him that the wording of section 3 (a), sub-clause (i), does not prohibit the

[Mr. S. Satyamurti]

[11th October 1928]

inclusion of commerce as a branch of learning when the University may think fit to introduce it, because the wording is 'to provide for instruction in such branches of learning as the University may think fit including professional studies and technology.' It is open to the authorities of the University as and when they think that there are facilities for including commerce as one of the branches of learning to have that subject taught. It is not expressly mentioned here, I take it, because this Bill does not concede that, at the present moment; yet it is possible to institute higher learning and research in commerce.

"Moreover, Sir, if you look at the preamble of this Act, you will find that the object of the University is to encourage higher education and research in the Tamil districts of the Presidency of Madras. While I am for spreading the elementary, secondary and even collegiate knowledge of commerce in our Tamil districts, I do not think it will be argued for a moment that either the elementary, or secondary or collegiate education in commerce has already so far advanced as to demand that a teaching and residential University—and that almost in the very first instance—should provide for higher education and research in commerce. It seems to me, Sir, that it should be left more to the federal and affiliated Universities or to the colleges and schools to provide for the earlier courses of education in commerce before we venture on the somewhat ambitious project—if I may so venture to call it—of insisting on a teaching and residential University instituting courses of study in higher teaching and research in commerce.

"Moreover, Sir, we have to remember that at present in Chidambaram higher studies are being imparted in English, Tamil and Sanskrit subjects. Let the University concentrate itself upon higher education, study and research in those subjects and then it will be time enough to take up commerce. (A voice: 'Why technology?') I am asked 'why technology.' I entirely agree with my hon. Friend that even that is superfluous to me. I hope I am not giving out the secrets of the Select Committee. I was not for the inclusion of that word in the Select Committee. But the hon. the Chief Minister, I take it, for the sake of peace agreed to the inclusion of the word 'technology'. But may I appeal to my hon. Friends that one mistake never did nor will justify another? If the inclusion of 'technology' is a mistake, since there is no amendment to omit it, let us allow sleeping dogs lie. Why add to the mistake by including 'commerce' again, unless we want to have a satisfaction that we have rendered and discharged our duties by the commercial development of our country by compelling the hon. the Minister or the University to include the word 'commerce' in the Chidambaram University Act? I yield to none in my desire to promote the commercial prosperity of my country. But I am yet to learn, Sir, that, without removing all those great shackles which are now lying heavily on our commercial development, by merely inserting the word 'commerce' in the Chidambaram University Act, we are going to promote it. I do hope therefore that those who feel very keenly that the commercial development of this country should be promoted, will see that it is not necessary to cumber this Act with a provision for higher teaching and research in commerce, and will be content with the inclusion of the word 'technology' whatever it may or may not mean. I am yet to know the comprehensive definition of the word 'technology' excepting that it connotes to most of us, according to mere acquaintance, any subject from shorthand, typewriting to commercial navigation or commercial geography or the

[11th October 1928]

[Mr. S. Satyamurti]

manufacture of great steam engines or aeroplanes. I do not know what exactly that word means in this Act, but whatever it does mean or does not mean, I beg of my hon. Friends not to insist upon the inclusion of the word 'commerce' and thus obscure the real object for which this University is being created, viz., the promotion of higher education and research of a literary kind in English, Tamil and Sanskrit subjects which, I think, is the real object with which this University ought to be welcomed."

* Mr. C. GOPALA MENON:—"Sir, I am somewhat pleased to hear the hon. the Member for the University saying that there is ample provision in the Act for imparting teaching in commerce and industry. But, we, exponents of teaching modern methods of higher commercial education, would like to make that implication definite and express. I think it is in Madras that the question of teaching higher education in commerce is being treated with step-motherly aloofness. It is the practice now in all the Indian and foreign Universities to promote instruction in higher commercial education. I do not see any reason why the subject of commerce and industry should not be included as a subject fit for the creation of a faculty in commerce in the Annamalai University."

Mr. R. NAGAN GOWDA:—"Mr. President, Sir, I rise to support the amendment moved by my hon. Friend from Coimbatore. At the time of the introduction of this Bill, objection was raised that there were already a large number of colleges teaching arts and sciences. Some hon. Members wanted that provision should be made for commercial education. It is a surprise to me to be told by the hon. Member for the University that he wants this University to be purely an institution for research and higher learning in arts, oriental languages and English. I am now glad that this amendment has been brought forward by my hon. Friend from Coimbatore. While we are willing to teach 'technology', I do not see why commerce could not be taught. I think the objection put forward by the hon. the Chief Minister that Chidambaram is not a commercial centre and that it is not a convenient place for 'commerce' being taught is not a satisfactory one. I think it can be taught in a place which is not a commercial centre. I think that for apprenticeship the students may easily go to a place which is suitable. I support the amendment brought forward by Mr. Venkataramana Ayyangar."

Mr. J. A. SALDANHA:—"Mr. President, Sir, I strongly support my hon. Friend Mr. Venkataramana Ayyangar . . ."

* The hon. the PRESIDENT:—"Did not the hon. Member second the motion of Mr. Venkataramana Ayyangar? (Laughter) I do not think the hon. Member can speak again."

* Rajkumar S. N. DORAI RAJA:—"Sir, I rise to oppose the amendment of my hon. Friend, Mr. Venkataramana Ayyangar. I quite agree that ornamental and academic type of education is overdone and commercial bias should be given to the three grades of education—primary, secondary and university. I also agree that education that does not enable a man to earn a square meal a day is not worth having. Commercial education ought to be taught in schools first. I dare say it need not be taught in a unitary type of university as the Annamalai University, and we should build from the bottom and not from the top. Even if 'technology' has been included by mistake,

[Mr. S. N. Dorai Raja]

[11th October 1928]

it is no good making two mistakes by including 'commerce and industry' also. For these reasons, I oppose the amendment."

* Mr. K. V. R. SWAMI :—" Mr. President, Sir, I am surprised at the speech of the hon. Member for the University. I never thought that my hon. Friend was anxious to produce more pandits. We are suffering from having a large number of pandits in this country. The only thing we want in this University or any other University is special technological and commercial education. If we want to satisfy ourselves by producing pandits, it will do us no good. I never thought my hon. Friend, the Member for the University was capable of making a bureaucratic speech. Perhaps coming events cast their shadows before. I thought he was good only as a critic. I never thought that he was an expert in making bureaucratic speeches. He says that the word 'technology' also is superfluous and that it may be taken out. The hon. Member said that professional studies included technology also and asked why technology had been included there. It was because many hon. Members were against this Bill if 'technology' was not included. One particular friend of mine told me that we should oppose this Bill because it did not do any good except producing more pandits. It was stated that this University did not provide for technological courses worth mentioning; in order to satisfy those hon. Members, the word 'technology' was introduced. I should be glad if 'commerce' also is introduced here because, if not now, at a future time some courses in commerce may be introduced."

"The argument of the hon. the Chief Minister that Chidambaram is not a proper place for the study of commerce cannot be very much appreciated. When such courses are given in certain universities, if the students cannot be given practical training there, they are sent to places where such training is available. That is not an obstacle at all in the way. We were asked why we should take particular care to see that 'technology and commerce' are provided for. My hon. Friend, Mr. Satyamurti, said that we were not very much advanced in this branch of science (commerce) at all. It is only on account of that fact we are suffering now. It is true that there are other shackles that should be removed. If we want to advance, we should not wait till those shackles are removed. They may be removed any moment, but this knowledge cannot be acquired in a minute. Therefore, Sir, I support the amendment, and I also beg the hon. Members of this House through you, Sir, to support it as it is a very important amendment. This munificence is due, we may remember, to the results of commerce, and we should really support this amendment if we are to pay any regard to the particular subject which has enabled Sir Annamalai Chettiyar to make such an endowment."

* Sriman BISWANATH DAS Mahasaya :—" Mr. President, Sir, it is certainly painful to differ very much from my hon. Friend, Mr. Satyamurti, the Member for the University; but I am sorry I could not follow him or his logic. We have already got here 'technology'. According to him, technology includes commerce. I do not know if 'professional studies' does not include technology and commerce. What is the harm in specifying that which, according to him, is included there? Sir, many of us were doubtful, when the Government wanted to rush through this Annamalai University Bill, as to the utility of such a University when the Madras University is already giving a lot of its time and money to the development of Tamil culture and literature. In the Calcutta University you have got the Science Academy;

12
noon.

11th October 1928] [Sriman Biswanath Das Mahasaya]

and a lot of time and a lot of funds, both from munificent private donors and from Government and the University are set apart for research work in science and for the advancement of science and technological study. We very much expected that Government having committed themselves to an expenditure of Rs. 20 lakhs and with future commitments—no one knows what they will be—would think of devoting a good portion of the amount available for the development of science and technical studies, in which this province is very much lacking. Without paying any consideration to that aspect of the question, my hon. Friend now comes forward and fights even against the inclusion of commerce. After all, all the subjects may or may not be taken up by the University, as that will depend upon funds available. We are now starting a University with only about Rs. 60 lakhs of which only Rs. 40 lakhs is ready money. I do not know how the normal expenditure of the University could be met out of the interest on this amount. The Hindu University was started at a cost of about a crore of rupees, and after working for a few years, we see that appeals were being made for another Rs. 25 lakhs. My Friend, the hon. the Minister for Education, wants to have a University live on the corpus of a sum of Rs. 40 lakhs. Well, I will wait and see how it will meet its normal expenditure without further commitments on the part of the Government, besides its recurring grant of Rs. 1½ lakhs. And if you are really going to make further commitments, I do not see any reason why technology and commerce should not be given their due place in the University. This is a University started mainly through the munificence of Sir Annamalai Chettiyar, a merchant prince. I should think that is the very reason why commerce and industrial education should be given an important place in a University with which his name is to be associated. For all these reasons, I strongly support the motion of my Friend, Mr. Venkataramana Ayyangar, and I request the hon. Members of this House to support it."

Mr. RAMANATH GOENKA :—" Mr. President, Sir, I stand here to support the motion of my Friend Mr. Venkataramana Ayyangar. I am surprised to see Mr. Satyamurti opposing this amendment and the hon. the Minister for Education also opposing it. Sir, we are told that there is a lot of unemployment in the Presidency, that the cry of unemployment is everywhere and that graduates are going from door to door and offering themselves for employment on Rs. 30 or Rs. 40. But if you want a B.Com. or an I.Com. in Madras, you cannot get one even for Rs. 250 or Rs. 300. If there is any necessity for giving education at all, it is only in respect of giving education in commerce and industry and not giving mere academical education. As a matter of fact, it would have been more appropriate for a business man like Sir Annamalai Chettiyar to start a University where commercial and industrial subjects alone would be taught; but as he has not thought it proper to do so, there is no harm in including commerce and industry now, on which I suppose the life and death of India mostly depends. Mr. President, I do not expect any of the Members of this hon. House to oppose this motion if he has any regard for safeguarding the interests of India. Commerce and industry are the only two things on which India can prosper, and it is not in imparting mere academical education that the growth of India lies. If we go into the history of India, we will see that the British Government who are now here as a Government, came here in the first instance, only as commercial people and not as a Government. If there is anything most needed in India at the present day, it is in my opinion a sound education in commerce and industry."

[Mr. Ramanath Goenka]

[11th October 1928]

Hence, Sir, I support the motion of Mr. Venkataramana Ayyangar and oppose the views expressed by Mr. Satyamurti with all the emphasis I can command."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I now move that the question be put."

* Mr. W. O. WRIGHT :—" Sir, I do not like the idea of the hon. Member for the University visualizing the establishment of a Faculty of Commerce in the new University, imparting education in such elementary subjects as commercial geography or shorthand and typewriting. But I do think it is absolutely necessary to initiate a faculty of commerce, so as to enable the University to impart education in such advanced subjects as economics, currency, exchange, commercial practice, etc., which will equip the students of this faculty with knowledge of the higher branches of commerce and fit them to become captains of industry; for knowledge of these subjects are essential for the organization of great industries and management of large commercial undertakings. I therefore support the amendment moved by Mr. Venkataramana Ayyangar."

* Mr. L. K. TULASIRAM :—" Mr. President, Sir, my hon. Friend, the Member for the University, will forgive me if I oppose him on this point. The University is founded by a commercial magnate and we expect all the other Nagarathars, the Sourastras, the Nadars and all the other commercial communities to contribute their mite to this University. If the word 'commerce' is not to be included, I do not want to have a University at all. We must have a University which will be really useful to all the people. The only difficulty with the Madras University is that it has shut out a lot of people who are prepared to take up commercial subjects, and that is the reason why we now see graduates going from door to door ready to be employed at Rs. 15 and Rs. 20. On the other hand, Sir, if the gentlemen who are administering the University of Madras have only included commerce, I am sure they would have taken one of the most important steps to raise the value of the graduates. We have now a plethora of Sanskrit and Tamil scholars and their pay is very poor. If we advertise to-day for a pandit's post in the University, you will see that we get hundreds of applications. But what is the rare commodity we want? We want people engaged in commerce, to improve our industries. We want captains of industries. I therefore think the hon. Members of this House will vote unanimously in favour of the amendment of my hon. Friend from Coimbatore."

* The hon. Mr. T. E. MOIR :—" Mr. President, Sir, I propose in this matter to give my vote in support of the hon. the Chief Minister; but may I say that I propose to do so, not with reference to any convention as to the relations between the Reserved half of the Government and the Transferred? It seems to me that there is a misapprehension which found its origin in the speech of the hon. Member for Coimbatore when he moved his amendment, i.e., to include the word 'commerce' and that some of the speakers in support of it thought that they would thereby ensure the foundation of a faculty of commerce in the Annamalai University."

Mr. C. V. VENKATARAMANA AYYANGAR :—" As a matter of personal explanation, Sir. That is exactly where the hon. the Finance Member is making a mistake. The two things are quite different, and I have given

[11th October 1928] [Mr. C. V. Venkataramana Ayyangar]

amendments in regard to both. The carrying of this amendment does not imply the establishment of a faculty of commerce in the University. There are clear distinctions."

* The hon. the PRESIDENT :—" I do not think that constitutes a personal explanation at all."

* The hon. Mr. T. E. MOIR :—" May I say, Sir, that I only said that the idea found its origin in the speech of the hon. Member for Coimbatore? I did not say that he held that view but it does seem to me that the impression has grown that if you insert this word 'commerce' you will thereby ensure the foundation of a Faculty of Commerce in the Annamalai University. And there I entirely agree with the hon. Member for the University that there is a misapprehension. (Laughter.) I wish I could agree with him oftener—and may I say it is in his speeches on matters educational that I listen to him with the greatest pleasure? I think he is entirely right in saying that the whole matter has arisen out of—and I quite agree with him there also—the unfortunate inclusion of 'professional studies' and 'technology' in the definition of those subjects to which the university may direct its attention. Where is the necessity to include 'professional studies' I ask? We have several professional colleges in various localities, and I take it that the study of law also comes under 'professional studies.' Is that to be excluded from being one of the branches of learning? I always understood that the study of law was a branch of learning and that those who follow it regard it as the greatest branch of learning. But having made this mistake of including 'professional studies,' why should we stop with the inclusion of 'commerce'? Why not 'aviation' if you will, or anything else? But we are here dealing with what seems to me to be a question involving the real scope and origin of this University. It has, as we all know, arisen out of the benevolence of Sir Annamalai Chettiyar; but its origin does not derive from this Bill; it has its foundation in the existing institution at Chidambaram which Sir Annamalai Chettiyar promoted with reference to certain well-defined aims which are stated in the preamble to this Bill. The main object was to impart education in English, Tamil and Sanskrit studies, that is to say, in what are called the Humanities. Now the whole point amounts to this: when this College at Chidambaram and this University have been founded with this intention by the Founder, should that by the insertion of certain words in the Act be converted into a scientific University, a University the main purpose of which will be the development, not of the humanities, but of scientific and professional subjects? Well, no doubt that is one possible course; but is it in consonance with the ideas of the Founder of this University? As I have said, the mere insertion of the word 'commerce' will not in the least produce the effect which hon. Members desire, any more than the insertion of the word 'aviation' would result in aviation being one of the subjects to which this University will devote its special attention. But, it seems to me that it will in a manner indicate a conflict of opinion between this House and the Founder of the University to be. Of course this clause expressly lays down, 'for instruction in such branches of learning as the University may think fit'; and I think it would be unfortunate if in the passage of this Bill through this House an indication were to be given to the future University that this House differed from the views and intentions of the Founder of this University and wished in this indirect manner to give to the future University authorities a sort of indication that

12-15
p.m.

[Mr. T. E. Moir]

[11th October 1928]

it had, so far as it lay in its power, to go contrary to the wishes and intentions of the Founder. I yield to no one in my desire to see commerce and industry prosper in this country, and I am convinced that the necessary corollary of that is the development of the higher studies on all matters that affect commerce and industry. Sometimes, I think, there is perhaps too little known of political science and political economy of this country. There is however certain provision in the existing Madras University for the study of such valuable subjects in all their bearings on commerce and industry, and I should be very glad indeed to see the study of allied subjects which have an abstract or even a more concrete bearing on commerce and industry fostered. But, I think, it would be a great pity if at the outset of our discussions on this Bill we were, in this matter, to indicate that the views of this House and the views of those who are responsible for bringing forward the proposal for the foundation of this University, were antagonistic. The insertion of this amendment will have no effect and confer no benefit on commerce, but it will, I fear, have an unfortunate effect which I myself would very much deprecate and deplore."

MR. A. KALESWARA RAO :—"Mr. President, I shall be very sorry if the best of the Universities, that is being founded now with the munificence of a merchant prince, will only be intended to produce pandits in Tamil. Of course, in the preamble it is stated 'for the encouragement of higher education and research,' but it does not restrict to education of a literary type and to research only in Tamil and Sanskrit languages. Though I believe in the importance of vernaculars for the future democracy of our country, we should have learning in colleges to educate people for the good of our future generations. There is no use of producing merely literary men who cannot earn their livelihood and become self-respecting citizens. Particularly, when such a large and grand gift, probably the largest gift that India has seen in the field of education and especially when such a thing is coming from a commercial and banking house of the reputation of Sir Annamalai's family, why that university, I cannot understand. Even in the Minakshi College which he has opened and which he is managing, there is science in the Secondary and Intermediate and B.A. classes. Of course, that science can be developed in its higher aspects of research. So, applied science and commerce and industry should not be excluded. I therefore think that it would be a pity if these subjects are excluded from this university."

* MR. BASHEER AHMAD SAYEED SAHIB :—"Mr. President, Sir, in regard to what the hon. Mr. Moir has said and what the Minister has also indicated, I should like to lay a few facts before this House. If there are really going to be no technological studies in the new University, then this 20 or 27 lakhs of rupees that are going to be proposed to be paid by the Government from out of the public treasury, will be a criminal waste (hear, hear). Neither the Government, nor the Minister, nor the Finance Member, has made out a case for a new University of the type they want to start at Chidambaram. If the benevolent gentleman who comes forward with 20 lakhs is anxious to have a college of Sanskrit or a college of Oriental studies, let him have it with his 20 lakhs, or 30 or 40 lakhs which he has at his disposal. Why should the Government go to his aid and pay 27 lakhs or 30 lakhs with a recurring grant of 1½ lakhs for the increase of which there is still some agitation. Mr. President, I am convinced that the University of Madras is more than enough to cater to the

[11th October 1928]

[Mr. Basheer Ahmad Sayeed]

so-called educational needs of the Presidency. It has produced and has from year to year been producing a large number of graduates who have not contributed to the industrial or economic development of this country; nor are they capable of doing so. There is no doubt that a large number of graduates in Arts in all branches have been produced, but the university as such has not contributed to the well-being and the industrial growth of the country. The cry all round is that we should develop in the economic, industrial and in the higher scientific researches and also in the establishment of new mechanical and other centres of industry. I should submit that after some agitation the Engineering College at Madras was established a few years ago and it was hoped at the time that it would really cater to the needs of mechanical and engineering departments. But, unfortunately, the Engineering College at Madras, as is also the case with such colleges in other big centres in the country, has never produced really mechanical engineers, but has produced only men to be employed in the Public Works Department. Apart from the Public Works Department, the graduates in engineering produced by the Engineering colleges have had no opening. So also the great school at Bombay, to which our students are sent from year to year, the Victoria Technical Institute, has proved in the eyes of many experts to be a failure, owing to the fact that no higher chemistry is taught there. That being the case, Mr. President, I do not see, why the Government should come forward to establish another university with no benefit to the well-being of the country except producing some pandits in Tamil and Sanskrit. Mr. President, if the Government is going to give 27 or 30 lakhs with a recurring grant, they must be able to show what will be the benefit of these 27 lakhs which they are going to spend from out of the public treasury. No doubt the Minister has been saying that there is immense benefit in the shape of a unitary and residential university. Is the Government going to waste its funds in merely creating a residential and unitary university which is going to confine itself to teaching the humanities? If that is going to be the case, Mr. President, I will oppose the whole Bill. If the Government is going to make, if not to-day, on some future occasion, ample provision for the establishment of technological studies and also for the faculties of Industry and Commerce, there is absolutely no use for this university. Let Sir Annamalai start and make that University a university of his own for Sanskrit, Tamil and for the teaching of English. Mr. President, in these days, it has become an acknowledged fact which no one can deny, that our children, have begun to look upon the avocations of their fathers with contempt. They do not go back to agriculture, they do not go back to trade, they do not go back to commerce, they do not go back to industries, because there are no openings and also the present system of education that is taught to our boys and girls creates a sort of distaste, disrespect and disregard to the avocations of their parents. Are we going to promote this sort of temperament and ideas in the minds of the children that are going to be sent to the schools? There is no attempt at changing either the policy of the Government in this Presidency, nor is there any attempt at changing the present system of education that is being imparted. For these reasons, Mr. President, I strongly support the motion of Mr. Venkataramana Ayyangar."

* DIWAN BAHADUR R. N. AROGYASWAMI MUDALIYAR :—"Mr. President, Sir, I wish only to make one remark with reference to the remarks made by the hon. the Finance Member. I met Sir Annamalai Chettiyar and I found

[Mr. R. N. Arogyaswami Mudaliyar] [11th October 1928]

that he himself has no objection to the inclusion of technology and commerce. But there is a feeling in the country that we do not want very much further development of academic education, but rather that we should develop technology and commerce. He said he had not the least objection if the House thinks necessary to have this. I have therefore much pleasure in supporting the amendment of Mr. Venkataramana Ayyangar."

Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, in spite of the great vehemence with which many hon. Friends have said in favour of commerce, I feel that I am still unconvinced about the necessity for its inclusion. If my hon. Friends after reading through the Bill cannot find out that the real object of the Founder of the University is mainly intended for developing and fostering the humanities, I am surprised. Moreover, in spite of the fact that there is no impediment, if there is no need for the encouragement of commerce, both from the wording of this sub-clause (1) and in a further clause 19, it will be found that there is no necessity at all for the inclusion of the word 'commerce.' None of my hon. Friends, I think, is of the opinion that knowledge in commerce is no learning, and if they mean to say that all sorts of learning, professional and technological, should be included, there is a greater difficulty of finding out the importance of the University. The wording of the clause is 'including professional studies and technology.' Since the two subjects are included, why not include commerce? There may also be many more subjects which in the opinion of many hon. Members are more essential for the real development of the country. On that score, I see no reason why commerce also should be included here. Anyhow, taking the intention of the Founder and considering the object of the Bill, the inclusion of commerce is, I believe, quite at variance. I have no complaint with my hon. Friends if they think that there is no necessity for such a university as it is intended both by the Founder and the Government, and if they think that the investment of so much of public funds on such a university in the present condition of the country is not justified. All that they should do is to oppose the starting of such a university and not to try to include the word 'commerce' here and be satisfied with it. From the intentions of the Bill I clearly see, whether we include the word or not, this university is not going to be either a technological or a commercial or a professional university. Even if the word 'commerce' is included, it will not in any way help the development of commercial education in this country, and I entirely agree with my hon. Friend, Mr. Satyamurti, in saying that it is quite unnecessary; and I oppose the amendment of Mr. Venkataramana Ayyangar."

12-30
p.m.

* Mr. V. I. MUNISWAMI PILLAI :—" Mr. President, Sir, much has been said in favour of the amendment proposed by my hon. Friend, Mr. Venkataramana Ayyangar, and I do not want to detain the House long. Sir, in these days of economic distress when we see that every community is struggling for existence, I think it is in the fitness of things that commerce must find a place in the university which is going to be started and is going to become an accomplished fact, within the next few days. Sir, commerce, as has been said by some of my hon. Friends, goes a long way to improve the economic condition of the people, and I think it is high time that we also should have it taught in a university of this nature. So, I strongly support the amendment."

11th October 1928]

Mr. P. ANJANEYULU :—" Mr. President, Sir, I am glad that after all I have been able to catch your eye. I submit that we have been halting in this section far too long. Those that opposed the amendment of my hon. Friend, Mr. Venkataramana Ayyangar, have so far adduced only two reasons, that Sir Annamalai Chettiyar never intends and does not mean to help commerce in this university, and that it would be a bad indication that this House should introduce this amendment in the University Act, that is going to be. These are the two reasons which are emphasized, specially by the hon. the Finance Member."

* The hon. Mr. T. E. MOIR :—" On a point of personal explanation, Sir. I never said that Sir Annamalai Chettiyar was opposed to the introduction of these subjects. I place no boundary to the extent to which a university can carry on the pursuit or the advancement of knowledge. I was dealing with the Bill as the initiation of a new university and asking the House not to depart from the lines on which, as appears from the provisions of the Bill, that university has been initiated. As I have said, I place no bounds to the sphere of learning or the extent and number of subjects for which in due course this university may provide in the future."

Mr. P. ANJANEYULU :—" I thank my hon. Friend, the Finance Member, for the explanation he has given, and I am glad that he placed no bounds on the immense possibilities which the university can achieve. And if this university is only or mainly to be a university of the sort it is intended to be in the words of the hon. the Finance Member, then, Sir, all of us who have to vote on this will pause before we do so. We thought that Sir Annamalai Chettiyar who is the outcome of commerce . . ."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is repeating the arguments already advanced."

Mr. P. ANJANEYULU :—" No, Sir, I am not repeating. I won't traverse the ground that has been traversed already by other members. If the Founder is not unwilling and if the scope of this University Bill is merely for teaching humanities, or humanitarian subjects, then we shall pause before we vote on the point whether such a university is really required or not. On the other hand, Sir, this section gives the purposes and powers of the university, so that if the university should think fit, it may impart instruction in such branches of learning as it may think fit including professional studies and technology. There are other friends who in opposing the amendment of Mr. Venkataramana Ayyangar suggested that technological or professional studies, either or both, may include commerce also. In that case, by the inclusion of the word 'commerce,' we lose nothing. We are not going all at once to have a faculty of commerce. On the other hand, this is what I may call an enabling clause, defining the purposes of the university and giving powers to the university that is to be brought into being, one of such powers being that it may constitute a faculty of commerce also. The whole country and most of the hon. Members of this House are inclined to have studies in commerce and technology more than in arts and sciences. Such being the case, I would appeal to hon. Members that they may allow this after all harmless amendment to go forward and not to tarry long on this as the framers are anxious that it should be passed ere long."

[11th October 1928]

MR. K. KOTI REDDI:—"Mr. President, Sir, I feel that the House has spent a good deal of time on this more or less innocuous amendment which could have been easily allowed to have been passed. But, Sir, it really gives us an opportunity of finding out what really is the aim of the Founders in founding this university which is encouraged by the Government. It has to a certain extent justified the misgivings of some of us who thought that Sir Annamalai Chettiyar would have been to a certain extent better advised if he had directed this munificence of his in founding a purely technological and commercial institution. However, I am not one of those who complain that there is no necessity for founding a university of this kind. Sir, as the preamble clearly says, the main object of this Bill is to found a teaching and residential university. So far as that system is concerned, it is altogether distinct from the present Madras University, and if this experiment of a purely teaching and residential university is to be tried, I do not see why this House should not give an opportunity to the great munificence of Sir Annamalai Chettiyar. However, I do not see why we should quarrel over the addition of this word 'commerce.' After all, it seems to depend a good deal on the money available for this university. The amount of money that is now available is quite insufficient, if branches of technology and commerce are started. A good deal depends on the future endowments either of private persons or of the Government. I am one of those who also think that Chidambaram may not be the place quite suitable for starting technological and commercial studies. Undoubtedly, of course, pure commercial subjects could be taught at any place. But if we could really find a place where not only theory can be taught, but if that theory can be combined with practice, it would certainly be much better. If there is necessity for teaching commercial and technological subjects in every university, I do not believe that starting such subjects in the universities. But, however, as things stand at present, if this university is to be confined mainly to the teaching of higher learning in pure humanities as the hon. the Finance Member put it, if this university is to be founded for this purpose, I do not see why a commercial will be a direction in which the future Government may move. That intention of the Government and the Founder that this university is mainly to be confined to the subject of humanities, I do not think we should quarrel over it. I believe in the Madras University subjects such as commerce, banking, technology, can be much better taught than in the University of Chidambaram. If the Government are willing to add the subject of pure commerce, there is no objection. But for some reason or other, whether financial or otherwise, they are passive. I do not see why on that account we should stand in the way of allowing this clause to be passed. What I say is this. Facts being as they are at present, there may not be any necessity for starting technological studies at more than one place at present. There may not be funds available. After all, this 20 or 40 lakhs is not enough for a technological institution. If a commercial institution is to be founded a large amount of money has to be found, and such large amount of money will be better spent at Madras than at Chidambaram. Madras is a place with many commercial firms, and we can combine theory and practice, and when there is necessity for more than one place where commercial and technological subjects have to be taught, I suppose there ought not to be any difficulty in

11th October 1928]

[Mr. K. Koti Reddi]

coming to this House and changing if necessary the concerned clause in the Act. After all, if money is available pure science can be taught, and any amount of money can be spent. The country needs not only technological and commercial institutes but also institutes for higher research and pure science which can easily be opened at Chidambaram. Therefore, I do not see why we should quarrel over this question."

* MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR:—"Mr. President, Sir, I gave an amendment on the 25th of last month on this clause 3 (a) (i) that after the word 'fit' in the place of the word 'including' the words 'giving due prominence to' be substituted, thus making the clause read 'For instruction in such branches of learning as the university may think fit giving due prominence to professional studies and technology.' But, unfortunately, Sir, I was not able to come here on the 4th of this month when the discussion took place on this subject in the select committee. We know fully well that thousands of graduates are produced every year. And wherever you go, you can find at the entrance of the commercial firms a board with the words 'No vacancy.' They put such notice boards to avoid the trouble of these writing machines without the least commercial knowledge. Now, they want to produce pandits and munshis. Why do they want pandits and munshis? Are they paid properly? They are not paid more than Rs. 25 or Rs. 30. There is already a cry that the pay of the pandits and munshis should be increased, but we have not considered their claims till now. As Mr. Arogyaswami Mudaliyar said, the Founder himself has no objection to include the word 'commerce,' and in such a case I do not think the Government will press their objection. With these words, I strongly support the amendment of Mr. Venkataramana Ayyangar."

* MR. J. A. SALDANHA:—"Sir, I move an adjournment of the debate on this Bill for three months till we ascertain the intentions of the Founder."

* THE hon. the PRESIDENT:—"The hon. Member has not handed over to me his motion. He is not in order in moving it."

The amendment was then put to the vote and declared lost. Some hon. Members demanded a poll which was accordingly taken with the following result:—

Ayes.

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|--|---|---------------|
| 1. Mr. A. B. Shetty. | 16. Mr. C. Obi Reddi. | 12-45
p.m. |
| 2. Rao Sahib L. C. Guruswami. | 17. " A. Parasurama Rao Pantulu. | |
| 3. Mr. V. I. Muniswami Pillai. | 18. " C. Ramasomayajulu. | |
| 4. " W. O. Wright. | 19. Basheer Ahmad Sayeed Sahib Bahadur. | |
| 5. " C. R. T. Congreve. | 20. Sriman Biswanath Das Mahasayo. | |
| 6. " V. Ramjee Rao. | 21. Mr. A. Kaleswara Rao. | |
| 7. " C. V. Venkataramana Ayyangar. | 22. " R. Srinivasa Ayyangar. | |
| 8. " P. Anjaneyulu. | 23. " K. Koti Reddi. | |
| 9. " J. A. Saldanha. | 24. " L. K. Tulasiram. | |
| 10. " Abdul Hamid Khan. | 25. " K. V. Krishnaswami Nayakar. | |
| 11. " C. S. Govindaraja Mudaliyar. | 26. " C. Venkatarangam Nayudu. | |
| 12. " G. Harisavottama Rao. | 27. Diwan Bahadur R. N. Arogyaswami | |
| 13. " K. V. R. Swami. | Mudaliyar. | |
| 14. K. P. V. S. Muhamad Meera Ravuttar | 28. Mr. Ramanath Goenka. | |
| Bahadur. | 29. " R. Nagan Gowda. | |
| 15. Mr. D. Narayana Raju. | | |

[11th October 1928]

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 28. Mr. W. P. A. Soundara Pandia Nadar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 29. " S. Subrahmanya Moopanar. |
| 3. " Mr. T. E. Moir. | 30. " S. Venkiah. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 31. Syed Ibrahim Sahib Bahadur. |
| 5. " Mr. S. Muthiah Mudaliyar. | 32. The Zamindar of Singampatti. |
| 6. " Dr. P. Subbarayan. | 33. Mr. F. E. Corley. |
| 7. Rao Bahadur C. V. Ananthakrishna Ayyar. | 34. " W. E. Smith. |
| 8. Mr. C. B. Cotterell. | 35. Rajkumar S. N. Dorai Raja. |
| 9. " H. A. Watson. | 36. Mr. S. Arpudawami Udayar. |
| 10. " C. A. Souter. | 37. The Zamindar of Kallikota. |
| 11. " S. H. Slater. | 38. Rao Sahib R. Srinivasan. |
| 12. " A. McG. C. Tampoe. | 39. Mr. G. R. Premayya. |
| 13. " C. W. E. Cotton. | 40. " K. R. Karant. |
| 14. " V. Ch. John. | 41. " K. Chavadi Subrahmanya Pillai. |
| 15. " M. A. Manikkavelu Nayar. | 42. " K. P. Ramun Menon. |
| 16. Syed Tajudin Sahib Bahadur | 43. " B. Ramachandra Reddi. |
| 17. Mr. H. B. Ari Gowder. | 44. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 18. " J. Bheemayya. | 45. The Raja of Panagal. |
| 19. " R. Foulkes. | 46. Sir A. P. Patro. |
| 20. " P. J. Gnanavaram Pillai. | 47. Mr. P. T. Rajan. |
| 21. " Muppil Nayar of Kavalappara. | 48. " T. K. Chidambaranatha Mudaliyar. |
| 22. Subadar-Major S. A. Nanjappa Bahadur. | 49. Khan Bahadur S. K. Abdul Kasaak Sahib Bahadur. |
| 23. Mr. Al. Ar. Narayanan Chettiyar. | 50. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 24. " T. M. Narayanaswami Pillai. | 51. Rao Bahadur K. Sitarama Reddi. |
| 25. " K. Krishnan. | 52. " B. Muniswami Nayudu. |
| 26. " N. Siva Raj. | 53. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 27. " M. V. Gangadara Siva. | 54. Mr. A. V. Bhanoji Rao. |

Neutral.

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|-----------------------------------|----------------------------------|
| 1. Mahmud Schamnad Sahib Bahadur. | 6. Mr. S. Satyamurti. |
| 2. Mr. J. Kuppuswami. | 7. " T. Adinarayana Chettiyar. |
| 3. " Daniel Thomas. | 8. " P. G. Venkatapathi Raja. |
| 4. " S. V. Vanavudaiya Gounder. | 9. The Zamindar of Gollapalli. |
| 5. " U. Ramaswami Ayyar. | 10. Mr. K. R. Venkatarama Ayyar. |

Ayes 29. Noes 54. Neutral 10.

The amendment was lost.

Clause 3 was put, passed and added to the Bill.

Clause 4 was also put, passed and added to the Bill.

Clause 5.

Mr. K. KOTI REDDI :—" I beg to move—

*"In line 4 omit the word "or" and after the word "caste" insert the words "or political belief"."**"In line 6 after the word "religious" insert the words "or political"."**"I do not think, Sir, there is any objection to the words as they have been already allowed in the Madras University Act."*

Mr. S. SATYAMURTI :—" I second it."

*The hon. Dr. P. SUBBARAYAN :—" I have no objection to accept the amendment."

The amendment was put and carried.

11th October 1928]

Mr. S. ARPUDASWAMI UDAYAR :—" I move

"In lines 9 to 11 omit the words "except where in respect of any particular benefaction accepted by the university such test is made a condition thereof"."

"Sir, my reason is this. This is a test relating to religious belief or profession. There are four things in this clause; first admission to the university, admission to any degree or course of study, the holding of offices or appointments and lastly enjoying the privileges of attending the lectures. I do not see why there should be any restriction to the admission or course of study. Suppose the university founded a chair for Buddhist scriptures; then in that case admission and appointment ought to be restricted. I say there is no necessity for such a restriction. I know of many European scholars, men of different religious denominations who are very good scholars. One Roman Catholic, Reverend Zimmermann, was entrusted with editing certain Vedic tests. There are many other scholars of other religious denominations who can edit Buddhist scriptures. I do not see any necessity for an exception that students of all denominations should not be allowed to attend the lectures. The object of a residential university is chiefly to form the character of the young people and to afford all kinds of facilities for moving together. The reason why the parents send their children to the university is not so much for intellectual attainments as for remaining in that special atmosphere bearing the particular stamp of that university. The object of a university is to afford opportunities to students of all denominations to rub shoulders with each other and get that spirit of camaraderie. I do not see why there should be an exception here. Let us suppose that there is a chair for teaching some branch of Tamil literature. I know there are many Tamil scholars among Muhammadans. Ibrahim Kolan was an authority in Tamil grammar and he was the Chief Tamil Professor of the S.P.G. College. I do not see why such a retrograde piece of legislation ought to be allowed. A young man of a residential university ought to be given an opportunity of sharing all idiosyncrasies and form a sense of unity. I do not think that this is in keeping with the spirit or policy of the Founder. I know, Sir, he is a man of broad views. I remember ten years ago when he put his son to the school in a place like Trichinopoly where he could have all classes of men he insisted on a poor Christian supervising his son's studies. In addition to him I was going to his house to supervise his studies and he passed his S.S.L.C. He is a man of singular breadth of vision and the Founder would never have contemplated this. Hon. Friends may say that this restriction may not work hardship. It is quite possible that there may be trouble. I do not think that the friends of the Founder would insist on these restrictions. For these reasons I move that these words be deleted."

*Mr. DANIEL THOMAS :—" I beg to second this amendment. There are certain matters which ought not to be given any open recognition at all and in fact it would be an open recognition and would be in a way an indirect encouragement to the thing so recognised. As my hon. Friend said, the university must be pervaded by a spirit of unity and harmony. If anybody founds a chair or seeks to found a chair, it sets up a barrier between that particular founder and the rest of the students of the university. Then that would tend towards disharmony and lack of unity in the body politic of the students belonging to the university. It appears to me that the authorities

[Mr. Daniel Thomas]

[11th October 1928]

should discourage anything which would tend to create such disharmony and such disunity and if once it is understood that the authorities are not in favour of any foundation or benefaction which seeks to create any sort of religious barriers, then, I believe, the benefactors themselves would be so educated and influenced as to make such benefactions independent of such restrictions.

1 p.m.

"It appears to me, Sir, that if in the statute book such factional denominational benefactions find a legal recognition, then there will be an indirect encouragement for benefactors emanating from particular communities to give a preferential position to the adherents of their own particular creed, caste or community; so that in a university like this which depends to a certain extent on outside help and public funds, which also depends upon a recurring annual grant, it will be an error of policy to give legal recognition to the foundation of any institution, any endowment or any sort of benefaction by which sectional or denominational barriers are introduced within the university. For this reason, I heartily support the motion of my hon. Friend Mr. Arpudaswami Udayar."

Mr. J. A. SALDANHA:—"Sir, I beg to support this amendment."

* The hon. the PRESIDENT:—"The hon. Member has handed over a motion to me."

* Mr. J. A. SALDANHA:—"I shall move that motion, Sir. Under Standing Order No. 34, I beg to move the adjournment of the debate of this Bill for three months (Laughter.) The reasons are these, Sir. After seeing what has gone on so far, we have had two conflicting opinions placed before us as to the object of this University. We have heard from the hon. the Finance Member that the only object of this University is the study of humanities, a term well understood. That means arts and sciences in general. On the other hand, we have the authority of the hon. Member, Mr. Arogyaswami Mudaliyar, who said that the Founder of this endowment is quite prepared to include commerce and technology and such other subjects, so that the object of the endowment is a mixed one. Now, with these two conflicting ideas before us, the question is how far we can support a Bill for which the Government is to give funds to such a large extent even for the foundation itself besides the large recurring expenditure for which we are going to spend money. It has been said by more than one Member that if this University is meant only to produce another Madras University and to manufacture more arts graduates, it is better that we should have no such endowment, or that the Government should spend no more money on that object. We have now had a vote on this subject. But yet I think we are kept in the dark in this matter."

* The hon. the PRESIDENT:—"The hon. Member will not be justified in commenting upon the vote of the House."

Mr. J. A. SALDANHA:—"I am perfectly prepared to accept the vote of the House, Sir, and I think we must not be left . . ."

* The hon. the PRESIDENT:—"An amendment on the same matter will not be allowed to be moved."

Mr. J. A. SALDANHA:—"What I want to say is this. After all, if the Annamalai University does not come into existence within the next three months, I do not think it can come into existence for another one year, for we have to find the money."

11th October 1928]

The hon. Mr. T. E. MOIR:—"May I explain, Sir, the financial point? If the House by its vote on this measure declared that certain funds should under the statute be provided for the Annamalai University, that shall be provided."

Mr. J. A. SALDANHA:—"Sir, money cannot drop from heaven (laughter) and it must be found. Now if the Government say that money will be found this year, I want to know how they will find it, from what expenditure they will divert it."

Seeing the hon. Mr. T. E. Moir rising to speak, the hon. the PRESIDENT said: "The hon. Member will have an opportunity to speak."

Mr. J. A. SALDANHA:—"There is no provision made yet for finding money for this University in the budget. If the University is started in six months or in a year, there is not going to be much difference. Take the case of the Andhra University. We have delayed the Bills relating to that University by three months by an adjournment motion yesterday, with the consent of this House. It is a much bigger concern. Surely, if the fruition of the Andhra University can wait for three months more, I do not know why we should hurry in this case. I had a talk with friends on this matter. Of course, I have got great regard for the Founder whose object I appreciate."

* The hon. the PRESIDENT:—"The hon. Member will confine his remarks to his motion."

Mr. J. A. SALDANHA:—"Sir, whatever the aim of the Founder, what is the real object of this Bill but to make the university a mere arts university. We are fed up with too much arts. . ."

The hon. the PRESIDENT:—"I am afraid the hon. Member is commenting upon the vote of the House."

Mr. J. A. SALDANHA:—"Therefore, we must know exactly where we stand. Without knowing where we are, we are trying in a hurry to pass this Bill. There are so many things to be done, which are quite necessary, and the Government is taking them coolly, for example, provision for an industrial school at Mangalore."

* The hon. the PRESIDENT:—"I do not think a reference to the industrial school at Mangalore is relevant to the adjournment motion."

Mr. J. A. SALDANHA:—"Surely, Sir, this Bill can wait for three months more. What I say is a matter of justice to the public, to the taxpayer. We must know exactly where we are. What are the objects of this University? The Treasury Bench tells us that the object of the endowment in the mind of the Founder is the study of humanities, and the hon. Member for the University is supporting that view. On the other hand, there are many hon. Members who say we should not spend this money. Therefore there is a great feeling in the country, and the country is behind me. . ."

* The hon. the PRESIDENT:—"I would request the hon. Member to respect the vote of the House as long as he is a Member of it, and not comment upon it."

Mr. J. A. SALDANHA:—"I want to know exactly where we stand. Therefore, I beg to move for the adjournment of this Bill for three months."

[11th October 1928]

MR. G. HARISARVOTTAMA RAO :—"I rise to second the motion of my hon. Friend, Mr. Saldanha, not because I believe that the motion will be carried nor because I believe that we should obstruct the passage of this Bill. I rise to second the motion because I want to record a protest by seconding it. The protest is that there is no need for a university which restricts itself to humanities. To that extent, I have a right to ask for this adjournment, so that the country, the donor and those who are responsible for the university may think of the question a little more. Beyond that, I have no other intention in seconding this motion made by my hon. Friend, Mr. Saldanha."

* The hon. the PRESIDENT :—"The question is that the debate on the Bill be adjourned for three months. I take it that the House is ready for a vote."

The question was put and lost.

* The hon. the PRESIDENT :—"The Council will now resume discussion of the amendment of Mr. Arpudaswami Udayar."

* MR. BASHEER AHMAD SAYEED :—"I rise to oppose the amendment proposed by my hon. Friend, Mr. Arpudaswami Udayar. Sir, it is very necessary that in a university of the type that is to be started at Chidambaram in the name of Sir Annamalai Chettiyar, there should be free scope and ample opportunities for people of a benevolent turn of mind to endow the university with several chairs if they so desire. It might be, Sir, that the aims of the university ought to be non-sectarian. But I do not see where sectarianism comes in when a benevolent gentleman wants to endow the university with a chair for the pursuit of a particular course of study. It may be, Sir, to-morrow the well-known millionaire of Madras, Mr. C. Abdul Hakeem or Kaleel Shirazi, may come forward to endow the university with a chair for a special subject in the oriental branch of learning. I do not see why the new university should shut out such a possibility. It might also be that another wealthy gentleman may come forward and say that a travelling scholarship is to be given to a student of a particular community for going in pursuit of some technical art. For instance, the leather merchants of Madras may combine and create a chair for the tanning and leather industry, and they might confine the benefit of this endowment to the members of their own community. I do not see why a university established with twenty lakhs of public funds should shut out the possibility of any public citizen showing his munificence by endowing a chair or a scholarship with a particular aim and object. Mr. President, it might be that the provision as it stands gives an air of religion or sectarianism to the university. That is only a matter of opinion and of interpretation. I may point out that in the West there are several universities which have given free scope for religious bodies to endow the universities with particular chairs. While even in rich countries such a possibility is not shut out, I do not see why in a poor country like this, where we shall have to wait for many more years to fully develop our own culture, our own industries and our own arts, we should not provide scope for the creation of such endowments. I therefore strongly oppose the amendment proposed by my hon. Friend."

MR. J. A. SALDANHA rising, the hon. the PRESIDENT asked : "Does the hon. Member propose to speak on the motion?"

MR. J. A. SALDANHA :—"Yes, Sir."

[11th October 1928]

* The hon. the PRESIDENT :—"The hon. Member has lost the chance, because he moved an unsuccessful adjournment motion."

The amendment was then put and lost.

MR. S. ARPUDASWAMI UDAYAR :—"Sir, I beg to move

'that in clause 5, the proviso be omitted.'

"The proviso reads 'Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Statutes to those not unwilling to receive it.' Sir, I think if a particular person objects to the founding of chairs for the teaching of Hindu philosophy, say, the systems connected with the names of Ramanuja, or Sankaracharya, or even Saiva Siddhanta Philosophy, or the philosophical systems which may be connected with Islamic culture, we cannot encourage such religious foundations.

"In this place the philosophical speculations of giant intellects are studied, and analysed by reason. But when we come to religious instruction, it is all dogmatism and no reasoning. I knew that sometimes in the same community differences exist in religious matters. What one set of people think as essential, the other may regard as non-essential. And this provision will give rise to complications and differences. For these reasons I want that the proviso should be omitted." 1-15 p.m.

Diwan Bahadur A. M. M. MURUGAPPA CHETTIYAR :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"I have no objection to the omission of the proviso."

MR. G. HARISARVOTTAMA RAO :—"I rise to oppose this motion. I want this proviso to stand for the simple reason that we have all along been complaining that the education in this country is too secular, and that religious instruction is not given. There is a proviso here for giving such instruction. I do not quite grasp the idea of my hon. Friend in asking us to give up this proviso. If it is given up, it will shut out any instruction being given in any religion to people who are willing to take such instruction. Even here, the words are 'in the manner prescribed by statutes.' There is no question of any compulsion being used. There is only the question of provision being made for religious instruction.

"A university claiming to teach higher branches of knowledge in Sanskrit, Tamil and English should go without a provision for religious instruction is a thing that does not appeal to me at all. I want that proviso should be there at least for the benefit of the Tamil section of our countrymen for whose advantage this institution is mainly intended. Many reformers have risen in Southern India and the systems of these reformers deserve a place in the curricula, and various systems of religious thought should find encouragement. I am afraid that if we omit the proviso we shall be doing injustice to the great reformers of Southern India. I therefore think that it should stand."

* MR. K. R. KARANT :—"I beg to oppose this amendment. I am really surprised to see that this Bill in all its various stages seems to be more a matter for bargaining between certain Members than anything else. It was said at one stage that the Select Committee had considered the Bill deeply and only verbal amendments had to be moved. That was what I heard from the hon. Members who spoke before me. Now, an amendment is moved of a very

[Mr. K. R. Karant] [11th October 1928]

important character and I find gentlemen interested in the university very coolly accepting it. And the hon. the Minister does so without giving any reasons at all. I take it that the Select Committee has given due weight to this provision, and I am quite sure that we want this provision in this Bill. The way in which some Members in this House are bargaining seems to be very funny, and I protest against this method of passing the Bill."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Sir, I am as anxious as any Member that religious instruction should be given if the founder and the authorities decide on it but the proviso as it stands is redundant. I draw the attention of the hon. Members to the first portion of clause 5, i.e., 'No person shall be excluded from membership . . . on the sole ground of sex, race, creed, class, or caste, and it shall not be lawful . . . to impose on any person any test whatsoever relating to religious belief or profession, etc.' So it is not necessary for a student taught in the institution to believe in any particular religion. Religious instruction will be given and it is open to the students to attend or not. Therefore this proviso is absolutely unnecessary."

* Mr. C. RAMASOMAYAJULU:—"Sir, the hon. the Minister means to indicate to the Council that the main clause itself makes a provision for religious instruction and there need not be a specific proviso. The main clause merely refers to eligibility for studentship saying that there ought not to be any prohibition merely on the ground of religion, sex, creed or caste, etc. That is all. It merely deals with eligibility for studentship. It does not at all make any provision for religious study. Here is a proviso which specifically permits religious instruction being given to such of the students as are willing to receive it; and it is a positive provision. And there is the safety provision the conscience clause—that instruction shall not be given to those that are not willing to receive it. I think this proviso is certainly necessary and not at all redundant as observed by the hon. the Second Minister."

"I submit that Chidambaram being a seat of ancient religious culture, and the donor being a gentleman of religious motives and that as humanities are intended to be developed and research and other original works in philosophy are going to be pursued, it is absolutely necessary that there must be a positive provision allowing religious instruction. The safety provision of the conscience clause is made in the proviso. Therefore I oppose the amendment. After all, I do not think that any reasons are given by the Mover in favour of the amendment."

Mr. S. SATYAMURTI:—"I move that the question be now put."

The motion for closure was put and carried.

The amendment of Mr. Arpudaswami Udayar was put and declared lost.

A poll was demanded and the House divided thus:—

Ayes.

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|---|----------------------------------|
| 1. The hon. Sir Norman Marjoribanks. | 9. Mr. C. A. Souter. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 10. " S. H. Slater. |
| 3. " Mr. T. E. Moir. | 11. " A. MoG. C. Tampoe. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 12. " C. W. E. Cotton. |
| 5. " Mr. S. Muthiah Mudaliyar. | 13. " V. Ch. John. |
| 6. " Dr. P. Subbarayan. | 14. " M. A. Manikkavelu Nayakar. |
| 7. Mr. C. B. Cotterell. | 15. Syed Tajudin Sahib Bahadur. |
| 8. " H. A. Watson. | 16. Mr. H. B. Ari Gowder. |
| | 17. " A. B. Shetty. |
| | 18. " J. Bhesmayya. |

11th October 1928]

Ayes—cont.

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| 19. Mr. R. Foulkes. | 35. Mr. F. E. Corley. |
| 20. " P. J. Gnanavaram Pillai. | 36. Rajkumar S. N. Dorai Raja. |
| 21. " J. Kuppuswami. | 37. Mr. S. Arpudaswami Udayar. |
| 22. Subadar-Major S. A. Nanjappah Bahadur. | 38. The Zamindar of Kallikota. |
| 23. Mr. T. M. Narayanaswami Pillai. | 39. Mr. K. Ramachandra Padayachi. |
| 24. " K. Krishnan. | 40. Rao Sahib R. Srinivasan. |
| 25. " N. Siva Raj. | 41. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 26. " M. V. Gangadhara Siva. | 42. Mr. J. A. Saldanha. |
| 27. " V. I. Muniswami Pillai. | 43. Dr. B. S. Mallayya. |
| 28. " W. P. A. Soundara Pandia Nadar. | 44. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 29. " S. Subrahmanya Moopnar. | 45. The Zamindar of Gollapalli. |
| 30. " Daniel Thomas. | 46. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 31. " S. Venkiah. | 47. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 32. " Syed Ibrahim Sahib. | |
| 33. The Zamindar of Singampatti. | |
| 34. Mr. W. E. Smith. | |

Noes.

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|--------------------------------------|---|
| 1. Mr. C. V. Venkataramana Ayyangar. | 17. Mr. K. V. Krishnaswami Nayakar. |
| 2. " P. Anjaneyulu. | 18. " T. C. Srinivasa Ayyangar. |
| 3. " Abdul Hamid Khan. | 19. " Chavadi K. Subrahmanya Pillai. |
| 4. " C. S. Govindaraja Mudaliyar. | 20. " K. R. Venkatarama Ayyar. |
| 5. " G. Harisarvottama Rao. | 21. " K. P. Raman Menon. |
| 6. " K. V. R. Swami. | 22. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 7. " D. Narayana Raja. | 23. Mr. P. T. Rajan. |
| 8. " K. R. Karant. | 24. " T. K. Chidambaranatha Mudaliyar. |
| 9. " C. Obi Reddi. | 25. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 10. " A. Parasurama Rao Pantulu. | 26. Rao Bahadur K. Sitarama Reddi. |
| 11. Sriman Biswanath Das Mahasayyo. | 27. " B. Muniswami Nayudu. |
| 12. Mr. A. Kaleswara Rao. | 28. Kumara Raja of Venkatagiri. |
| 13. " R. Srinivasa Ayyangar. | 29. Mr. C. Ramasomayajulu. |
| 14. " K. Koti Reddi. | |
| 15. " L. K. Tulasiram. | |
| 16. " C. Marudavanam Pillai. | |

When the poll was being taken, Mr. Syed Tajudin was found canvassing support for the motion. On this—

* The hon. the PRESIDENT remarked:—"I have to point out to Mr. Tajuddin that he is not justified in openly canvassing the vote of another Member of the House while the poll is going on."

Mr. SYED TAJUDDIN SAHIB:—"Sir, I apologise."

Ayes 47. Noes 2.

The amendment was carried.

The Council adjourned for lunch.

After Lunch (2 30 p.m.)

* The hon. the PRESIDENT:—"I will put clause 5 as amended to the vote of the House."

Clause 5, as amended, was put, passed and added to the Bill.

Clause 6.

* Mr. BASHEER AHMAD SAYEED:—"Mr. President, I move, Sir—

'In lines 2 and 3 the words "with the previous sanction of the Governor-General in Council" be omitted in clause 6 of the Bill.'

"My reasons for moving this amendment, Mr. President, are that when the University is going to be an autonomous body it should have real and complete autonomy in the matter of recognizing the examinations of other universities beyond its limits. It is true that I pressed for this amendment in the Select Committee, but, there I was overpowered by numbers. I want

[Mr. Basheer Ahmad Sayeed] [11th October 1928]

to test that very amendment here. It is very essential in these days when we are acclaiming internationalism and want to go sometimes even beyond internationalism, that the Indian Universities should have ample right and powers to recognize other universities and their examinations and degrees without the intervention of the powers-that-be. I do not see any particular reason why the previous sanction of the Governor-General in Council should be obtained by the Chidambaram Annamalai University in order to recognize degrees and diplomas of other universities. It is time that we establish, if not political relations, at least cultural relations with universities beyond India, especially the universities of advanced countries like Germany and Russia. In the Select Committee I gave reasons why we should not be debarred from recognizing the universities of Moscow, Leningrad, Berlin, Turkey and Afghanistan. No one was able in the Select Committee to convince me as to the undesirability of recognizing those universities. I strongly urge that the time has come when India should establish intimate cultural relations with educationally advanced centres outside India. I would add that even the present Madras University and, if that cannot be done, at least the new University should be given absolute right and absolute autonomy to recognize such of the degrees as are recognized by the other universities. There should be no limitation either within or without the university body either by law or by rule or statute in regard to this matter. Sir, the Governor-General may, when it does not suit his notions, rule out a university from recognizing any very useful university outside India. For instance, to-morrow Afghanistan may establish a university of its own and India being so near to Afghanistan Indian students might like to go there and Afghan students might like to come to Chidambaram if it becomes a technological centre very soon. Such a contingency, I submit, Sir, should not be ruled out, either by the Governor-General or anybody else. I know the hon. Minister will rise and say that but for this provision being made in the Act there is a fear that the Governor-General may not give sanction to require the previous sanction of the Governor-General. It might be that there is a provision that he has to give his assent to the Act. But let us take a bold step and be honest and let us say that we do not want the Governor-General to have any power to impose restrictions on the new University that is coming into existence in the matter of recognizing the examinations of other universities. So, Sir, I appeal to my friends to see that they do not shut out the possibility of cultural unity and cultural relationship being established between Indian universities and other universities and vote for my motion."

Mr. P. BHAKTAVATSULU NAYUDU :—"I second the amendment."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, I think this provision to have a central authority which would have the power of recognizing degrees of other universities is quite necessary as my hon. Friend Mr. S. Satyamurti himself will explain. Till the inter-university board is firmly established and till it prescribes a certain standard, etc., I think that a central authority is necessary. Under the circumstances I appeal to my hon. Friend, as I did in the Select Committee, to withdraw this amendment."

Sriman BISWANATH DAS Mahasayo :—"Sir, we have even now a inter-university board which meets at least once or twice a year and looks into the condition of various universities and advises them on important problems. I am sure this new University of Chidambaram at Annamalai Nagar will

11th October 1928] [Sriman Biswanath Das Mahasayo]

also send one of its representatives to this inter-university board. That being the case, there is no necessity for the Governor-General to go into the courses of studies and give his approval for the recognition of the diplomas and degrees of other universities. In these circumstances I believe that the position taken by the hon. the Chief Minister is not tenable, nor is it reasonable. I would therefore appeal to the hon. Members of this House to accept the amendment."

Mr. G. HARISARVOITAMA RAO :—"Sir, the hon. the Chief Minister has practically conceded the point urged by the hon. Member from Madras. He said that a central authority is necessary. He also said, very approvingly, that the inter-university board is now strong enough and therefore there must be a central authority to sanction these standards. I really feel that the authorities who govern the land should have as little to do with universities as possible and, when once the inter-university board is functioning, in an Act which is going to sanction the establishment of a university that there should be a clause empowering the Governor-General in Council to recognize examinations is something which is not very proper. This is an Act intended to operate for a number of years. It is not intended to operate for a day or two or for a year or two. If it is an Act establishing a university permanently, why should the Chief Minister introduce this question of sanction by the Governor-General for recognition of examinations? The inter-university board will be quite competent for the purpose and if further strengthening of that body is necessary or if another body has to be created for working with greater efficiency, we can do so at a later stage. Why should this provision be introduced in this Act is not very clear from the confessions that have been made on the floor of this House by the Chief Minister on the authority of the Member for the University. Anyway it appears to be absolutely unnecessary and my friend the hon. Member from Madras is perfectly right in asking for the deletion of these words."

Mr. S. SATYAMURTI :—"Vote, vote."

The amendment was put and lost.

Clause 6 was then put, passed and added to the Bill.

Clause 7.

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move—
"that in the last line of the clause, for the word, "lodging" substitute the word "lodgings". 2-45 p.m.

"The plural is better than the singular since it would cover all the cases."

Mr. S. SATYAMURTI :—"I second it."

The amendment was put to the House and carried. The clause as amended was put, passed and added to the Bill.

Clause 8.

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I move the following amendment—

"Re-number clause 8 of the Bill as sub-clause (a) of that clause and insert the following as sub-clause (b)—

"(b) Besides the offices held by the persons specified in sub-section (a) there shall be attached to the University an office the incumbent of which shall be the Founder."

[Dr. P. Subbarayan]

[11th October 1928]

"My object in moving the amendment is only to make the list of officers of the University complete."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, I solicit, if I may, your instructions in the matter. I have also given notice of an amendment which seeks to include the Founder among the officers of the University. My amendment reads thus—

'In the place of the amendment to clause 8 of the hon. the Minister add after the words, "(1) The Chancellor" the words "(2) The Founder" and re-number the following items accordingly.'

"I do not know if I will be in order if I put this as an amendment to that of the hon. Minister or if you will direct me to oppose the hon. Minister's amendment. I hear my friend saying that he would accept my amendment. In that case, you may follow the procedure followed in a previous case and ask the hon. Minister to withdraw his amendment and allow me to move mine."

The hon. Dr. P. SUBBARAYAN:—"I beg leave to withdraw my amendment."

The amendment was by leave withdrawn.

* Mr. S. SATYAMURTI:—"Sir, my amendment seeks to give a comprehensive definition in clause 8 of all the officers of the University. Hon. Members will notice that under section 11 of the Act, the Founder has got certain powers and privileges in the matter of the running of the University. Turning to the list of officers hon. Members will find (1) the Chancellor, (2) the Pro-Chancellor, (3) the Vice-Chancellor, (4) the Registrar, (5) the Deans of Faculties; and (6) such other persons as may be declared by the Statutes to be officers of the University. In the definition suggested by the hon. Minister he wanted to add a further class of office by means of a proviso and make the Founder the incumbent of that office. But in order to make the definition uniform and comprehensive, I suggest, Sir, that after the words '(1) the Chancellor' the words '(2) the Founder' be added and the following items renumbered accordingly. To the question as to whether you want a further category of office or officer called the 'Founder' when he is under section 10 of the Act to be the Pro-Chancellor, my answer is this. Section 11 of the Act confers in express terms the powers and privileges not on the Pro-Chancellor as such but on the Founder. And that is an important distinction, because whenever there is a vacancy in the office of the Pro-Chancellor, the Chancellor shall make arrangements for the carrying of the duties of the Pro-Chancellor. But every person who is so appointed cannot exercise the statutory privileges and powers which inhere only in the Founder under section 11 of the Act. Therefore the powers and privileges which the Founder has such as calling for papers, and asking for a reconsideration and resubmitting the decisions to the orders of the Chancellor in the last resort, cannot be exercised by the Pro-Chancellor as such. This is not the first time in the history of legislation that one person is made to hold two offices. The Pro-Chancellor has got certain powers: the Founder has got certain other powers. Therefore I move my amendment that after the words '(1) the Chancellor,' the words '(2) the Founder' may be inserted and the other items be re-numbered accordingly."

11th October 1928]

The hon. Dr. P. SUBBARAYAN:—"I second it."

* Mr. S. N. DORAI RAJA:—"I do not agree that distinction should be made between the Pro-Chancellor and the Founder. The Pro-Chancellor is always the Founder. Why there should be a distinction between the two offices is not clear. Why should not the 'Founder' be called an officer? He is no bigger in any respect than the Vice-Chancellor and it should not be."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, on the question of wording, I also do not want the Founder to be made an officer of the University. As has been said by Mr. Dorai Raja, both the offices will be held by one and the same person except in very exceptional circumstances. There is another functionary of the University, i.e., the visitor who is not styled as an officer. It is enough if we say in clause 11 that the University shall have a Founder, etc., and we will have the necessary wording there. I do not think it advisable to have the Founder as one of the officers; he should be above the officers and something like a visitor. There will be practical difficulties in the working by having the Founder as an officer while the Pro-Chancellor is also an officer."

The amendment was put to the House and declared carried. A poll was demanded and the House divided thus:—

Ayes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 36. The Zamindar of Singampatti. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 37. Mr. W. E. Smith. |
| 3. " Mr. T. E. Moir. | 38. Diwan Bahadur K. Ramunni Menon. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 39. Mr. S. Arpudawami Udayar. |
| 5. " Mr. S. Muthiah Mudaliyar. | 40. " K. Ramachandra Padayachi. |
| 6. " Dr. P. Subbarayan. | 41. Rao Sahib R. Srinivasan. |
| 7. Mr. C. B. Cotterell. | 42. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 8. " H. A. Watson. | 43. Mr. G. R. Premayya. |
| 9. " C. A. Souter. | 44. " V. Ramjee Rao. |
| 10. " S. H. Slater. | 45. " S. Satyamurti. |
| 11. " A. McG. C. Tampoe. | 46. " P. Anjaneyulu. |
| 12. " C. W. E. Colton. | 47. " K. V. R. Swami. |
| 13. " V. Ch. John. | 48. " D. Narayana Raju. |
| 14. " M. A. Manikkavelu Nayakar. | 49. " A. Parasurama Rao Pantulu. |
| 15. " Syed Tajudin Sahib. | 50. " C. Ramasomayajulu. |
| 16. " Abdul Wahab Sahib. | 51. " A. Kuleswara Rao. |
| 17. " C. D. Appavu Chettiyar. | 52. " R. Srinivasa Ayyangar. |
| 18. " H. B. Ari Gowder. | 53. " K. Koti Reddi. |
| 19. " A. B. Shetty. | 54. " L. K. Tulasiram. |
| 20. " J. Bheemayya. | 55. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 21. " R. Foulkes. | 56. Mr. R. Nagan Gowda. |
| 22. " P. J. Gnanavaram Pillai. | 57. The Zamindar of Gollapalli. |
| 23. " Kavalappara Muppil Nayar. | 58. Mr. T. C. Srinivasa Ayyangar. |
| 24. Subadar-Major Nanjappa Bahadur. | 59. " Chavadi K. Subrahmanya Pillai. |
| 25. Mr. T. M. Narayanaswami Pillai. | 60. " C. Gopala Menon. |
| 26. " K. Krishnan. | 61. " B. Ramachandra Reddi. |
| 27. " N. Siva Raj. | 62. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 28. " M. V. Gangadhara Siva. | 63. The Raja of Panagal. |
| 29. " V. I. Muniswami Pillai. | 64. Sir A. P. Patro. |
| 30. " W. P. A. Soundarapandia Nadar. | 65. Rao Bahadur K. Sitarama Reddi. |
| 31. " S. Subrahmanya Moopanar. | 66. Rao Bahadur B. Muniswami Nayudu. |
| 32. " Daniel Thomas. | 67. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 33. " S. V. Vanavudaya Gounder. | |
| 34. " S. Venkiah. | |
| 35. " Syed Ibrahim Sahib. | |

[11th October 1928]

Noes.

- | | |
|--------------------------------------|-------------------------------|
| 1. Mr. C. V. Venkataramana Ayyangar. | 3. Mr. G. Harisarvottama Rao. |
| 2. " C. S. Govindaraja Mudaliyar. | |

Ayes 67. Noes 3.

The motion was carried.

Clause 8 as amended was put, passed and added to the Bill.

Clauses 9 and 10 were consecutively put, passed and added to the Bill.

Clause 11.

New sub-clause (1).

* Mr. S. SATYAMURTI :—" I want to move, Sir, that the following shall be inserted as sub-clause (1) and the remaining sub-clauses be re-numbered :—

' (1) *The Founder shall hold office for life.*'

"The hon. Minister will notice that the amendment of which he has given notice provides for the reverter of the succession from the female line to the male line on the eligibility of one in the male line and also for the life tenure of the Founder. The first point has been incorporated already in the Bill by a vote of this House as a proviso to the definition of the word 'Founder.' The other point regarding the life tenure of the office remains to be incorporated. With that object I move my amendment to insert as sub-clause (1) 'The Founder shall hold office for life' and re-number the remaining sub-clauses."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it."

* The hon. the PRESIDENT :—" The question is that a new sub-clause ' (1) The Founder shall hold office for life ' be inserted and the other sub-clauses be re-numbered."

3 p.m. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Sir, I am sending you a very small verbal amendment. I move that the words ' unless otherwise expressly provided ' be added. The clause will run thus : ' The Founder shall hold office for life unless otherwise expressly provided '."

Mr. Chavadi K. SUBRAHMANYA PILLAI :—" I beg to second the motion."

Mr. S. SATYAMURTI :—" I have no objection to the amendment."

The amendment was put and carried.

* The hon. the PRESIDENT :—" The amended amendment of Mr. Satyamurti is for the discussion of the House."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I move that the word ' for ' be added at the end."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second the amendment."

* Mr. S. SATYAMURTI :—" I beg to move the following amendment in place of the Chief Minister's amendment and hope it will be acceptable to him. I move that the words ' for in this Act ' be added at the end."

The hon. Dr. P. SUBBARAYAN :—" I have no objection and I second the amendment."

The amendment was put and carried.

11th October 1928]

* The hon. the PRESIDENT :—" The question is that the following be added as sub-clause (1) :—" The Founder shall hold office for life unless otherwise expressly provided for in this Act."

The motion was put and carried.

Clause 11 as amended was put, passed and added to the Bill.

Clause 12.

Sub-clause (3).

The hon. Dr. P. SUBBARAYAN :—" Sir, I move the following amendment :—

For the words " during the continuance of the vacancy " substitute the words " till a person is appointed to fill up the vacancy under sub-section (1) and he takes charge, or, if he has been appointed under sub-section (1) before the Syndicate makes an appointment under this sub-section, till he takes charge."

" I move this amendment in order to make the clause more clear. It might happen that the person who is appointed by the Syndicate might claim that he could act for three years."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, this is one of those cases in which I must express my regret—I am in complete agreement with the hon. Members sitting behind me who have complained—that this amendment has been sprung upon us at the last moment. Although I entirely agree that the object of the hon. the Minister is to provide for all possible vacancies, I am afraid that the wording as now suggested by the hon. the Minister will not meet the cases which the Select Committee wanted to meet by providing in sub-clause (3) the words which it contains. The words sought to be displaced are ' during the continuance of the vacancy.' Those words govern the first sentence of this sub-clause, viz., when any vacancy occurs in the office of Vice-Chancellor. That vacancy may be caused by efflux of time by which there will be necessity for an appointment of the Vice-Chancellor, which case alone the amendment now proposed by my hon. Friend seeks to provide for. But there are other cases when the Vice-Chancellor may go on leave or may be deputed on other duty. Any such cases will not be provided for by the amendment which the hon. the Chief Minister proposes now. On the other hand, Sir, the continuance of the words in the original Bill as recommended by the Select Committee covers all possible cases. Now I invite the House to look at the words of this amendment : ' Till a person is appointed to fill up the vacancy under sub-section (1),' that is to say, when there is—if I may use that loose phrase—a permanent vacancy as it were either by death or by resignation or by efflux of time in which case the power of the Chancellor to appoint a Vice-Chancellor arises.

" Then, Sir, you have got the other provision also that ' before the Syndicate makes an appointment under this sub-section till he takes charge.'

(At this stage Mr. Abdul Hamid Khan, one of the panel of Chairmen, occupied the Chair.)

" I invite the attention of the House carefully to this section. What it exactly means : ' If he has been appointed under sub-section (1) ' that is, I take it, he has been appointed by the Chancellor to be a permanent Vice-Chancellor—' before the Syndicate makes an appointment under this sub-section.'

[Mr. S. Satyamurti]

[11th October 1928]

How can the Syndicate make an appointment under this sub-section when a person has been regularly appointed by the Chancellor to fill up the office? Then, Sir, I am afraid that the words that follow 'till he takes charge' leaves very much to be desired, and, although there may be something to be said without making it clear, the amendment would have to include many more words than it actually contains. Therefore, I earnestly appeal to the hon. the Education Minister to let the words of the sub-section (3) stand as they stood when they were recommended by the Select Committee. I think they cover all possible cases and there is no room left, therefore, which will be supplied by this amendment of his. On the other hand, Mr. Chairman, as I have suggested, it may give rise to defects which it would be best to avoid."

* The hon. Dr. P. SUBBARAYAN :—"Sir, in view of what my hon. Friend, Mr. Satyamurti, has suggested and in view of the difficulties that may arise and that have just been pointed out, I beg leave of the House to withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

Clause 12 was put, passed and added to the Bill.

Clause 13.

* The hon. Dr. P. SUBBARAYAN :—"Mr. Chairman, I move—
'in sub-clause (4) for the words 'shall appoint' substitute the words 'shall have the power to appoint.'"

"My object is to make the provision clearer."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

Clause 13 as amended was put, passed and added to the Bill.

Clause 14.

Item (6).

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move—
'that for the words 'during the period of its existence' substitute the words 'for the period fixed under this Act.'"

"They mean the same thing; perhaps this is a better wording."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

Clause 14 as amended was put, passed and added to the Bill.

Clause 15.

CLASS I—EX-OFFICIO MEMBERS.

Sriman BISWANATH DAS Mahasayo :—"Mr. Chairman, Sir, I beg to move—

'Add the following as a new item 13 :—' (13) *The Archbishop of Pondicherry.*'

"He may be added as an ex-officio member. I propose this amendment in deference to the wishes of certain representatives of the Christian community. I feel, Sir, that the Christian community, being a minority community, may not be able to get due representation. It is better to avoid giving room to such a feeling. I have just tabled this motion in accordance

11th October 1928] [Sriman Biswanath Das Mahasayo]

with the minute of dissent written by my hon. Friend, Mr. Arpudawami Udayar. So, I propose that the Archbishop of Pondicherry be an ex-officio member."

Mr. BASHEER AHMAD SAYEED :—"Sir, in seconding this motion, I wish to point out that even in the Select Committee I was for the retention of the Archbishop of Pondicherry because I thought that he would really be a factor contributing to the development of the University. He will always be a Frenchman coming from France and I thought the inclusion of his name as one of the ex-officio members would prove beneficial to the interests of the University, especially in its earlier stages. I do not have any such hopes about the Archbishops in other places; but I am strongly in favour of including the Archbishop of Pondicherry as an ex-officio member in this case."

* The CHAIRMAN :—"The question is, in Class I—Ex-officio members, add the following as a new item (13):—

'(13) *The Archbishop of Pondicherry.*'"

(At this stage the hon. the President took the Chair.)

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Mr. Biswanath Das has moved that the Archbishop of Pondicherry may be added as one of the ex-officio members, and this motion has been duly seconded. Though the Archbishop of Pondicherry and the Bishop of Madras were included as members under the original Bill, after careful consideration the Select Committee came to the conclusion that it is not necessary to have either of these two high dignitaries as members of the Senate of the new University. I hope, under these circumstances, my hon. Friend opposite will see his way to withdraw the amendment. I think there are other ways by which the interests which he has at heart can be safeguarded."

* Mr. J. A. SALDANHA :—"Sir, in commending this amendment to the consideration of the House, I may point out that the Archbishop of Pondicherry is not Archbishop only for the French territory of Pondicherry, but he has jurisdiction over a large area outside Pondicherry in British territory in this province. The Archbishop of Pondicherry, representing as he does the Catholics in particular and all Christians in general, represents large educational sacrifices and interests in Southern India. There are a large number of colleges in this province which are Catholic or Christian and enormous sums of money are being spent by Christians round about Chidambaram on educational matters. On the altar of education, various Christian communities in Southern India are sacrificing the flower of their men, women and money, and these interests and sacrifices are represented by the Archbishop of Pondicherry. It may be asked, Sir, why the Bishop of Madras has been excluded. I am sorry he is excluded. The Bishop of Madras also represents large educational interests in Southern India; but something is certainly better than nothing, and I hope at least the Archbishop of Pondicherry, who represents the interest of the people who are making greater sacrifices in the cause of education than any other community, will be included. I do not know, Sir, if there is any other community in South India which has made so many sacrifices in the cause of education as the Christian community. Those two dignitaries represent the educational interests of the Christian community, and I am really thankful to my hon. Friends the mover and seconder of the amendment who have appreciated

3-15
P. m.

[Mr. J. A. Saldanha]

[11th October 1928]

such sacrifices as have been made by our community. I do not know the reasons why they were excluded, but I am sure such omission was not wanton but was only due to ignorance of facts. I should indeed be sorry if the Christian community is to be represented only by one dignitary instead of by two; but if we include at least one dignitary now, I am sure a time will come when the Bishop of Madras also would be included in the Senate. Whatever depreciation the Select Committee might have made of the work of the Missionaries in the cause of education and the sacrifices that they have made, I am sure hon. Members of this House will be willing to make amends for it by having the Archbishop of Pondicherry at least on the Senate of the new University."

Mr. A. KALESWARA RAO:—"Sir I regret I have to oppose this amendment. We are not establishing a theocratic institution now. We have even excluded the teaching of religious instruction in this new University. It is going to be a university where religious dignitaries will have no place ex-officio. If you want to have the Bishop of Pondicherry there, you will also have to add the Bishop of Madras; then there is Sri Sankaracharya, the Kazi of Madras, and there is also the Jeer, and there will be no end to these heads of maths and other religious institutions who should be included. I therefore oppose this motion."

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

The amendment was put to the House and lost.

* The hon. the PRESIDENT:—"An hon. Member (Mr. G. Harisavottama Rao) has just now handed over to me an amendment relating to item (12). As it has come very late, I wish to know whether any Member objects to it."

The hon. Dr. P. SUBBARAYAN:—"I object, Sir."

* The hon. the PRESIDENT:—"The objection prevails."

CLASS III—OTHER MEMBERS.

* The hon. Dr. P. SUBBARAYAN:—"Sir, I move—
'that under item (1) of Class III—Other members, after the word "graduates" the words "of the University" be inserted.'

"This is necessary to make the position clear. It has escaped notice during the Select Committee stage and therefore I move it now."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it, Sir."

The amendment was put to the House and carried.

* The hon. Dr. P. SUBBARAYAN:—"Sir, I move—
'that in the proviso, for the word "for" the word "during" be substituted.
'For the words "the coming into force of this section," substitute the words "this section comes into force."
'In sub-clause (ii) of the proviso after the word "graduates" insert the words "of the University of Madras."
'In sub-clause (iii) of the proviso for the words "except those" substitute the words "other than those," and after the word "residing" insert the words "in the manner prescribed."

[11th October 1928]

[Dr. P. Subbarayan]

"These are all merely consequential amendments."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it, Sir."

* The hon. the PRESIDENT:—"I think the House is ready for a vote."

The amendment was put to the House and carried.

* The hon. Dr. P. SUBBARAYAN:—"Sir, I move

'that for item (5), the following be substituted:—

"(5) Eight members nominated by the Chancellor, of whom at least three shall be representatives of depressed or backward classes not otherwise adequately represented."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second the motion."

Mr. DANIEL THOMAS:—"Sir, I beg to move a small amendment which is more or less of a formal character. Hon. Members are aware that in the Bill as originally drafted, special provision was made for ex-officio representation of Indian Christian interests by means of a seat being provided for the Archbishop of Pondicherry and the Bishop of Madras, and they are also aware that in the Bill before the Council, that provision has been deleted. As the Bill stands at present, there is no specific provision made for the representation of Indian Christian interests. Sub-clause (5) under class III.—Other members—as it now stands, provides for the nomination of eight members at least three of whom shall be from the depressed and backward classes. Hon. Members are aware that the Indian Christian community could not come under either of the categories; they are neither a depressed nor a backward community. Technically, therefore, objections may be raised to the nomination of Indian Christians under this sub-clause because they do not come under either of the two categories. I therefore move a formal amendment which I believe is entirely in consonance with the wishes and objects of the framers of the Bill. I think that in view of the amendment of the hon. the Chief Minister the present amendment should be 'or minority'."

Mr. G. HARISARVOTTAMA RAO:—"May I rise to a point of order, Sir?"

* The hon. the PRESIDENT:—"What is the point of order?"

Mr. G. HARISARVOTTAMA RAO:—"I want to know when this amendment was handed in?"

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

Mr. P. C. VENKATAPATI RAJU:—"Is it not a fact, Sir, that this amendment was not brought to the notice of the Members earlier? I want to bring that point to your notice, Sir."

* The hon. the PRESIDENT:—"The hon. Member will wait and make any submission he pleases after the motion is made."

Mr. DANIEL THOMAS:—"With your leave, Sir, I therefore move the amendment in the following amended form:—

'(5) Eight members nominated by the Chancellor, of whom three at least shall be nominated to secure the representation of depressed or backward or minority classes not otherwise adequately represented.'

[11th October 1928]

Mr. A. B. SHETTY :—"I second the amendment, Sir."

Mr. P. C. VENKATAPATI RAJU :—"I just now received the amendment, Sir, and I want to know whether it was handed over by my Friend only now. I wanted to bring this to your notice."

3-30
p.m.

Mr. BASHEER AHMAD SAYEED :—"Mr. President, Sir, I rise to support this amendment and I appeal especially to my hon. Colleagues here that they should remember that the Muslim community which is educationally backward has been removed from out of the list of the backward classes by the benign Government which is being worshipped day in and day out by my hon. Colleagues in this House, especially the Muslims. Mr. President, there was no reason for this Government to have removed the Muslim community from the backward classes in the educational list and from the Educational Rules which apply to backward classes. In view of that at least, in this matter, I appeal to my Mussalman friends to vote for the amendment of Mr. Daniel Thomas. Otherwise the Muslim community, though it is not in fact educated enough to be removed from the backward classes, yet it will stand to lose if it is not going to be protected by those people in whose hands their interests are entrusted to be safeguarded. Therefore, I strongly support this amendment and I appeal to my Friends to support it."

* Mr. N. SIVA RAJ :—"Mr. President, Sir, while I am in entire agreement with the suggestions thrown out by my hon. Friend Mr. Daniel Thomas and my Friend Mr. Basheer Ahmed Sayeed, I am afraid that it will entail a hardship so far as the depressed classes are concerned, if these suggestions are accepted. Now there are only three seats reserved for nomination (A voice am afraid that those three will always be interpreted to be given only to backward, depressed and other minority communities. So, while I am in sympathy with the intentions of the Mover of the amendment, I am afraid I must oppose it from the point of view of the community which I represent, unless the Government comes forward with a promise that they would give us an increased number of seats."

Mr. P. C. VENKATAPATI RAJU :—"Mr. President, Sir, I strongly support the hon. Mr. Siva Raj in opposing this amendment. You know how the insertion of the words 'minority communities' has been interpreted in local boards and municipalities. Even persons coming from far advanced communities were given these nominations. It is not even interpreted as caste; a community may mean any special caste or any special community and any one may be brought forward that he should be represented; and my hon. Friends the Brahmans, even though they may be far advanced in education, may take advantage of this and say that they belong to a minority community as compared with the Non-Brahman communities, and so they want representation. There is therefore great scope for defeating the purpose for which this provision is sought to be made. The object of this provision is to get representation for the backward communities which really require such sort of special treatment and by adding the words that have been proposed by the Mover, the very purpose of the clause will be defeated and I therefore strongly oppose the amendment."

[11th October 1928]

Mr. ABDUL HAMID KHAN :—"Mr. President, Sir, I am afraid my Friend, Mr. Venkatapati Raju, is labouring under a misapprehension. Perhaps he confused the two words 'community' and 'caste'. I don't think, when we speak of a minority community, it is not possible to interpret it to mean Brahmans. Brahmans also belong to a caste among the Hindus as any other caste, Nayudus or Mudaliyars who form a special caste in a particular community, namely the Hindu community. What is intended by this motion is, the minority communities which profess a particular religion—for instance the Hindus follow Hinduism, the Mussalmans follow Islam and the Christians follow Christianity—and it is on the basis of the religion they profess that these divisions have been formed and communities are recognized. I do not think that the fears entertained by my hon. Friend, Mr. Venkatapati Raju, will be realized in the working of this section. Therefore I do not think that even the depressed classes need entertain any such fear, because, they will have some representation for their own community."

* Mr. J. A. SALDANHA :—"Sir, on this point, there is no doubt that there has been a twisting of the words 'minority community' by some of our Ministers, because I remember in one case, they said that a certain Brahman belonging to a sub-section of a Brahman community was considered as belonging to a minority community and some representation was given to them. That was most criminal to go against the real meaning. I therefore strongly support the amendment of my hon. Friend, Mr. Thomas. So far as the backward communities are concerned, they might be given representation; and at the same time I think even progressive communities should find a place in the university. After all what is a university? It is a progressive educational body for the attainment of higher education. It may be said that a backward community has nothing to do with it. Probably there is not one in a thousand among that community. There are communities, especially the Christian community, which has sacrificed so much for education and which not only sacrificed but made great progress in education. Surely a community like that must be represented. So far as the Muhammadans are concerned, I entirely sympathise with them because they are earnestly anxious to make progress and steady progress in all stages of education, including university education. I don't know if it is a mistake to class them as a progressive community and not a backward community. I for one would consider them to be a progressive community and in any case they ought to be represented in this body, if not always, at least by rotation."

* Mr. V. I. MUNISWAMI PILLAI :—"Mr. President, Sir, while I sympathise with my hon. Friend, Mr. Daniel Thomas, for his amendment, on principle I feel I must oppose it. Sir, after a deliberate consideration over this clause in the Select Committee, they have come to an unanimous conclusion to set apart three seats for the depressed classes and backward communities. I know they have done it justly. Now, if other hon. Members who are interested in Christian and Muhammadan communities were to come forward and ask for the inclusion of their communities also in this category, I am afraid there would be no representation for the depressed classes. From practical experience we know that wherever backward or minority communities are put together, the depressed classes do not get their due share. Moreover from the educational point of view, the Christians and Muhammadans have produced many graduates and there is also a provision in this Act to allow the graduates to come on to the Senate by election. Unfortunately,

[Mr. V. I. Muniswami Pillai] [11th October 1928]

the depressed classes have not produced many graduates to talk of. Sir, taking our population in this district and the economic condition of the depressed classes, there is not much scope for producing many graduates in the near future. So, I request my hon. Friend, Mr. Thomas, to withdraw his amendment."

* The hon. the PRESIDENT :—"I take that the House is ready for a vote. The question is that in the amendment of the hon. Dr. Subbarayan, after the word 'backward' insert the words 'or minority'."

The amendment was put to the House and declared lost. A poll was demanded and the House divided thus :

When the poll was being taken, there was some conversation going on among the Members in the Congress benches, and

The hon. the PRESIDENT remarked as follows :—"Hon. Members are requested not to carry on conversation when the poll is being taken. I request one of the Deputy Leaders in particular not to carry on conversation while the poll is going on."

Ayes.

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| 1. The hon. Sir Norman Marjoribanks. | 24. Mr. T. M. Narayanaswami Pillai. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 25. " K. Krishnan. |
| 3. " Mr. T. E. Moir. | 26. " Daniel Thomas. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 27. Syed Ibrahim Sahib Bahadur. |
| 5. " Mr. S. Muthiah Mudaliyar. | 28. The Zamindar of Singampatti. |
| 6. " Dr. P. Subbarayan. | 29. Diwan Bahadur K. Ramunni. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 30. Mr. W. E. Smith. |
| 8. Mr. C. B. Cotterell. | 31. " S. Arpudaswami Udayar. |
| 9. " H. A. Watson. | 32. " K. Ramachandra Padayachi. |
| 10. " C. A. Souter. | 33. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 11. " S. H. Slater. | 34. Mr. G. R. Premayya. |
| 12. " A. McG. C. Tampoe. | 35. " J. A. Saldanha. |
| 13. " C. W. E. Cotton. | 36. " Abdul Hamid Khan. |
| 14. " V. Ch. John. | 37. Dr. B. S. Mallayya. |
| 15. " M. A. Manikkavelu Nayakar. | 38. Mr. K. Uppi Sahib. |
| 16. " A. B. Shetty. | 39. " Basheer Ahmad Sayeed. |
| 17. " J. Bheemayya. | 40. Sriman Biswanath Das Mahasayo. |
| 18. " R. Foulkes. | 41. Mr. A. Kaleswara Rao. |
| 19. " P. J. Gnanavaram Pillai. | 42. " R. Srinivasa Ayyangar. |
| 20. Mahmud Schammad Sahib Bahadur. | 43. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 21. Mr. Muppil Nayar of Kavalappara. | 44. The Zamindar of Gollapalli. |
| 22. Subadar-Major S. A. Nanjappah Bahadur. | 45. Mr. Chavadi K. Subrahmanya Pillai. |
| 23. Mr. Al. Ar. Narayanan Chettiyar. | 46. " Khadir Mohideen Sahib. |

Noes.

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| 1. Mr. N. Siva Raj. | 17. Mr. A. Ranganatha Mudaliyar. |
| 2. " M. Gangadhara Siva. | 18. " Bamanath Goenka. |
| 3. " V. I. Muniswami Pillai. | 19. " R. Nagan Gowda. |
| 4. " S. Subrahmanya Moopanar. | 20. " T. C. Srinivasa Ayyangar. |
| 5. " S. Venkiah. | 21. " K. B. Venkatarama Ayyar. |
| 6. " S. N. Dorai Raja. | 22. " K. P. Raman Menon. |
| 7. Rao Sahib R. Srinivasan. | 23. " C. Gopala Menon. |
| 8. Mr. V. Ramjee Rao. | 24. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 9. " S. Satyamurti. | 25. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 10. " P. C. Venkatapati Raju. | 26. Rao Bahadur K. Sitarama Reddi. |
| 11. " G. Harisarvottama Rao. | 27. " B. Muniswami Nayudu. |
| 12. " C. N. Muthuranga Mudaliyar. | 28. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 13. " K. V. R. Swami. | |
| 14. " Muhammad Meera Ravuttar. | |
| 15. " D. Narayana Raju. | |
| 16. " L. K. Tulasiram. | |

11th October 1928]

Neutral.

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| 1. Mr. Abdul Wahab Sahib. | 11. Mr. P. Bhaktavatsulu Nayudu. |
| 2. " J. Kuppuswami. | 12. " K. Koti Reddi. |
| 3. " W. P. A. Soundara Pandia Nadar. | 13. " C. Marudavanam Pillai. |
| 4. " Sami Venkatachalam Chetti. | 14. " K. V. Krishnaswami Nayakar. |
| 5. " C. V. Venkataramana Ayyangar. | 15. " C. Venkatarangam Nayudu. |
| 6. " C. S. Govindaraja Mudaliyar. | 16. " Sivasubramanya Ayyar. |
| 7. " K. R. Karant. | 17. The Raja of Panagal. |
| 8. " C. Obi Reddi. | 18. Mr. T. K. Chidambaranatha Mudaliyar. |
| 9. " A. Parasurama Rao. | 19. Zamindar of Mirzapuram. |
| 10. " C. Ramasomayajulu. | 20. Kumara Raja of Venkatagiri. |

Ayes 46.

Noes 28.

Neutral 20.

The motion was carried.

* The hon. the PRESIDENT :—"I think a consequential amendment is necessary, that is, the omission of the word 'or'." 3-45 p.m.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move

'that the word "or" occurring after the word "depressed" be omitted.'"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

* The hon. the PRESIDENT :—"Now, the amended amendment of the hon. Dr. Subbarayan is for the discussion of the House."

* Mr. S. SATYAMURTI :—"There is another consequential amendment I would like to have, Sir, if I may venture to suggest it. The word 'minority' must I think be 'minorities' because the other categories mentioned in the clause are plural. I am not speaking of the question of mere language. I am speaking of carrying out the substance of the amendments. I take it that the House understands the substance of the amendment already passed, but in the wording of it I want that there should be no possible misunderstanding. I find here that the clause will read '... representatives of depressed, backward, or minority classes ...' I have heard of minority communities, or depressed classes or backward classes, or minority communities or minorities, but not 'minority classes'. I would therefore request my hon. Friend from Tinnevely, the mover of the amendment to help us in this matter, so that there may be no misunderstanding as to the proper meaning of the item or clause."

* The hon. the PRESIDENT :—"The amendment of the hon. Dr. Subbarayan as now amended will read thus :

'(5) eight members nominated by the Chancellor, of whom at least three shall be representatives of the depressed, backward or minority classes not otherwise adequately represented.'

"Now, the amendment as already amended is for the discussion of the House."

Several hon. Members said that the amendment was all right.

Mr. Satyamurti did not press his suggestion.

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I want to submit for the consideration of the House a few remarks on the clause as it stands now amended. I find the qualifying phrase there 'not otherwise adequately represented', so that power is given for nomination of members from a community which may have been already represented but in the opinion of the authorities may not have been adequately represented. That, I venture to submit leaves a very dangerous door open for abuse of patronage. I know as a matter of fact in

[Mr. A. Ranganatha Mudaliyar]

[11th October 1928]

the case of local bodies and other bodies where this privilege of nomination is exercised, this qualified provision is taken advantage of for nominating a member of a community which though already represented is, in the opinion of the authorities, not adequately represented. And therefore a community already represented is given further representation by nomination to secure this so called *adequate* representation. I therefore urge for the consideration of the House that the word 'adequately' be omitted. Communities already represented must be satisfied with that and nominations may be restricted to the other numerous communities which have no representation at all. So, I request permission to move this amendment."

* The hon. the PRESIDENT :—" Now, Mr. Ranganatha Mudaliyar wants to move an amendment omitting the word 'adequately' in item (5) of clause 15, Class III. That word was already in existence there, and I do not think its deletion is consequential on the amendments already carried. As the word proposed to be deleted was already in the clause, the amendment which is now handed over to me is very late. I wish to know if any hon. Member objects to it."

Rao Bahadur B. MUNISWAMI NAYUDU :—" I object."

* The hon. the PRESIDENT :—" As it is objected to, I cannot permit it."

* Mr. S. SATYAMURTI :—" On a point of order, Mr. President. I merely want information. Do you rule, Sir, that the fact that any one Member objects concludes the matter? Or can the House . . ."

* The hon. the PRESIDENT :—" I have to use my discretion in this matter. The general principle I follow is to allow such of the amendments as have been received in time for the office to type and hand over to me for use. In such cases I use my discretion in favour of Members who have given notice of them. But when amendments are handed over to me too late even for that, as in this case, I use my discretion after seeing if any Member objects."

" The question is—

'Substitute the following for item (5) :—

"Eight members nominated by the Chancellor, of whom at least three shall be representatives of depressed, backward or minority classes not otherwise adequately represented."

The motion was carried.

Item (6).

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I move the following amendment:

In line 2 for the word 'place' substitute the word 'office', and in line 4 for the word 'placed' substitute the word 'vacancy.'

" This is merely a verbal amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

11th October 1928]

Item (7).

Mr. K. KOTI REDDI :—" Mr. President, I move the following amendment:
'Substitute the following for the existing item (7) :—

'(7) One member elected from among themselves by the Presidents of the District Boards of Chingleput, South Arcot, Tanjore, Ramnad, Tinnevely, Madura, Trichinopoly, Salem, Coimbatore, the Nilgiris and North Arcot.'

" Sir, I thought that in addition to the representation that has been already given to the President of the South Arcot District Board and the Chairman of the Municipal Council of Chidambaram, additional provision to represent South Arcot is unnecessary. I want to see, Sir, that this University ought not to be looked upon by the members of other districts as particularly favouring South Arcot district. The fact that this University is located in the South Arcot district is more or less an accident. There is no set purpose in trying to give additional representation to South Arcot as against other districts. The Chairman of the Municipality of Chidambaram ought to be really there. Being the Chairman of the Municipality where the University is located, he will be very useful in looking after the sanitation of the place. Besides the Chairman, under item No. (9) another member elected by the Municipal councillors of Chidambaram is also given representation. I have no objection to go beyond the particular place, but to give further representation for the District Board of South Arcot and the municipalities of South Arcot is unnecessary. If their representation on the Senate of the Tamil University is necessary, I would rather extend it to the other Tamil districts also so that the other districts may not look upon this House as particularly favouring South Arcot district. The President of the District Board is there and ought to be there as also the Chairman of the Chidambaram Municipality as ex-officio members. And I do not see why additional representation beyond these ought to be given to the South Arcot district because the University is located there. If representation is necessary, it will be much better to give it to all the districts. At first I thought such representation might not be necessary at all. But I subsequently thought that the representation of lay members on the Senate of this University may not be adequate, and so some more lay representation would be necessary. So instead of giving special favoured treatment to South Arcot district in addition to the representation to the District Board of South Arcot through its President, the Municipal Council of Chidambaram through its Chairman, any other representation of those bodies is absolutely unnecessary. If lay representation is necessary, let all the districts be represented, and I would particularly emphasise this point because I believe this University ought to be looked to as the Tamil University for the whole of Southern districts. If that is so, let all the Southern districts be represented and not particularly South Arcot alone. These are the reasons why I want this item to be included as item (7)."

Mr. A. KALESWARA RAO :—" I second the amendment."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I do not think I can accept this amendment. Because I feel this lay representation can very well be obtained by giving the right of election to the members of the District Board of South Arcot, and if it is necessary to widen the electorate, much money will have to be spent for the travelling allowance of these Senate

[Dr. P. Subbarayan]

[11th October 1928]

members who would be coming from all the places. As it is a residential University, if they want this lay representation, they should obtain it in the locality itself."

* Mr. K. R. VENKATARAMA AYYAR :—"I am surprised, Sir, that the hon. the Chief Minister is making a point of travelling allowance in dealing with a question like this. I think it is a petty argument to bring forward in answer to the sensible proposition of Mr. Koti Reddi. Either drop this clause altogether or if you want to have such a member extend the franchise to the district boards of all the Tamil districts. That would be sensible. This is not a University intended for the South Arcot district alone. This is a University intended for the Tamil districts. If you want to have a member elected by the district board, members, let it be by all the districts or drop the clause altogether."

Rao Bahadur B. MUNISWAMI NAYUDU :—"The proposal to elect a representative of the presidents of certain district boards is a proposal which passes my comprehension. Probably it may be that they are peculiarly fitted to discuss university matters. What was intended is to give representation to the district board of the district by election from among the members. That is what is given. To substitute that by a right to representation of an electorate constituting the members of several district boards is not one that is desirable."

Mr. ABDUL HAMID KHAN :—"If Mr. Koti Reddi had given notice of an amendment which would have given four or five members from these various district boards I could have understood it. But to make it possible to send one representative, I do not know if the representation will have any effect at all. As it has been pointed out to make a constituent electorate consisting of the presidents of district boards is a thing which I cannot understand and I do not think any object would be gained by the proposal. If it is possible we can at least give one member to two districts or one member to each district board. That will meet the objection that is raised against the University that it will be taken as a university merely intended for the district of South Arcot. As a matter of fact it has to serve all the districts of the Tamil Nad. If it is so, I do not think any purpose will be served by having one member elected by all the presidents of the various district boards."

The amendment was put and lost.

Item (11).

The hon. Dr. P. SUBBARAYAN :—"I move

'In item (11) for the words "from among themselves" substitute the words "from among its members."'

"This again is only a verbal amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR—"I second it."

The amendment was put and carried.

Mr. BASHEER AHMAD SAYEED :—"I move

'Substitute the following for the existing it in (ii):

'Three Muslim members elected by graduates registered in the manner prescribed in item (1) from among themselves.'

"Sir, the item as it now stands gives right to the Muhammadan Educational Association to elect one member by the general body of that Association. On

[11th October 1928] [Mr. Basheer Ahmad Sayeed]

further consideration, Sir, myself and my colleagues on this side of the House have come to the conclusion that it will be more advantageous to the University as also advantageous to those people of that community which represents the particular culture, viz., the Islamic culture, the Urdu and Persian culture, to have an educated man to be elected from among the educated electorate to the University. So that these two points are in the interests of the University and the interests of the people. The other point about this amendment is, Sir, that instead of one I have asked for three. One member was drafted by the Select Committee where there was none already in the draft Bill. I would submit for the consideration of this House, Sir, that the particular community which represents the particular culture cannot and will not be satisfied with only one representative on the new University that is going to be constituted. I have therefore added that instead of one there should be three. After all, Sir, the total number of the senators is going to be nearly 70 or 80 and out of this my non-Muslim colleagues will not, I hope, grudge the representatives of Islamic culture, the Urdu and Arabic culture, three representatives to represent them in the University. After all, the district of South Arcot consists of 20,000 to 30,000 Muslims and a good section of them are Urdu-speaking people and when questions of oriental studies come up before the Senate there must be elected graduates of this University and that of the Andhra University to really help the deliberations of that Senate when occasion arises. It is with that view I have proposed this amendment."

Mr. K. UPPI SAHIB :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, if a calculation is made of the total strength of the Senate of this new University it will be found they come to about 60. I think it is rather unfair that my Friend should ask for three members, especially when my Friend sits on the Congress side of this House that he along with his Muslim friends should be in favour of communal electorates without asking for a joint electorate—a thing which has not been done either in the Andhra University or the Madras University, is most surprising. As I have said often people live to learn."

Mr. BASHEER AHMAD SAYEED :—"On a matter of personal explanation, Sir . . ."

* The hon. the PRESIDENT :—"He will give it after the hon. Minister has finished his speech."

The hon. Dr. P. SUBBARAYAN :—"Besides the Select Committee considered this very amendment and after a great deal of discussion and after listening to the arguments they decided that there should be no communal representation as such to communities like Muslims and in order to safeguard their educational interests they might be represented as an exceptional case by one member belonging to the Muhammadan Educational Association of South India. In these circumstances I do not think I can accept the amendment."

Mr. BASHEER AHMAD SAYEED :—"Sir, the hon. Minister seemed not to have understood me. When I said I have asked for three Muslim members to be elected by the general constituency of the registered graduates."

[11th October 1928]

* The hon. the PRESIDENT :—The hon. the Chief Minister not understanding the speech does not at all constitute a matter of personal explanation."

At this stage Mr. Uppi Sahib rose to speak.

Mr. SIVA RAJ :—"The hon. Member Mr. Uppi Sahib seconded the motion of Mr. Basheer Ahmad."

Mr. A. RANGANATHA MUDALIYAR :—"I wish to submit for your consideration whether it is not open to Mr. Basheer Ahmad to point out a fact, Sir."

* The hon. the PRESIDENT :—"How the Minister has understood him is not a matter of personal explanation."

Mr. ABDUL HAMID KHAN :—"I am sorry the hon. the Minister for Education has not thought it fit to follow originally the amendment and subsequently the speech of the hon. the Mover made in moving his amendment. What is intended here is not to constitute a separate communal electorate. On the other hand what is intended is that all the registered graduates that come out of the Annamalai University are given another chance or vote to elect three Muslims to represent them on the Senate of the Annamalai University. Sir, in his remarks the hon. Minister also stated that we, some of the Members on this side of the House, particularly belonging to the Congress creed, were thinking of separate electorates. While we are not thinking of separate electorates in this motion there was no point in making such a charge against the Muslim members. We are in favour of joint electorates and the motion itself is in favour of joint electorates. What is intended is a reservation of seats for the minority community in order to see that at least three seats out of 60 are reserved for the Muslim community."

Mr. A. KALESWARA RAO :—"I regret to say that the hon. the Minister has misunderstood or at any rate misrepresented the position of Mr. Basheer Ahmad and began to taunt his position as a Congressman with regard to this separate reservation of seats and separate electorates. He never meant that there should be separate electorate but only wanted that the graduates generally elected three Muslim graduates from among themselves. He only wants instead of one member three members representing the Muslim community not elected by the general body of the Muhammadan Educational Association of South India but by the graduates who represented the modern culture as well as the Islamic culture."

The hon. Dr. P. SUBBARAYAN :—"I want to say that I made a mistake and I am really sorry for it; but still I am opposed to it."

* The hon. the PRESIDENT :—"The hon. the Chief Minister need not mention that as a personal explanation."

Mr. K. V. R. SWAMI :—"No doubt the Chief Minister has not properly understood Mr. Basheer Ahmad. What is contained in this Bill is separate representation by a separate body. This is communal really."

* The hon. the PRESIDENT :—"The hon. Minister has stated that he has made a mistake."

Mr. K. V. R. SWAMI :—"What is proposed in the Bill is communal electorate, the Association consisting purely of Muhammadans. But what my Friend proposes is to have a general electorate consisting of all and as for the number three, I do not think it is disproportionate. At this time their community also should be adequately represented."

[11th October 1928]

[Mr. K. V. R. Swami]

"But, it may be said that they may not have any separate communal representation at all. For some time, I think, it must be conceded that these things should go on. In the recent elections for the Bar Council, we have seen that no Muhammadan was given any chance whatsoever; out of ten seats they could not secure even one Muhammadan. That shows that for some time we should concede that these minority interests should be protected by giving them adequate reservation of seats. With these words, I support the amendment."

Rao Bahadur B. MUNISWAMI NAYUDU :—"The question as to how many representatives should be given to registered graduates was considered by the Select Committee. There was first a proposal for fifteen seats, and ultimately the number twelve was arrived at to be elected by registered graduates. At the time when the question of representation of representative bodies came up, Mr. Basheer Ahmad Sayeed said that he was not pressing for representation of Muhammadans, but that an association concerned with the welfare of the education of Muhammadans should be given three representatives. I believe it was then conceded that the association consisted not only of Muhammadans but also of non-Muhammadans. That being so, to turn what was conceded by the Select Committee as the representation to a body interested in the welfare of Muhammadan education into a representation by the graduates themselves and make it an appendage to item (1), without saying how many of them should be Muhammadans and how many non-Muhammadans, is not the proper thing. If my hon. Friend's amendment has been to item (1), then it will be something. Having allowed that to pass, to say that members to be elected by the graduates should be increased by three in another item is indirectly trying to increase the number to be elected by the graduates to fifteen from twelve in item (1). Sir, in trying to give representation to these bodies, we considered the elected and the non-elected elements, and tried as far as possible to equalize. If we now add three members more, that will be really giving too much to one particular body. Therefore, if he wanted to make the addition to the general body of members to be elected by the registered graduates, he should have brought the amendment to item (1), either in the name of the Association or that the Association should be transferred to the graduate constituency. If we now try to amend item (1) in this manner, it will mean another constituency for the graduates. I therefore oppose the amendment."

The amendment was put and declared lost.

Mr. Basheer Ahmad Sayeed demanded a poll, and the House divided thus:

Ayes.

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| 1. Mahmud Sohamnad Sabib Bahadur. | 12. Mr. C. Obi Reddi. |
| 2. Syed Ibrahim Sahib Bahadur. | 13. " A. Parasurama Rao Pantulu. |
| 3. Khan Bahadur Khalif-ul-lah Sahib Bahadur. | 14. " C. Ramasomayaajulu. |
| 4. Mr. Abdul Hamid Khan. | 15. " Basheer Ahmad Sayeed. |
| 5. " G. Harisarvottama Rao. | 16. " A. Kaleswara Rao. |
| 6. " C. N. Muthuranga Mudaliyar. | 17. " K. Koti Reddi. |
| 7. " K. V. R. Swami. | 18. " L. K. Tulasingam. |
| 8. K. P. V. S. Muhammad Meera Ravuttar Bahadur. | 19. " C. Marudavanam Pillai. |
| 9. Mr. D. Narayana Raju. | 20. " K. V. Krishnaswami Nayakar. |
| 10. Dr. B. S. Mallayya. | 21. " C. Venkatarangam Nayudu. |
| 11. K. Uppi Sahib Bahadur. | 22. " K. S. Sivasubrahmanya Ayyar. |
| | 23. Muhammad Khadir Mohidin Sahib Bahadur. |

[11th October 1928]

Noes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 26. Mr. W. P. A. Soundara Pandiya Nadar. |
| 2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 27. „ S. Subrahmanya Moopnar. |
| 3. „ Mr. T. E. Moir. | 28. „ S. Venkith. |
| 4. „ Diwan Bahadur M. Krishnan Nayar. | 29. The Zamindar of Singampatti. |
| 5. „ Mr. S. Muthiah Mudaliyar. | 30. Mr. W. E. Smith. |
| 6. „ Dr. P. Subbarayan. | 31. Diwan Bahadur K. Ramuni Menon. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 32. Mr. W. O. Wright. |
| 8. Mr. C. B. Cotterell. | 33. Rajkumar S. N. Dorai Raja. |
| 9. „ H. A. Watson. | 34. Mr. K. Ramachandra Padayachi. |
| 10. „ C. A. Souther. | 35. Rao Sahib R. Srinivasan. |
| 11. „ S. H. Slater. | 36. Mr. G. Premayya. |
| 12. „ A. McG. C. Tampoe. | 37. „ A. Ranganatha Mudaliyar. |
| 13. „ C. W. E. Cotton. | 38. „ Rammath Goenka. |
| 14. „ V. Ch. John. | 39. „ R. Nagan Gowda. |
| 15. „ M. A. Manikkavelu Nayakar. | 40. The Zamindar of Gollapalli. |
| 16. „ J. Bheemayya. | 41. Mr. T. C. Srinivasa Ayyangar. |
| 17. „ R. Foulkes. | 42. „ Chavadi K. Subrahmanya Pillai. |
| 18. „ P. J. Gnanavaram Pillai. | 43. „ K. R. Venkatarama Ayyar. |
| 19. „ J. Kuppuswami. | 44. „ K. P. Raman Menon. |
| 20. Subadar-Major S. A. Nanjappa Bahadur. | 45. „ B. Ramachandra Reddi. |
| 21. Mr. T. M. Narayanaswami Pillai. | 46. „ P. T. Rajan. |
| 22. „ K. Krishnan. | 47. „ T. K. Chidambaranatha Mudaliyar. |
| 23. „ N. Siva Raj. | 48. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 24. „ M. Gangathara Siva. | 49. Rao Bahadur K. Sitarani Reddi. |
| 25. „ V. I. Muniswami Pillai. | 50. „ B. Muniswami Nayudu. |
| | 51. Diwan Bahadur A. M. Murugappa Chettiayar. |

Neutral.

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|------------------------------------|--|
| 1. Mr. Syed Tajudin Sahib. | 7. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 2. „ Daniel Thomas. | 8. The Raja of Panagal. |
| 3. „ S. Satyamurti. | 9. The Zamindar of Mirzapuram. |
| 4. „ C. V. Venkataramana Ayyangar. | 10. The Kumara Raja of Venkatagiri. |
| 5. „ J. A. Saldanha. | |
| 6. „ C. Gopala Menon. | |

Ayes 23. Noes 51. Neutral 10.

The amendment was lost.

Mr. BASHEER AHMAD SAYEED :—“ Sir, I move—

‘For the words “one member”, the words “three members” be substituted, in item (11) of clause 15, Class III—Other Members.’

“I think, Sir, I ought to be able to know by now that even this amendment would be lost by the heavy odds of the Government against me. But still, Sir, I am undaunted. I shall face the issue. There was, as I said, no provision already existing in the draft Bill for any representation of those oriental studies called Arabic, Persian and Urdu. At the time when this was considered in the Select Committee, myself and some other friends thought that the Educational Association of Southern India may be given three representatives, but the Committee decided that only one representative would do. Even at that time the question was raised that I ought not to advocate the cause of the Muslims as such. I made it clear I did not advocate the cause of Mussalmans because they were followers of Islam. But I said in this Presidency, especially in the southern part of this Presidency, there ought not to be any other than a Muslim to represent Persian, Arabic and Urdu. Since a new University is to be started, it is just and fair that such faculties

11th October 1928] [Mr. Basheer Ahmad Sayeed]

should be given representation. I do not say that Mussalmans should get representation simply because they are Mussalmans. The University is meant to further certain studies, certain arts and certain sciences. When that is the case, why not one very important and special branch of learning in oriental art, namely, Persian, Arabic and Urdu, be represented on the Senate? That is what I fought for. No doubt, in the Muhammadan Educational Association of Southern India there are a very few non-Mussalmans as well. But they do not count much. But constituted as the Association is, on further consideration myself and my colleagues as I already said, came to a different conclusion that it may not be advisable or desirable that the Muhammadan Educational Association should be given the representation that was given to it by the Select Committee. We said . . .”

* The hon. the PRESIDENT :—“The hon. Member will confine his remarks to his amendment to substitute ‘three members’ for ‘one member’.”

Mr. BASHEER AHMAD SAYEED :—“I bow to your ruling, Sir. I therefore think that one will not be enough to represent really the interest which I have spoken about. In the Senate, when matters concerning this branch of oriental studies is taken up, there should be at least a seconder and a supporter, if not more. With that view, I wanted three members from the Mussalmans to represent that particular branch of learning. I therefore hope and appeal to my hon. Friends that they will be pleased to accept this amendment.”

Mr. G. HARISARVOTTAMA RAO :—“I have great pleasure in seconding this amendment. I do not want to take much time of the House in doing so except to say that those who represent Islamic culture in Southern India are 7 per cent, and three out of sixty members would not be too much. Therefore, I think that much of representation should be conceded to our brethren, and I have great pleasure in seconding the amendment.”

The hon. Dr. P. SUBBARAYAN :—“Mr. President, I do not think I can accept this amendment to raise the number to three. As you see in another item, the Sri Nandanar Kalvi Khazhagam has also been conceded only one member. As everybody knows, the depressed classes in this Presidency have far greater claims for representation than Mussalmans. I cannot therefore accept the amendment.”

The amendment was put and declared lost.

A poll was demanded and the House divided as follows :—

Ayes.

- | | |
|---|--|
| 1. Mahmud Shammad Sahib Bahadur. | 13. Mr. C. Ramaswamyajulu. |
| 2. Syed Ibrahim Sahib Bahadur. | 14. „ A. Kaleswara Rao. |
| 3. Mr. C. V. Venkataramana Ayyangar. | 15. „ K. Koti Reddi. |
| 4. „ J. A. Saldanha. | 16. „ L. K. Tulasingam. |
| 5. „ Abdul Hamid Khan. | 17. „ C. Marudavanam Pillai. |
| 6. „ G. Harisarvottama Rao. | 18. „ C. Venkatarangam Nayudu. |
| 7. „ K. V. R. Swami. | 19. „ K. S. Sivasubrahmanya Ayyar. |
| 8. K. P. V. S. Mahammad Meera Ravuttar Bahadur. | 20. Muhammad Khadir Mohidin Sahib Bahadur. |
| 9. Mr. D. Narayana Raju. | 21. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 10. Dr. B. S. Mallayya. | 22. Mr. Basheer Ahmad Sayeed. |
| 11. Mr. C. Obi Reddi. | |
| 12. „ A. Parasurama Rao Pantulu. | |

[11th October 1928]

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 24. Mr. V. I. Muniswami Pillai. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 25. " W. P. A. Soundara Pandiya Nadar. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 26. " S. Subrahmanya Mooppanar. |
| 4. " Mr. T. E. Moir. | 27. " S. Venkayya. |
| 5. " Mr. S. Muthiah Mudaliyar. | 28. The Zamindar of Singampatti. |
| 6. " Dr. P. Subbarayan. | 29. Mr. W. E. Smith. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 30. " F. E. Corley. |
| 8. Mr. C. B. Cotterell. | 31. " W. O. Wright. |
| 9. " H. A. Watson. | 32. Rajkumar S. N. Dorai Raja. |
| 10. " C. A. Souther. | 33. Mr. K. Ramanachandra Padayachi. |
| 11. " S. H. Slater. | 34. Rao Sahib R. Srinivasan. |
| 12. " A. McG. C. Tampoe. | 35. Mr. G. R. Premayya. |
| 13. " C. W. E. Cotton. | 36. " V. Ramjee Rao. |
| 14. " V. Ch. John. | 37. The Zamindar of Gollapalli. |
| 15. " N. A. Manikkavelu Nayakar. | 38. Mr. T. C. Srinivasa Ayyangar. |
| 16. " J. Bheemayya. | 39. " Chavadi K. Subrahmanya Pillai. |
| 17. " R. Foulkes. | 40. " K. P. Raman Menon. |
| 18. " P. J. Gnanavaram Pillai. | 41. " B. Ramanachandra Reddi. |
| 19. " J. Kuppuswami. | 42. " T. K. Chidambaranatha Mudaliyar. |
| 20. Subadar-Major S. A. Nanjappa Bahadur. | 43. Diwan Bahadur S. Kumaraswami Keddiyar. |
| 21. Mr. K. Krishnan. | 44. Rao Bahadur K. Sitarama Reddi. |
| 22. " N. Siva Raj. | 45. " B. Muniswami Nayudu. |
| 23. " M. V. Gangadhar Siva. | 46. Diwan Bahadur A. M. Murugappa Chettiyar. |

Neutral.

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|--------------------------------|------------------------------------|
| 1. Syed Tajudin Sahib Bahadur. | 7. Mr. K. V. Krishnaswami Nayakar. |
| 2. Mr. Daniel Thomas. | 8. " A. Ranganatha Mudaliyar. |
| 3. " S. Arpudadaswami Udayar. | 9. " Ramanath Goenka. |
| 4. " S. Satyamurti. | 10. " C. Gopala Menon. |
| 5. " K. Uppi Sahib. | 11. The Raja of Panagal. |
| 6. " R. Srinivasa Ayyangar. | 12. The Kumara Raja of Venkatagiri |

Ayes 22.

Noes 46.

Neutral 12.

The amendment was lost.

The hon. the PRESIDENT:—"Mr. Uppi Sahib just handed to me an amendment which runs thus: 'One Muhammadan member elected by the registered graduates.' Apart from its being very late, I think this amendment is covered by the two previous amendments already moved. The first amendment moved by Mr. Basheer Ahmad involved the substantial question as to which shall be the constituency, and the second amendment involved the question as to the number. Therefore, Mr. Uppi Sahib's motion is out of order."

The hon. Dr. P. SUBBARAYAN:—"Mr. President, under item (12) I move

'For the words "teaching staff" substitute the words "those engaged in teaching, in any manner on the staff".'

"I do not propose to move the other amendments."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put and carried.

* Mr. C. GOPALA MENON:—"Sir, I move

'that under clause 15, to add a new item (15)

'One member from the Southern India Chamber of Commerce and one member from the Madras Chamber of Commerce'.

[11th October 1928]

[Mr. C. Gopala Menon]

"Sir, it is the usual practice to provide for representation of the Chambers of Commerce on the Senate of the University. The Madras University Act has a similar provision and the other Universities in India also have got similar provisions. So, in accepting this motion, the House will only be following the example adopted by other Universities. I hope the hon. the Minister will see his way to accept this amendment."

Mr. R. SRINIVASA AYYANGAR:—"I second it."

The hon. Dr. P. SUBBARAYAN:—"I have no objection to accept this amendment."

* Mr. S. SATYAMURTI:—"May I raise this question, how is this member to jump from the Chamber of Commerce to the Senate of the Chidambaram University? It must be either by election or by nomination, or ex-officio. None of these methods is provided for. In view of the vote of this House this morning that Commerce may wait for some time, I hope my hon. Friend will not press his amendment. Again, Sir, I do not think that really we ought to disturb the balance of elected as against nominated members of the Senate, which we arrived at after very careful consideration in the Select Committee. I do not want to be hard on my Friend, the Minister for Education, but he certainly places some of us who are following the Bill, in a very difficult position, when he suddenly gets up and says 'I accept the amendment' without giving the reasons for it. If my hon. Friend says that it ought to be by election from the Chamber of Commerce we may consider the position, because apart from the question whether Commerce ought to be represented on the whole—the Madras Chamber of Commerce and the South Indian Chamber of Commerce are both influential representative bodies—apart from anything else, if they were to elect a member from among themselves and send him to the Senate, it may be worth while. I do not know if you are going to allow any amendment at this stage to provide for the manner of election. But, the amendment, as it stands, I do submit, is too vague to be accepted by this House."

Mr. K. V. R. SWAMI:—"Sir, it is very curious how my Friend wants separate representation for the Chambers of Commerce. This morning, Mr. Gopala Menon loyally supported the motion for excluding Commerce, but at the time of voting he deserted us by leaving the House. (Mr. Basheer Ahmad Sayeed: Hear hear.) This House decided this morning by vote that commerce need not be taught there. What is the Chamber of Commerce to do there? What interests are going to be safeguarded by its being represented on the Senate? The University itself has nothing to do with Commerce. Commerce has not got any special interest there by way of literature. My submission is that it is a very small body which does not deserve any representation at this stage. If the course of Commerce is introduced later on, this House might give representation then to the Chambers of Commerce. They want two representatives in a body of 60. That will be over-representation. Another thing is the constituency also must be very small, and the interests are not in any way different from the interests of those persons who are likely to be on the Senate. So, I oppose the motion."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I move to substitute the words 'elected by' for the word 'from.'"

"Sir, I am one of those who regretted this morning the ruling out of commerce. I hope that better sense would prevail now at least."

[11th October 1928]

Mr. A. RANGANATHA MUDALIYAR :—" May I know, Sir, if the hon. Member has your permission to move this amendment?"

* The hon. the PRESIDENT :—" Yes; as a constitutional one.

"I think the proper procedure to be adopted is that if any Member is to object for a new amendment being made he is to rise and say 'I object to the new amendment being made,' then the President will have to use his discretion either for or against it."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I say that the two people representing the Chambers will do all they can to introduce some studies about commerce and technology. After all, we do not want to be wedded completely to education experts only but to produce a number of business men—as the founder himself is a keen business man—in the University. I think this amendment is quite necessary. It will be the duty of the representative of commerce to advance interests and studies of commerce, trade and industries."

Mr. G. HARISARVOTTAMA RAO :—" Sir, I have very great pleasure in seconding the amendment, though this morning certain ideas were laid before us by the Member for the University and by the Finance Member as to the progress of the University. It was not contended that commerce must be ruled out altogether. On the other hand, it was pointed out that there was some room for commerce in the vague words 'professional studies and technology' and also in the original purposes that was stated in clause 1. Therefore I feel that the presence of members of Commerce on this University Senate will be conducive to the early introduction of more modern subjects into the University."

4-45
p.m.

Mr. BASHEER AHMAD SAYEED :—" Mr. President, nothing grieves me more than the attitude of the hon. Minister for Education in connexion with the disposal of my amendment for increased representation for the Muhammadan Educational Association and the easy way in which he has accepted this amendment for giving two representatives for the Chambers of Commerce. Sir, by a vote of this House this morning the new University has been made, for the present or for a decade to come, a purely literary university which will teach nothing but humanities and arts. When that is the case I do not see any necessity for the Chambers of Commerce being represented there. Even the inclusion of the words 'Commerce and industry' has been ruled out by this House. The hon. Minister stated that three members should not be given for a Muhammadan Educational Association, educationally backward and representing a distinct culture which will persist through all time till eternity, and now he easily comes forward to give two members to the Chambers of Commerce! What is the constitution of these Chambers? What is their strength? One has about 50 or 60 members on its rolls and the other has about 80. Why does the hon. Minister come forward and say that he would give two members for a body consisting of 60 members? I do not see the rhyme or reason for this motion or for the Minister's willingness to accept it."

"I expect my hon. Friend from Chittoor to oppose this motion as he opposed my motion for giving representation to the Muhammadan Educational Association. With a membership of 60 what right have these Chambers for representation on a residential and unitary type of university which is going to teach nothing but arts and humanities? Why do these Chambers want to send representatives to the University? Further, what

11th October 1928] [Mr. Basheer Ahmad Sayeed]

are these Chambers of Commerce? Are they taking any real interest in the advancement of this country? Have they started any industry in this Presidency? Have they entered into any useful activity except making money for themselves, individually, not even for the association? When that is the case why should this university which is purely a literary body teaching nothing but arts and humanities, should have representatives on it from the Chambers of Commerce? I strongly oppose this motion and appeal to my hon. Friends to agree with me that this is quite unnecessary, unwarranted and an abuse of the privilege of members to vote for this motion."

* Mr. J. A. SALDANHA :—" Sir, I would not have arisen to make a speech but for the observations of my hon. Friend Mr. Basheer Ahmad. I have not yet lost hope of this university being converted into a scientific and industrial university. The Chambers of Commerce represent not only mere commerce in its narrow sense. They represent the industrial side. The Chambers of Commerce have been interesting themselves in the industrial development of the country, because there cannot be commerce without industry. I am sure that so long as technology is one of the subjects taught in the university and so long as there is the professional course, these representatives of the Chambers of Commerce will be of use in the development of this university in the right direction. With the assurance we have got and with the assurance I have got personally from the generous Founder, I am sure that technology and commerce will find courses of study very soon at Chidambaram. Therefore I would strongly support this amendment. I may point out to my hon. Friend that commerce and industry represent not particular sections like Muhammadans or Christians, but the interests of the millions of people and sums of money. They will represent vast economic interests of the people. Therefore I support this motion."

The amendment of Mr. C. V. Venkataramana Ayyangar to the amendment of Mr. C. Gopala Menon was then put and carried and the amendment was made.

Mr. C. Gopala Menon's amendment as amended by Mr. Venkataramana Ayyangar's amendment was then put and carried.

The ZAMINDAR OF GOLLAPALLI :—" Sir, I beg to move :

'Add the following as new item (16) :—

"(16) One member elected by the Madras Landholders Association, Madras'."

"Sir, the Bill provides no representation of the landholders on the Senate of the University. The Andhra University Act and the Madras University Act have provided for the representation of the Landholders' Association. Such a provision would kindle the generosity of the landholding classes to finance the university to a great extent. It is true that Sir Annamalai Chettiyar has endowed this University with unprecedented generosity for which on behalf of the landholders I heartily and sincerely thank him. But an equally large sum if not more has to be invested by the State. The landholding classes expect the State to recognize their weight in the social scale. It is for these reasons this amendment has been proposed."

Mr. RAMANATH GOENKA :—" I second the amendment. I should like to point out that when the Members of the South Indian Chamber of Commerce and the Madras Chamber of Commerce are going to be represented there even

[11th October 1928]

[Mr. RAMANATH GOENKA]

though they do not, like the Landholders' Association, take any interest in the educational advancement of the country, why should the Landholders' Association not get representation? Let the hon. Minister who agreed to the representation in the one case, also agree to this."

Mr. BASHEER AHMAD SAYEED:—"I oppose this motion on the same grounds as I opposed the earlier motion and on some further grounds, Sir."

* The hon. the PRESIDENT:—"The hon. Member is requested to confine himself to the 'further grounds.'"

Mr. BASHEER AHMAD SAYEED:—"Yes, Sir. The university is not going to make or have any faculty of agriculture. The Madras Landholders' Association can have no place there until the university opens a faculty of agriculture. What is this association? What is it doing? No one knows. The Chambers of Commerce came up for representation, so also this association comes up for representation. What is the interest this association is going to represent on the University bodies? That has not been mentioned. No case has been made out for representation and yet my hon. Friends are jubilant that there will be a representative of this association on the university Senate. No reason has been given for accepting this motion. I strongly oppose it."

The hon. Dr. P. SUBBARAYAN:—"Mr. President, I am sure my hon. Friend, the Zamindar of Gollapalli, is sorry that our friend Mr. Ramanath Goenka seconded his amendment. Because, in seconding the motion Mr. Goenka paid rather a left-handed compliment to the landholders of this Presidency. Some of the landholders' representatives were there on the old Senate of the Madras University and they really took an active interest in the affairs of the university. When I was a member I think the landholders thought that their interests were safe in the hands of their fellow landholder. That may be one of the reasons why they want representation now. I remember the Zamindar of Chellapalli was regularly attending all the meetings of the Senate of the Madras University. So, I think when we give representation to the Chambers of Commerce there is no reason why we should deny it to the Madras Landholders' Association. I think I will accept the amendment."

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

The amendment was put and declared lost.

The hon. Dr. Subbarayan demanded a poll which was taken with the following results:—

Ayes.

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|---|---|
| 1. The hon. Sir Norman Marjoribanks. | 11. Mr. S. H. Slater. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 12. " A. McG. C. Tampoe. |
| 3. " Mr. T. E. Moir. | 13. " C. W. E. Cotton. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 14. " V. Ch. John. |
| 5. " Mr. S. Muthiah Mudaliyar. | 15. " Syed Tajudin Sahib. |
| 6. " Dr. P. Subbarayan. | 16. " J. Bheemayya. |
| 7. Rao Bahadur C. V. Anantakrishna Ayyar. | 17. " R. Foulkes. |
| 8. Mr. C. B. Cottersell. | 18. " J. Kuppuswami. |
| 9. " H. A. Watson. | 19. Subadar-Major S. A. Nanjappa Bahadur. |
| 10. " C. A. Souter. | 20. Mr. T. M. Narayanaswami Pillai. |
| | 21. " K. Krishnan. |
| | 22. " N. Siva Raj. |
| | 23. " M. V. Gangadhara Siva. |

11th October 1928]

Ayes—cont.

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| 24. Mr. V. I. Muniswami Pillai. | 45. Mr. Ramanath Goenka. |
| 25. " W. P. A. Soundara Pandia Nadar. | 46. " R. Nagan Gowda. |
| 26. " Daniel Thomas. | 47. The Zamindar of Gollapalli. |
| 27. " S. Venkiah. | 48. Mr. T. C. Srinivasa Ayyangar. |
| 28. The Zamindar of Singampatti. | 49. " Chavadi K. Subrahmanya Pillai. |
| 29. Mr. W. E. Smith. | 50. " K. R. Venkatarama Ayyar. |
| 30. " F. E. Corley. | 51. " K. P. Raman Manon. |
| 31. Rajkumar S. N. Dorai Raja. | 52. " C. Gopala Menon. |
| 32. Mr. S. Arpudaswami Udayar. | 53. " B. Ramachandra Reddi. |
| 33. The Zamindar of Kallikota. | 54. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 34. Mr. K. Ramachandra Padayachi. | 55. The Raja of Panagal. |
| 35. Rao Sahib R. Srinivasan. | 56. Rao Bahadur Sir A. P. Patro. |
| 36. Mr. G. R. Premayya. | 57. Mr. P. T. Rajan. |
| 37. " V. Ramjee Rao. | 58. " T. K. Chidambaranatha Mudaliyar. |
| 38. " J. A. Saldanha. | 59. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 39. " K. V. R. Swami. | 60. Rao Bahadur K. Sitarama Reddi. |
| 40. " C. Obi Reddi. | 61. " B. Muniswami Nayudu. |
| 41. " A. Parasurama Rao Pantulu. | 62. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 42. " K. Koti Reddi. | 63. The Zamindar of Mirzapuram. |
| 43. " A. Ranganatha Mudaliyar. | 64. The Kumara Raja of Venkatagiri. |
| 44. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | |

Noes.

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|-----------------------------------|-----------------------------------|
| 1. Mr. S. Satyamurti. | 6. Dr. B. S. Mallayya. |
| 2. " Abdul Hamid Khan. | 7. Mr. K. Uppi Sahib. |
| 3. " C. S. Govindaraja Mudaliyar. | 8. " K. R. Karant. |
| 4. " G. Harisarvottama Rao. | 9. " Basheer Ahmad Sayeed. |
| 5. " D. Narayana Raju. | 10. " K. V. Krishnaswami Nayakar. |

Ayes 64. Noes 10.

The amendment was carried.

When the counting was going on Mr. Ranganatha Mudaliyar asked: "Sir, before we disperse, may we have some idea of the duration of the Council?"

* The hon. the PRESIDENT:—"Will the hon. the Leader of the House be able to make a statement about it?"

The hon. Sir NORMAN MARJORIBANKS:—"Sir, I have only to say that, if the items of business that we are now engaged in are not finished to-morrow, I think that they may stand over to the next meeting and that the House need not meet again on Monday because I understand most of hon. Members will be going away for the holiday on Saturday and will prefer not to return on Monday."

(A voice:—When will be the next meeting?)

* 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.

[11th October 1928]

APPENDIX I.

[Vide answer to question No. 516 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 11th October 1928, page 358 supra.]

(1) *Nominations to the District Educational Councils since 15th March 1928.*

Name of gentleman or lady nominated.	Name of the District Educational Council.	The political party to which the gentleman or lady belongs.
1. Janab Saiyid Kasim Sahib Bahadur.	Salem (25th April 1928) ..	The Government have no information.
2. Srimathi Utta Sundaramma Garu.	Anantapur (2 nd April 1928).	
3. M.R.Ry. L. C. Guruswami Garu, M.L.C.	Chingleput (10th May 1928).	
4. Srimathi Koka Krishna-venamma.	East Godavari (26th May 1928).	The Government have no information.
5. Mrs. Sriam Bhagirathi Amma.	Chingleput (14th July 1928).	
6. Mrs. Dharma Ramasubbhan ..	Cuddapah ..	
7. Miss Elsie Poppen ..	Ganjam (25th July 1928) ..	

(2) *Nominations to the Advisory Council for the Queen Mary's College for Women, Madras, since 15th March 1928.*

Name of gentleman or lady nominated.	The political party to which the gentleman or lady belongs.
1. Raja Sir Venganad Vasudeva Raja Avargal, Valia Nambidi of Kollengode, Kt., C.I.E.	The Government have no information.
2. Mrs. Muzheruddin ..	

(3) *Nominations to Selection Committees of Government Colleges.*

Government Arts College, Rajahmundry.

1. M.R.Ry. Jiwan Bahadur C. Venkatachalam Pantulu Garu, Retired Public Prosecutor.	The Government have no information.
2. Mir Akram Ali Sahib Bahadur, Vakil ..	
3. M.R.Ry. Rao Bahadur M. Venkataratnam Nayudu Garu, Vakil.	
4. M.R.Ry. K. Virabhadraswami Garu, Medical Practitioner ..	

Ceded Districts College, Anantapur.

1. Khan Bahadur Kammar Immamuddin Sahib Bahadur, Landlord, Anantapur.	The Government have no information.
2. M.R.Ry. J. P. Cotelingam Garu, Retired Educationist, Bellary.	
3. " K. Sarabha Reddi Garu, M.L.C. ..	
4. " Rai Bahadur T. M. Narasimha Achariyar Avargal, Vakil, Cuddapah.	

The Presidency College, Madras.

1. M.R.Ry. Rao Bahadur C. Natesa Mudaliyar Avargal, Medical Practitioner.	The Government have no information.
2. Khan Bahadur Haji Muhammad Abdul Aziz Sahib Bahadur ..	
3. M.R.Ry. Diwan Bahadur G. Narayanaswami Chetti Garu, President, Corporation of Madras.	
4. " T. S. Ramaswami Ayyar Avargal, High Court Vakil, Madras.	

11th October 1928]

(3) *Nominations to Selection Committees of Government Colleges—cont.*

Name of gentleman or lady nominated. The political party to which the gentleman or lady belongs.

Government College, Kumbakonam.

1. M.R.Ry. Rao Bahadur N. Krishnaswami Ayyangar Avargal, High Court Vakil, Kumbakonam.	The Government have no information.
2. " T. Krishnaswami Ayyangar Avargal, High Court Vakil, Kumbakonam.	
3. " M. C. N. Muthukumaraswami Chettiyar Avargal, Municipal Councillor, Kumbakonam.	
4. " A. T. Pannirselvam Avargal, President, District Board, Tanjore.	

Government College, Coimbatore.

1. M.R.Ry. Rao Bahadur C. S. Ratnasabhapati Mudaliyar Avargal, Chairman, Municipal Council, Coimbatore.	The Government have no information.
2. " C. M. Ramachandra Chettiyar Avargal, High Court Vakil, and President, District Educational Council, Coimbatore.	
3. " Rao Bahadur S. Sesha Sastriyar Avargal, Retired Public Prosecutor and Vakil.	
4. " V. C. Vellingiri Goundar Avargal, Landlord ..	

Government Victoria College, Palghat.

1. M.R.Ry. Rao Bahadur K. Krishnan Avargal, Retired Civil Assistant Surgeon.	The Government have no information.
2. " A. N. Verghese Avargal, Civil Assistant Surgeon, Palghat.	
3. S. Dawood Khan Sahib Bahadur, Retired Sub-Registrar and Honorary Magistrate.	
4. M.R.Ry. Rao Bahadur R. Sekhara Menon Avargal, High Court Vakil, Palghat.	

Government Brennen College, Tellicherry.

1. M.R.Ry. K. Krishnan Avargal, High Court Vakil and Chairman, Municipal Council, Tellicherry.	The Government have no information.
2. " G. Damodara Rao Avargal, High Court Vakil ..	
3. Khan Bahadur T. Moidoo Sahib Bahadur, M.L.C., and President, District Board, Malabar.	
4. M.R. Ry. P. Ramunni Marar Avargal, Vakil ..	

Government College, Mangalore.

1. M.R.Ry. Diwan Bahadur N. Subba Rao Avargal, President, District Educational Council, South Kanara	The Government have no information.
2. " N. Venkata Rao Avargal, Chairman, Municipal Council, Mangalore.	
3. " B. Mahabala Hegde Avargal, President, District Board, South Kanara.	
4. Khan Bahadur Haji Abdulla Haji Quasim Bahadur, M.L.A. ..	

Law College, Madras.

1. M.R.Ry. T. R. Venkatarama Sastrigal Avargal, C.I.E., High Court Vakil, Madras.	The Government have no information.
2. " Rao Bahadur Paul Appaswami Avargal, Judge, City Civil Court.	
3. Muhammad Ibrahim Sahib Bahadur, High Court Vakil, Madras.	
4. M.R.Ry. Diwan Bahadur O. Thanikachalam Chettiyar Avargal, Advocate, Madras.	

[11th October 1928]

Name of gentleman or lady nominated.

The political party to which the gentleman or lady belongs.

(3) *Nominations to Selection Committees of Government Colleges—cont.*

College of Engineering, Guindy.

1. Mr. G. R. Maish, Chief Engineer, Madras and Southern Mahratta Railway.
2. M.R.Ry. Diwan Bahadur C. Arunachala Mudaliyar Avargal, Zamindar of Chunampet.
3. " P. Ramanathan Avargal, Solicitor, Madras ..
4. " Rao Bahadur M. C. Raja Avargal, M.L.A. ..

The Government have no information.

Teachers' College, Saidapet.

1. M.R.Ry. P. K. Anantanarayana Ayyar Avargal, Lecturer, Teachers' College, Saidapet.
2. " A. Ramaswami Mudaliyar Avargal, Vakil and Editor of *The Justice*, Madras.
3. " Rai Sahib N. Chengal Rao Avargal, Retired Registrar, Secretariat, Madras.
4. Khan Bahadur Abdul Razaq Sahib Bahadur, M.L.C., Chairman, Municipal Council, Saidapet.

The Government have no information.

Government Training College, Rajahmundry.

1. M.R.Ry. A. Rama Rao Pantulu Garu, Public Prosecutor ..
2. Mir Akram Ali Sahib Bahadur, Vakil ..
3. M.R.Ry. P. Govinda Rao Nayudu Garu, President, District Board, East Godavari.
4. The Rev. R. M. Dunkil Berger, Lutheran Mission ..

The Government have no information.

(4) *Nominations to the Advisory Council of the Institute of Commerce, Madras.*

1. Mr. R. Lee, Director, Messrs. Binny & Co., Madras ..
2. Mr. A. T. Luker, M.L.C., Director, Messrs. Addison & Co., Madras.

The Government have no information.

(5) *Nominations to the Text-Book Committee.*

1. M.R.Ry. T. Rajagopal Rao Garu, Superintendent of Vernacular Studies, Christian College.
2. " K. A. Nilakanta Sastriyar Avargal, Principal, Sri Minakshi College, Chidambaram.
3. Miss Chandler, Lecturer, St. Christopher's Training College, Madras.
4. M.R.Ry. C. S. Srinivasa Achariyar Avargal, Professor, Pachaiyappa's College, Madras.
5. Sriman Madhusudan Maha Patro Mahasayo, Principal, Raja's Sanskrit College, Parlakimedi.
6. M.R.Ry. Vidwan R. Raghava Ayyangar Avargal, Ramnad Samasthanam, Ramnad.

The Government have no information.

11th October 1928]

APPENDIX II.

[Vide answer to question No. 520 asked by Mr. Basheer Ahmad Sayeed at the meeting of the Legislative Council held on the 11th October 1928, page 361 supra.]

FINANCE DEPARTMENT.

NOTE FOR THE FINANCE COMMITTEE.

[SUBJECT.—Construction of additional blocks in the Madras Record office.]

Summary of the proposals of the Head of the Department.

There are at present six record blocks in the Madras Record office which are almost full. Additional accommodation is urgently required for fifteen years records of the Board of Revenue that cannot be transferred for lack of space and for the Secretariat records subsequent to those of the year 1919.

2. In plan * C. A. 203 the scheme of future development is outlined.

* Plan not printed. For the present, it is proposed to construct only two-thirds of the centre block containing two compartments on the ground floor and two on the first floor. The orientation east-west has been selected in consultation with the Consulting Architect so as to avoid the defects of the orientation of the existing blocks which, running north-south, are exposed to the morning and evening sun.

3. The cost of constructing the four compartments is estimated at Rs. 95,000. The cost of racks is estimated at Rs. 45,000. The cost of a block similar to the existing blocks would be Rs. 65,000 inclusive of the cost of racks. Thus, the cost of completing the four compartments equipped with racks will be Rs. 1,40,000, i.e., Rs. 10,000 in excess of the cost of completing two blocks on the existing design. The accommodation in the four compartments will, however, be about two and a half times the accommodation provided by each old block.

4. Of the expenditure on the scheme, Rs. 95,000, the cost of the building, will be incurred during 1925-26 and Rs. 45,000, the estimated cost of racks, will be incurred in the following year.

5. The construction of the proposed block will afford adequate accommodation for the requirements of the next fifteen years.

NOTE BY THE ADMINISTRATIVE DEPARTMENT.

The necessity for the provision of additional space for Government records in the Madras Record office was brought to the notice of Government last year; but, as the proposal was received too late to admit of provision being made in the current year's budget, the Officer in charge, Madras Record office, was asked to submit his proposals in sufficient time to admit of the necessary provision being made in the budget for 1925-26. The necessity and urgency of the proposals have been established. It is far more economical to construct the block on the proposed plan than to perpetuate the existing

[11th October 1928]

type of block. Apart from considerations of economy, the existing type is considered to be unsuitable both by the officer in charge and by the Consulting Architect. It is accordingly proposed to ask the Public Works Department to include a provision of Rs. 95,000 on account of the scheme in their budget for 1925-26.

J. B. BROWN—2-10-24.

NOTE BY THE FINANCE DEPARTMENT.

The proposal may be placed before the Finance Committee as a Part II scheme for 1925-26.

R. W. DAVIES—3-10-24.

APPENDIX III

[Vide item IV "The Annamalai University Bill" at page 372 supra.]

BILL No. 9 OF 1928.

The Annamalai University Bill.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned members of the Select Committee appointed to consider the Annamalai University Bill (Bill No. 9 of 1928), have the honour to submit the following report.

2. The Bill was published in an extraordinary issue of the *Fort St. George Gazette* in English on 24th August 1928 and in an ordinary issue of the *Fort St. George Gazette* on 28th August 1928.

3. The Committee met on the 4th and 5th October 1928 for the consideration of the Bill and passing their report.

4. The Committee have made various amendments to the Bill of which the more important are mentioned below:—

(i) The definition of the word 'Founder' in the original Bill contained no provision for the reversion of the office to a member of the family in the male line after a temporary period of descent through females, in case a

[11th October 1928]

competent member in the male line came into existence. The Committee have so worded the definition as to make this point clear.

(ii) *Clause 7.*—Clause 7 of the Bill provided for the admission, to the professional examinations or degrees of the University of Madras, of persons who had passed the examinations of this University declared by the Chancellor as corresponding to the qualifying examinations of the Madras University. The Committee consider that this will be an undue interference with the academic autonomy of the University of Madras which should be allowed to determine for itself what examinations of the new University will be accepted by it as qualifying for its professional examinations and degrees. They have accordingly deleted the clause.

(iii) *Clause 8.*—To ensure the residential character of the new University and to make it clear that no student of the University shall reside elsewhere than in a hostel or lodging maintained or recognized by the University, the Committee have deleted the last twelve words of clause 8 and inserted the word 'lodging' after the word 'hostel'.

(iv) *Clauses 14 and 15.*—The Committee have decided to institute a Board for the selection of the teachers and Registrar of the University, and to vest in the Vice-Chancellor the power of appointing the clerical staff and other servants.

(v) *Clause 16.*—According to the Bill, the elective element in the Senate was disproportionate to the ex officio and nominated elements therein. Further, in a University of a teaching and residential type, there should be a fair proportion of members representing academic and teaching interests. The Committee have therefore decided to remove five names out of the existing list of ex officio members, but owing to the importance of Pudukkottah as a Tamil Indian State situated near the seat of the new University, they have added the Diwan of Pudukkottah as an ex officio member. At the same time, the Committee have increased the number of persons to be elected by the registered graduates of the University from 10 to 12. As during the first ten years of the existence of the University, there is not likely to be a sufficiently large number of registered graduates of the University entitled to elect members under this clause, they have made a provision that during those years, the twelve members shall be elected by all the graduates of the

[11th October 1928]

University, the graduates from the Sri Minakshi College at Chidambaram and the graduates of not less than seven years' standing of the University of Madras, except those from the Sri Minakshi College, residing in the districts of Madras, Chingleput, North Arcot, South Arcot, Salem, Coimbatore, the Nilgiris, Tanjore, Trichinopoly, Madura, Ramnad and Tinnevely and in the State of Pudukkottah. The Committee have also increased the number of members elected by the Academic Council from 3 to 4. They have considered it unnecessary to give representation to either the District Board of Tanjore or the municipalities in the Tanjore district. To provide for various academical and educational interests which the new University may be expected to foster, they have given one elected member each (1) to the Sri Nandanar Kalvi Khazhagam, Chidambaram, (2) to the Muhammadan Educational Association of Southern India, (3) to the teachers of the Sanskrit Colleges at Tiruvadi, Madura and Chidambaram, (4) to the Madura Tamil Sangam, and (5) the Tanjore Karanthai Tamil Sangam and the teachers of the Sri Minakshi Tamil College at Chidambaram. They have also provided that three out of the eight members nominated by the Chancellor shall be representatives of the depressed and backward classes not otherwise adequately represented on the Senate.

(vi) *Clause 17.*—This clause *inter alia* gives power to the Senate to pass resolutions on the annual report, the annual accounts and financial estimates; but does not make such resolutions binding upon the Syndicate. The Committee consider that the resolutions of the supreme governing body of the University on the annual report and accounts should have binding effect, and have accordingly provided that the resolutions when communicated to the Syndicate shall be binding upon the Syndicate and that the Syndicate shall take action in accordance with the resolutions. As regards financial estimates separate provision is made under sub-clause (3) of this clause and under clause 24 of the Bill as amended by the Committee.

(vii) *Clause 18.*—As it is necessary and desirable that the Academic Council should represent the best educational opinion both within and outside the body of teachers, the Committee have provided that out of the ten members elected by the teachers, not less than five shall be teachers elected from among themselves, thereby

11th October 1928]

making it possible for the teachers to elect competent persons from outside their body to sit on the Academic Council. The Committee have also made provision for the Senate to return five members to the Academic Council, so as to enable the Senate to be in touch with the Academic Council to the mutual advantage of both.

(viii) *Clause 22.*—The Committee have reduced the number of members to be nominated to the Syndicate by the Chancellor from 4 to 2.

(ix) *Clause 23.*—To prevent the abuse of the power of dispensation with the regulations given by sub-clause (j), the Committee have provided that the dispensation shall be subject to statutes made in that behalf.

(x) *Clause 24.*—The Committee feel that the provision for the constitution of a Finance Committee with such powers of scrutiny and veto as are conferred on it by clause 25 is an unusual one and can only be justified on the ground that during the early years of the existence of the University it may be desirable for the University to obtain expert financial guidance, and to avoid unnecessary and improper expenditure on schemes which may afterwards prove to be failures. The Committee have therefore limited the life of the Finance Committee to a period of ten years from the commencement of the Act. They also consider that there is not sufficient justification for allowing two Secretaries to Government to be members of it, and have made only the Secretary to the Government in the Finance Department a member of it. As the Syndicate is already represented on the Committee by the Vice-Chancellor, the Select Committee have considered it desirable to delete the provision for the return of another member to the Committee by the Syndicate, and to provide instead for the return of a member thereto by the Senate.

(xi) *Clause 29.*—The Select Committee consider that benefits of the University Provident Fund should accrue not only to the teachers and clerical staff and other servants of the University, but also to all officers of the University other than the Chancellor, the Pro-Chancellor and the Vice-Chancellor.

(xii) The Committee have also made a new provision empowering the Governor-General in Council to declare the provisions of the Provident Funds Act, 1925, applicable to the University Provident Fund as if it were a Government Provident Fund.

(xiii) *Clause 32.*—As it may sometimes be inconvenient for the Senate to consider the regulations made by the

[11th October 1928]

Academic Council at its very next meeting after they have been passed by the Academic Council, the Select Committee have empowered the Senate to consider the same 'at its next meeting' or at a subsequent meeting.

(xiv) *Clause 36.*—The Select Committee consider that sub-clause (4) of this clause relating to the removal of the Founder, the Pro-Chancellor and the Vice-Chancellor is unnecessary and have accordingly deleted it.

(xv) *Clause 42.*—The Select Committee are against empowering the Local Government to hedge its annual contributions and its contribution towards the building and equipment of the University with any conditions which the University may find it impossible or inconvenient to accept, though they think that further contributions to be made by the Local Government may be subject to such conditions. This clause has been amended accordingly.

5. It is unnecessary to refer to the other amendments made by the Select Committee. A copy of the Bill as amended by them is appended. The Committee consider that the changes made by them are not so important as to require a republication of the Bill.

S. KUMARASWAMI.
P. SUBBARAYAN.
C. V. ANANTAKRISHNA AYYAR.
W. P. A. SOUNDARA PANDIA NADAR.
R. N. AROGYASWAMI MUDALIYAR.
A. B. SHETTY.
V. I. MUNISWAMI PILLAI.
A. S. SAHAJANANDAM.
BASHEER AHMED SAYEED.
C. V. VENKATARAMANA AYYANGAR.
S. SATYAMURTI.
R. SRINIVASA AYYANGAR.
K. P. V. S. MUHAMMAD MEERA RAVUTTAR.
T. C. SRINIVASAN.
K. SITARAMA REDDI.
A. M. MURUGAPPA CHETTIYAR.
W. O. WRIGHT.
S. N. DORAI RAJA.
W. ERLAM SMITH.
K. RAMUNNI MENON.
MAHMUD SCHAMNAD. *
S. ARPUDASWAMI UDAYAR. †

* Subject to a note.

† Subject to a minute of dissent.

11th October 1928]

MINUTE OF DISSENT.

The Bill has for its object the establishment at Annamalai of a teaching and residential university of the unitary type. For a very long time to come the Government will stand committed only to three universities in this Province, the old or parent University of Madras, the Andhra University and the new Annamalai University for the Tamil districts. This is but natural when it is remembered that, in addition to the recurring and non-recurring expenditure on the University of Madras and the Andhra University and the ever increasing provision for the expansion of elementary education the Government contribution to the new university is very liberal, amounting to a lump sum contribution of 20 lakhs, seven lakhs towards new buildings, about six lakhs already paid in the shape of building and other grants to the Minakshi College and a recurring annual grant of one and a half lakhs. The cost of the new university to the Government in 1929 will be nearly 35 lakhs.

Considering, on the one hand, the munificence of the donor who has paid 20 lakhs and made over to the university all the buildings and properties attached to the College at Chidambaram, and, on the other, the liberal provision made by the Government, it is incumbent on the framers of this Bill to see that the new university is truly and really the fulfilment of all the high aims and hopes which had animated the Tamilians of all castes and creeds in their demand for a Tamil University. The logical outcome of the foundation of the new university will be that all the old colleges in the Tamil districts will continue to be affiliated to the Madras University and for all higher studies and research, especially in subjects intimately related to Tamil and Sanskrit learning and in advanced scientific and technological courses, students from all the Tamil districts will be drawn to the new university. There is therefore very great need that everything should be avoided which may impart to the new university a sectarian or monopolistic character. Both in the composition of its governing bodies and in its courses its policy should be liberal and its aim should be the promotion of liberal culture. Not only should the courses be thrown open to all classes and communities but also scholarships, prizes and other encouragements and incentives to study should not be determined and regulated by the imposition of religious tests. Where the older universities in Europe have given

[11th October 1928]

up religious tests, where even in this country the greatest need of the hour is the sinking of all private, religious and communal differences with a view to the attainment of national unity and solidarity, it is extremely open to doubt whether any useful purpose will be served by the following exception in clause 5, namely, "except where in respect of any particular benefaction accepted by the university such test is made a condition thereof". With regard to institutions founded half a century ago we find such tests working prejudicially and recently the trustees of a college had to seek a High Court decision on the question whether or not an Adi-Dravida is a Hindu and consequently entitled to join Pachaiyappa's College. But in a university to be newly started under modern, liberal conditions, the encouragement of benefaction founded on religious tests is an anomaly and an anachronism. Still more objectionable is the proviso which follows section 5 "Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Statutes to those not unwilling to receive it". What is to be the nature and character of this religious instruction? Is it to consist of lectures based on the different religious systems prevailing in the Tamil districts delivered by professors competent to expound the same and certified to that effect by the heads of the different religious bodies? Is it to form a part of the regular course of the university or to be provided for in the halls or places of religious worship attached to the different hostels or lodgings maintained or recognized by the university? In the universities of Europe religious teaching is left to private bodies out of class hours. An undenominational university does not undertake to teach religion. I do not see why the new university which is undenominational in character should officially undertake the religious teaching of students of different religious denominations.

The composition of the university bodies should be such as to permit of the representation on them of different interests. Indian Christians and other minorities cannot ordinarily enter these bodies through the door of election except as members of associations privileged to return a member. Although the disadvantage may be sought to be removed by nomination by the Chancellor or the Founder, still as the number nominated cannot be

[11th October 1928]

expected to exceed one or two at the most, it is very much to be regretted that the Select Committee have removed from the list of ex officio members the Bishop of Madras and the Archbishop of Pondicherry.

S. ARPUDASWAMI UDAYAR, M.L.C.

5th October 1928.

NOTE.

1. In my opinion the proviso to clause 5 is objectionable as it will create discontent among the students if the religion of some of the students only is taught. Therefore it must either be omitted or the following clause after the proviso must be added :—

On condition of provision being made to teach any religion for which a request has been made by not less than six boys of the University.

2. In clause 16 among ex officio members in class I, I think it necessary to include the President of the Muhammadan Educational Association of Southern India, which is one of the Premier Educational Associations of this Presidency.

MAHMUD SCHAMNAD.

[The alterations made by the Select Committee are printed in clarendon type.]

BILL No. 9 of 1928.

An Act to establish and incorporate a Teaching and Residential University at Annamalaiagar.

(As amended by the Select Committee.)

WHEREAS it is desirable to establish a Teaching and Residential University for the encouragement of higher education and research in the Tamil districts of the Presidency of Madras ;

AND WHEREAS the Hon'ble Diwan Bahadur Sir S. R. M. Annamalai Chettiyar has established and is maintaining Colleges at and near Chidambaram in which higher instruction is imparted in English, Tamil and Sanskrit studies ;

[11th October 1928]

AND WHEREAS the said Sir Annamalai Chettiyar has agreed with the Local Government to hand over the said institutions together with all the properties attached thereto and further to give a sum of twenty lakhs of rupees for the purpose of establishing and maintaining at Annamalaiagar a Teaching and Residential University wherein he and his heirs shall be entitled to certain powers and privileges;

It is hereby enacted as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called The Annamalai University Act, 192 .

(2) This section shall come into force at once. The rest of this Act shall come into force on such date or dates as the Local Government may, by notification in the *Fort St. George Gazette*, appoint; and different dates may be so appointed for different provisions of this Act.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context:—

(a) 'Annamalainagar' means the area described in Schedule A;

(b) 'Convocation' means any meeting of the University for the conferring of degrees, diplomas or other distinctions;

(c) 'Founders' means the Hon'ble Diwan Bahadur Sir S. R. M. Annamalai Chettiyar and after him his son, Mr. M. A. Muthiah Chettiyar, and after both of them, an adult male member of their family, chosen by the Chancellor, from among the said Sir Annamalai Chettiyar's descendants tracing their descent from him through males, and if any such member be not so available or if no such member is competent in the opinion of the Chancellor to act as Founder, then and until such an eligible member in the male line as aforesaid becomes available, an adult male member of their family chosen by the Chancellor from among the said Sir Annamalai Chettiyar's descendants tracing their descent from him through females; and as soon as any eligible member tracing descent from Sir Annamalai Chettiyar through males becomes available and is chosen by the Chancellor, the member chosen from Sir Annamalai Chettiyar's descendants tracing descent through females shall *ipso facto* cease to be 'Founder.'

[11th October 1928]

For the purpose of this definition (i) any person adopted into the said family and his descendants shall be deemed to be members of the family, (ii) no one born in the said family but adopted out of it shall be deemed to be a member thereof except Ramanathan Chettiyar, son of the said Sir Annamalai Chettiyar, but given in adoption to his brother Diwan Bahadur Ramaswami Chettiyar deceased and his descendants tracing descent from him.

(d) 'Hostel' means a place of residence for students of the University maintained or recognized by it in accordance with the provisions of this Act;

(e) 'Prescribed' means prescribed by this Act or the statutes or the regulations framed thereunder;

(f) 'Teachers' means Professors, Readers, Lecturers, Tutors and such other persons as give instruction to, or take part in the training of, the students of the University in the prescribed manner; and

(g) 'University' means the Annamalai University at Annamalaiagar constituted under this Act.

3. The purposes and powers of the University shall be the following, namely:—

Purposes and
powers of the
University.

(a) to provide

(i) for instruction in such branches of learning as the University may think fit including professional studies and technology and

(ii) for research and the advancement and dissemination of knowledge;

(b) to grant and confer degrees and other academic distinctions to and on persons who shall have

(i) pursued a course of study in the University and shall have passed the examinations of the University in the manner prescribed or

(ii) carried on research under conditions prescribed;

(c) to supervise and control the residence and discipline of the students of the University;

(d) to establish and maintain hostels and under prescribed conditions to recognize hostels not so established or maintained and to withdraw such recognition;

(e) to create such posts as are required for the University and appoint persons thereto;

(f) to provide in the manner prescribed lectures and instruction for persons who are not pursuing a course of study in the University and to grant diplomas to them;

[11th October 1928]

(g) to confer honorary or *ad eundem* degrees or other distinctions in the manner prescribed;

(h) to institute and award fellowships, including travelling fellowships, scholarships, medals and prizes in the manner prescribed;

(i) to demand and receive such fees and other charges as may be prescribed;

(j) to co-operate with other Universities and authorities for promoting the purposes of this Act;

(k) to enter into agreements with other bodies or persons for the purpose of promoting the purposes of this Act including the assuming of the management of any institution under them and the taking over of its properties and liabilities; and

(l) to do such other acts and things, whether incidental to the purposes and powers aforesaid or not but not inconsistent therewith, as may be requisite to further the purposes and objects of this Act.

Territorial
jurisdiction of
University.

4. Save as otherwise provided in this Act, the territorial jurisdiction of the University shall not extend beyond a radius of ten miles from its Convocation Hall which shall be situated in Annamalai-nagar. Notwithstanding any provision in any other law for the time being in force, no educational institution beyond that limit shall form part of or be recognized by or admitted to the privileges of the University and no such institution within that limit shall similarly form part of or be recognized by or seek admission to any privileges of any other University incorporated by law in British India, and any such recognition granted by any such other University to any such institution within that limit prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that, if the Local Government so order nothing in this section shall apply to any institution established or maintained by the University for imparting instruction in agriculture or other technological studies.

University
open to all
classes and
creeds.

5. No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study on the sole ground of sex, race, creed, class, or caste and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious belief or profession in order to entitle him to be admitted thereto as a student or

11th October 1928]

to hold any office or appointment therein or to graduate thereat or to enjoy or exercise any privilege thereof except where in respect of any particular benefaction accepted by the University such test is made a condition thereof:

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Statutes to those not unwilling to receive it.

6. The University may hold examinations for regulating admission thereto or may with the previous sanction of the Governor-General in Council recognize examinations of other Universities or bodies as suitable for the purpose; but it shall not maintain classes for the purpose of preparing students for such admission.

Admission to
the University.

7. Every person pursuing a course of studies for any examination except the entrance examination and for any degree or diploma of the University except those referred to in clauses (f) and (g) of section 3 shall reside in a hostel or lodging maintained or recognized by the University.

Residence of
students.

8. The following shall be the officers of the University, namely:—

Officers of
the University.

- (1) The Chancellor,
- (2) The Pro-Chancellor,
- (3) The Vice-Chancellor,
- (4) The Registrar,
- (5) The Deans of Faculties; and
- (6) Such other persons as may be declared by the Statutes to be officers of the University.

9. (1) The Governor of Fort St. George shall be the Chancellor of the University. He shall by virtue of his office be the head of the University and shall, when present, preside at meetings of the Senate and at Convocations.

The Chancellor.

(2) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act.

(3) The Chancellor shall be entitled to delegate all or any of his functions to the Pro-Chancellor.

10. (1) The Founder shall be the Pro-Chancellor of the University.

The Pro-Chancellor.

[11th October 1928]

(2) The Pro-Chancellor shall in the absence of the Chancellor preside at meetings of the Senate and at Convocations and shall also exercise such other powers as may be conferred on him under the provisions of this Act.

(3) If for any reason the office of the Pro-Chancellor is vacant, the functions of the said office shall be carried on by the Chancellor or by any person authorized by him to do so.

The Founder.

11. (1) The Founder may require the Vice-Chancellor to furnish him with information and all papers or copies thereof relating to any matter concerning the University. The Founder may also request further consideration of the matter by the authorities or officers concerned or place his views thereon before the Chancellor for his consideration, or may do both.

(2) The Founder shall also exercise such other privileges as are conferred on him under the provisions of this Act.

The Vice-Chancellor.

12. (1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three persons recommended by the Founder. He shall, in the absence of special orders by the Chancellor prescribing a shorter period, hold office for a term of three years from the date of the notification of his appointment in the *Port St. George Gazette*.

(2) The Vice-Chancellor may either be an honorary officer or be paid such salary as may be prescribed.

(3) When any vacancy occurs in the office of Vice-Chancellor, the Syndicate shall, as soon as possible, appoint one of its own members to exercise the powers and perform the duties of the Vice-Chancellor during the continuance of the vacancy.

Powers and duties of the Vice-Chancellor.

13. (1) The Vice-Chancellor shall be the principal executive officer of the University and shall, in the absence of the Chancellor and Pro-Chancellor, preside at meetings of the Senate and at Convocations. He shall ex officio be a member and the Chairman of the Academic Council and of the Syndicate.

(2) The Vice-Chancellor shall in the manner prescribed convene meetings of the Senate, the Academic Council and the Syndicate.

(3) In any emergency which in the opinion of the Vice-Chancellor requires that immediate action should be

11th October 1928]

taken, he may take such action and shall immediately thereafter report his action to the authority or officer which or who would have ordinarily dealt with the matter and such authority or officer may confirm, alter or quash such action.

(4) The Vice-Chancellor shall appoint the clerical staff and other servants of the University.

(5) The Vice-Chancellor shall exercise such other powers as may be prescribed.

14. The following shall be the authorities of the University, namely:—

Authorities of the University.

- (1) The Senate.
- (2) The Academic Council.
- (3) The Faculties.
- (4) The Boards of Studies.
- (5) The Syndicate.
- (6) The Finance Committee (during the period of its existence).

(7) The Board of Selection.

(8) Such other bodies as may be declared by the statutes to be authorities of the University.

15. The Senate shall consist of the following persons, namely:—

The Senate.

CLASS I—EX-OFFICIO MEMBERS.

- (1) The Chancellor.
- (2) The Pro-Chancellor.
- (3) The Vice-Chancellor.
- (4) The Director of Public Instruction, Madras.
- (5) The Chairman of the Chidambaram Municipal Council.
- (6) The President of the District Board, South Arcot.
- (7) Heads of departments of studies in the University.
- (8) The Vice-Chancellors of the Madras and Andhra Universities.
- (9) The Collector of South Arcot.
- (10) The Advocate-General, Madras.
- (11) Members of the Syndicate who are not otherwise members of the Senate.
- (12) The Diwan of Pudukkottah.

[11th October 1928]

CLASS II—LIFE MEMBERS.

- (1) Ex-Vice-Chancellors of the University.
- (2) All persons who make a donation of not less than twenty-five thousand rupees to and for all or any of the purposes of the University, and agree to such terms as the Syndicate may impose for the management of the said amount. In case the donor is a corporate body or a firm or a joint family or an association, the individual who shall be entitled to this life membership shall be determined in the manner prescribed.

CLASS III—OTHER MEMBERS.

- (1) Twelve members elected from among themselves by graduates registered in the manner prescribed, according to the principle of proportional representation by means of the single transferable vote ;

Provided that for the first ten years after the coming into force of this section, the twelve members shall be elected according to the same principle by

- (i) the graduates of the University ;
- (ii) the graduates from the Sri Minakshi College at Chidambaram, and
- (iii) the graduates of not less than seven years' standing of the University of Madras, except those from the Sri Minakshi College at Chidambaram, residing in the districts of Madras, Chingleput, North Arcot, South Arcot, Salem, Coimbatore, the Nilgiris, Tanjore, Trichinopoly, Madura, Ramnad and Tinnevely and in the State of Pudukkottah.

- (2) Four members elected by the Academic Council from among its members according to the principle of proportional representation by means of the single transferable vote ;

- (3) Five members elected by the Madras Legislative Council from among its members according to the principle of proportional representation by means of the single transferable vote ;

- (4) Such number of members not exceeding six as the Chancellor may fix to be elected by the donors of sums of not less than ten thousand rupees each to and for all or any of the purposes of the University and agree to such terms as the Syndicate may impose for the management of the said amounts ;

11th October 1928]

- (5) Eight members nominated by the Chancellor at least three of whom shall be nominated to secure the representation of depressed and backward classes not otherwise adequately represented ;

- (6) Four members nominated by the Founder ; provided that if the place of the Founder is vacant on the date on which the nomination is to be made and there is no likelihood in the opinion of the Chancellor of the place being filled up within six months from that date the Chancellor shall nominate the said four members ;

- (7) One member elected by the members of the District Board, South Arcot district, from among themselves ;

- (8) One member elected by the Municipal Councillors of the South Arcot district other than the Municipal Councillors of Chidambaram from among themselves ;

- (9) One member elected by the Municipal Councillors of Chidambaram from among themselves ;

- (10) One member elected by the members of the Sri Nandanar Kalvi Khazhagam, Chidambaram, from among themselves ;

- (11) One member elected by the general body of the Muhammadan Educational Association of South-eastern India from among themselves ;

- (12) One member elected from among themselves by the teaching staff of the Sanskrit College, Tiruvadi, the Rameswaram Sanskrit Patasala, Madura, and the Sri Minakshi Sanskrit College, Chidambaram ;

- (13) One member elected from among themselves by the members of the Madura Tamil Sangam ;

- (14) One member elected from among themselves by the members of the Tanjore Karanthai Tamil Sangam and the teaching staff of the Sri Minakshi Tamil College, Chidambaram.

16. The Senate shall be the supreme governing body of the University and shall have the following powers, namely :—

- (1) to make statutes and amend or repeal the same ;
- (2) to consider and pass resolutions on the annual reports and the annual accounts which resolutions shall be communicated to the Syndicate who shall take action in accordance therewith ;

Powers of the Senate.

[11th October 1928]

(3) to consider and pass resolutions on the annual financial estimates which resolutions shall, after the period of tenure of the Finance Committee, be communicated to the Syndicate who shall take action in accordance therewith;

(4) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the statutes; and

(5) to do all acts and things necessary to give effect to the provisions of this Act.

Constitution
of the Academic
Council.

17. The Academic Council shall consist of the following persons, namely:—

CLASS I—EX-OFFICIO MEMBERS.

- (1) The Vice-Chancellor.
- (2) The Director of Public Instruction, Madras.
- (3) The Professors and Readers of the University.
- (4) The Chairmen of the Boards of Studies.
- (5) The Members of the Syndicate who are not otherwise members of the Academic Council.

CLASS II—OTHER MEMBERS.

- (1) Ten members elected by the teachers other than Professors and Readers of whom not less than five shall be teachers elected from among themselves;
- (2) Five members elected by the Senate from among themselves excluding those who are already members of the Academic Council.

Powers and
duties of the
Academic
Council.

18. The Academic Council shall have the control and regulation of residence, teaching and examinations in the University and the maintenance of the standards thereof, shall have the following powers and shall perform the following duties, namely:—

(a) to make proposals to the Syndicate for the institution of professorships, readerships, lectureships or other teaching posts;

(b) to make regulations for purposes hereinafter specified;

(c) to make recommendations to the Syndicate for the recognition of teachers qualified to give instruction in hostels not maintained by the University;

(d) to formulate, modify or revise, subject to the control of the Senate, schemes for the constitution or reconstitution of faculties and departments of studies; and

[11th October 1928]

(e) to do such other things and perform such other duties as may be prescribed by the statutes.

19. (1) The University shall include Faculties of The Faculties. Arts, Science and Oriental Studies and such other Faculties as may be prescribed and each such Faculty shall be constituted in the manner prescribed.

(2) Each Faculty shall have a Dean. He shall be elected by the Faculty from among the heads of departments of the Faculty and shall be responsible for the due observance of the statutes and regulations relating to the Faculty. He shall hold office for such period and subject to such conditions as may be prescribed by the statutes.

(3) Each Faculty shall comprise such departments of study as may be prescribed by the regulations and shall, subject to the control of the Academic Council, have charge of the teaching, courses of study and research work in such departments. The head of every department of study shall be the professor of that department, or if there is no professor, the Reader. If there is more than one professor or more than one Reader in a department, as the case may be, the Vice-Chancellor shall appoint such professor or Reader as he thinks fit to be the head of the department. The head of the department shall be responsible to the Dean for the organization of the teaching in that department.

20. The number, constitution and duties of the Boards of Studies shall be such as may be prescribed.

21. The Syndicate shall consist of the following The Syndicate's persons, namely:—

CLASS I—EX-OFFICIO MEMBERS.

- (1) The Vice-Chancellor.
- (2) The Director of Public Instruction, Madras.
- (3) The Deans of Faculties.

CLASS II—OTHER MEMBERS.

(1) Three members elected by the Senate from among its members.

(2) One member elected by the Academic Council from among its members.

(3) Two members nominated by the Chancellor.

[11th October 1928]

(4) Two members nominated by the Founder; provided that, if the place of the Founder is vacant on the date on which the nomination is to be made and there is in the opinion of the Chancellor no likelihood of the place being filled up within one month from that date the Chancellor shall nominate the said two members.

Powers and
duties of the
Syndicate.

22. The Syndicate shall have the following powers and perform the following duties, namely:—

- (a) to control and administer the property and the funds of the University;
- (b) to direct the form, custody and use of the common seal of the University;
- (c) to suspend or dismiss the Registrar, the teachers, the clerical staff and other servants of the University for sufficient cause and to define their duties and the conditions of their service;
- (d) to accept on behalf of the University bequests, donations and transfers of any movable or immovable properties or the management thereof;
- (e) to arrange for the holding of and publish the results of the University examinations and in the prescribed manner to appoint examiners and cancel their appointment;
- (f) to regulate and determine all matters concerning the University in accordance with this Act and the statutes and regulations;
- (g) to institute subject to the control of the Senate and abolish or suspend on the advice of the Academic Council professorships and other teaching posts;
- (h) to refer any matter to the Academic Council, a Faculty or a Board of Studies for consideration and report;
- (i) to draft such statutes and regulations as may from time to time be necessary and to submit them to the Senate and the Academic Council respectively for consideration;
- (j) to disperse, subject to statutes made in this behalf, with a strict compliance with the regulations of the University in special cases;
- (k) to make standing orders in such manner and on such matters as may be prescribed; and
- (l) to do such other things and perform such other duties as may be prescribed.

The Finance
Committee.

23. (a) There shall be constituted a Finance Committee for a period of ten years from the date of this section coming into effect.

11th October 1928]

(b) It shall consist of the following persons, namely:—

(1) The Secretary to the Government of Madras in charge of Finance.

(2) The Founder, and in case the place is vacant any person nominated by the Chancellor to do the duties of the Founder under this section during the continuance of the vacancy.

(3) The Vice-Chancellor.

(4) A member elected by the Senate from among themselves not being a member of the Syndicate.

24. (1) The Syndicate shall, in the manner prescribed, frame the financial estimates of the University and place the same before the Finance Committee. Powers and
duties of the
Finance
Committee.

(2) The Finance Committee shall then scrutinize the said estimates and shall be entitled to make such modifications therein as it considers necessary.

(3) The said estimates as modified by the Finance Committee shall then be placed before the Senate which may assent or refuse its assent to the same or may omit or alter any of the items therein.

(4) (i) (a) All modifications made by the Senate in the said estimates which have not the effect of increasing the income,

(b) and all proposals involving any expenditure originated by the Senate apart from such estimates,

shall be placed before the Finance Committee for its consideration.

(ii) All points of difference between the said Committee and the Senate in respect of the matters specified in clause (i) shall be placed before the Chancellor and his decision thereon shall be final.

25. Appointments of Teachers and the Registrar shall be made by a Board of Selection constituted as follows:—

- (1) A member nominated by the Chancellor;
- (2) The Founder and in case the place is vacant any person nominated by the Chancellor to do the duty of the Founder under this section during the continuance of the vacancy;
- (3) The Vice-Chancellor;
- (4) A member of the Syndicate elected from among themselves by the members thereof;
- (5) A member of the Senate elected by the members thereof.

[11th October 1928]

Annual
accounts.

26. (1) The annual accounts of the University shall be prepared by the Syndicate in the manner prescribed and shall be submitted to such examination and audit as the Local Government may direct.

(2) The accounts when so examined and audited shall be published by the Syndicate in the *Fort St. George Gazette* and copies thereof shall, together with copies of the report of such examination and audit, be submitted to the Senate, the Finance Committee and the Local Government.

The Univer-
sity.

27. The Chancellor, Pro-Chancellor and Vice-Chancellor of the University and the members of the Senate, the Academic Council and the Syndicate shall constitute a body corporate by the name of the Annamalai University of Annamalai Nagar and shall have perpetual succession and a common seal and shall sue and be sued by that name.

Visitor.

28. (1) The Governor-General shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection or an enquiry to be made in respect of any matter, institution or property connected with the University by such person or persons as he may appoint in that behalf. The Visitor shall in every case give notice to the University of his intention to cause such inspection or enquiry to be made and the University shall be entitled to be represented thereat.

(3) The Visitor may address the Chancellor with reference to the results of such inspection or inquiry and the Chancellor shall communicate to the Senate and to the Syndicate the views of the Visitor and may, after ascertaining the opinion of the Senate and the Syndicate thereon, advise the University upon the action to be taken.

(4) The Syndicate shall report to the Chancellor for communication to the Visitor such action, if any, as it is proposed to take or has been taken upon the results of such inspection or enquiry. Such report shall be accompanied by the opinion of the Senate thereon and shall be submitted within such time as the Chancellor may direct.

(5) Where the Senate or the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Senate or the Syndicate, issue such directions as he may think fit and the Senate and the Syndicate shall comply

11th October 1928]

with such directions. In the event of the Senate or the Syndicate not complying with such directions within such time as may be fixed in that behalf by the Chancellor, he shall have power to appoint some person or body to carry them out and make such order as to the expenses thereof as he deems fit to make.

29. Subject to the provisions of this Act, the statutes may provide for all or any of the following, namely:—

(a) the constitution, powers and duties of the authorities of the University;

(b) the establishment and maintenance of hostels by the University;

(c) the conditions of recognition of hostels not maintained by the University;

(d) the powers of the officers of the University and in the case of officers other than the Chancellor and Pro-Chancellor their duties;

(e) the conditions of service of the Vice-Chancellor;

(f) the holding of Convocations to confer degrees;

(g) the conferment of honorary and *ad eundem* degrees and other distinctions;

(h) the institution and award of fellowships, including travelling fellowships, scholarships, medals and prizes;

(i) the classification, emoluments and mode of appointment of the teachers of the University;

(j) the institution of a provident fund for the benefit of the officers of the University (other than the Chancellor, the Pro-Chancellor and the Vice-Chancellor), its teachers, clerical staff and servants;

(k) the maintenance of a register of registered graduates;

(l) all matters which under this Act may be prescribed by the statutes; and

(m) all other matters and things save those in respect of which regulations can be made, which are within the purposes of this Act, whether incidental to those specified above or not.

30. (1) The Senate may take into consideration the draft of any statute either of its own motion or on the submission thereof by the Syndicate.

(2) If the proposed statute would affect any officer or authority of the University—

(a) where the Senate acts on its own motion, the opinion of the Syndicate and of the officer or authority affected shall be taken into consideration by the Senate before the statute is passed; and

[11th October 1928]

(b) where the Senate acts on the submission of a draft thereto by the Syndicate, the Senate shall not proceed to consider the draft unless the Syndicate has given an opportunity to the officer or authority affected to express his or its opinion thereon and places such opinion, if any, before the Senate for its consideration.

(3) When any statute has been passed by the Senate or a draft proposed by the Syndicate has been rejected, the statute or the draft, as the case may be, shall be submitted to the Chancellor together with the opinions, if any, referred to in sub-section (2) and the Chancellor may refer the statute or draft back to the Senate for further consideration.

(4) A statute passed by the Senate shall have no validity until it has been assented to by the Chancellor.

Regulations.

31. Subject to the provisions of this Act and the statutes, the regulations may provide for all or any of the following matters, namely:—

(a) the admission of students to and the levy of fees therefor by the University;

(b) the conditions under which any person may be admitted to the examinations, degrees and diplomas of the University;

(c) the conditions of residence of the persons referred to in section 8 and the levy of fees for residence and tutorial instruction in hostels maintained by the University;

(d) the number and qualifications of professors, readers, lecturers and other teachers in the University;

(e) the fees to be charged for courses of teaching given by teachers of the University, for tutorial and supplementary instruction given by the University, for admission to the examinations, degrees and diplomas of the University and for the registration of graduates;

(f) the conditions subject to which persons may be recognized as qualified to give instruction in colleges and hostels not maintained by the University;

(g) the appointment and duties of examiners and their emoluments;

(h) the conduct of examinations;

[11th October 1928]

(i) all other matters which by this Act or by the statutes may be provided by the regulations; and

(j) all matters incidental to those specified in clauses (a) to (i).

32. Regulations may be made by the Academic Council on its own motion or on the submission of a draft to it by the Syndicate provided that in the former case before a regulation is passed the opinion of the Syndicate thereon shall be obtained and taken into consideration by the Academic Council. Regulations how made.

All regulations shall have effect from such date as the Academic Council may appoint in that behalf; but every regulation so made shall be submitted as soon as may be to the Senate who shall consider it at its next meeting or a subsequent meeting. The Senate shall have power, by resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or modify any such regulation.

33. (1) Save as otherwise provided, the authorities and other bodies connected with the University shall be reconstituted every three years, and a member of every such authority or body shall except in the case of ex-officio or life members hold office as member thereof from the date of his election or nomination thereto up to the date of the next reconstitution. Period of office.

(2) Any vacancy in the said membership occurring before the said reconstitution, shall be filled up as soon as conveniently may be by the person or body who appointed or elected the member whose place has become vacant and the person so appointed or elected shall be a member of such authority or body only for the residue of the term for which the person whose place he has filled would have been a member.

(3) Any person nominated or elected in his capacity as a member of a particular body or the holder of a particular appointment shall if he ceases to be a member of that body or the holder of that appointment as the case may be, for a period of more than three months or if he goes on leave for a period of not less than six months cease to be a member of the authority or the body of the University concerned.

[11th October 1928]

Validity of
proceedings
of the Uni-
versity
bodies.

34. No act or proceeding of any authority or other body of the University shall be deemed to be invalid by reason only of some defect in the constitution of the University or of the said authority or body or of the existence of any vacancy in the said authority or body or of the invalidity of any election connected therewith or of the disqualification of any member thereof at the time of or subsequent to his election or nomination thereto.

Disqualifica-
tion for
membership.

35. No person shall be qualified for election or nomination as a member of any of the authorities of the University or of any body connected therewith or for appointment as an officer thereof if at the date of election or nomination he

(a) is of unsound mind, deaf-mute or a leper, or

(b) is an uncertificated bankrupt or undischarged insolvent, or

(c) has been convicted by a court of law of an offence involving moral delinquency.

In case of dispute or doubt, the Chancellor shall determine whether a person is disqualified under this section and his decision shall be final.

Removal from
membership
of the Univer-
sity.

36. (1) The Senate may remove any person from membership of any of the authorities of the University or of any body connected therewith or from any of the offices specified in items (4), (5) and (6) of section 9—

(a) if he has been convicted by a court of law of what in the opinion of the Senate is an offence involving moral delinquency,

(b) if he becomes of unsound mind or a deaf-mute or a leper, or

(c) if he applies to be adjudicated or is adjudicated a bankrupt or insolvent.

(2) The Senate may for the reason specified in clause (a) of sub-section (1) withdraw any degree or diploma or any other distinction conferred or granted by the University.

(3) The Senate shall not take any action under clause (a) of sub-section (1) or under sub-section (2) except on the recommendation of not less than two-thirds of the members of the Syndicate.

11th October 1928]

37. If any dispute arises whether any person has been duly elected or nominated as or is entitled to be a member of any authority or body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final. Disputes as to the constitution of University authority.

38. All the authorities of the University shall have power to appoint committees and to delegate to them such of their powers as they deem fit; such committees may include persons not exceeding one-fifth of their total number who are not members of the authority concerned. Constitution of committees.

39. Where any provident fund has been instituted by the University for the benefit of its officers, teachers, clerical staff or servants, the Governor-General in Council may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund as if it were a Government Provident Fund.

40. On the commencement of this Act, the institutions known as the Sri Minakshi College, the Sri Minakshi Tamil College and the Sri Minakshi Sanskrit College situated at Chidambaram and being maintained by Diwan Bahadur Sir S. R. M. Annamalai Chettiyar shall cease to exist as separate entities and shall become part of the University and all rights, powers and privileges of the said institutions and all property movable and immovable thereof shall vest in the University and shall be applied to the objects and purposes for which the University is incorporated. Transfer of the colleges and of their properties to the University.

41. (i) The University shall have a fund called the Permanent Endowment Fund which it shall invest and keep invested in securities issued or guaranteed by the Government of India or by Local Governments in British India. Permanent Endowment Fund.

(ii) The said Permanent Endowment Fund shall consist of—

(a) the sum of twenty lakhs of rupees given by the Founder the Honourable Diwan Bahadur Sir S. R. M. Annamalai Chettiyar;

(b) the sum of twenty lakhs of rupees given to it by the Local Government; and

(c) any contributions to this fund made by the Local Government, the Government of India, any local or other public body, the Founder or others.

[11th October 1928]

General
Fund.

42. The University shall also have a fund called the General Fund which shall consist of

(a) fees and income from endowments including the Permanent Endowment Fund; and

(b) any contributions made to this fund by the Local Government, the Government of India, any local or other public body, the Founder or others.

Contribution
by Govern-
ment to the
University.

43. The Local Government—

(1) (a) shall contribute to the general fund annually a sum of one and a half lakh of rupees, and

(b) shall give for the buildings and equipment of the University a sum of seven and a half lakhs of rupees; and

(2) may, subject to such conditions as may be agreed upon between them and the University, from time to time, contribute such further sums as they deem fit to contribute to the said fund or towards such buildings or equipment.

Completion
of Madras
University
courses.

44. Notwithstanding anything contained in this Act or the regulations any student of the University who was pursuing a course of study for any examination of the University of Madras shall be permitted to complete that course and the University shall hold or arrange with the University of Madras for holding for such students examinations in accordance with the curricula of studies of that University for such period as may be prescribed and notwithstanding anything contained in the Madras University Act, 1923, or the Statutes, Ordinances and Regulations thereunder, such students may be admitted to the appropriate examinations of that University.

Transitory
provisions.

45. (1) At any time after the passing of this Act the Vice-Chancellor, may with the previous approval of the Chancellor, take such action consistent as far as may be with the provisions of this Act and the statutes as he may think necessary for the purpose of bringing the University into being, and for that purpose may exercise any power which by this Act or the statutes is to be conferred on any officer or authority of the University.

(2) At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted—

(a) the Registrar and the teachers of the University shall be appointed by the Chancellor after considering the

[11th October 1928]

recommendations of a committee consisting of the Pro-Chancellor, the Vice-Chancellor, and such other person or persons, if any, as the Chancellor thinks fit to associate with them;

(b) the clerical staff and servants may be appointed by the Vice-Chancellor.

(3) Any appointment made under sub-section (2) shall be for such period and on such conditions as the appointing authority thinks fit: provided that no such appointment shall be made until financial provision has been made therefor.

(4) The first statutes and regulations shall be made by a committee consisting of the Vice-Chancellor as Chairman, and two or more persons nominated thereto by the Chancellor, and shall come into force after being approved by the Chancellor, on such date or dates as the Chancellor may appoint in that behalf.

46. The Chancellor shall have power to take any action necessary to remove any difficulty that may arise in first giving effect to the provisions of this Act.

Removal of
difficulties at
the com-
mencement
of the Act.

SCHEDULE A.

The whole of the Revenue village of Tiruvakkulam and portion of the Revenue village of C. Kottangudi and Resurvey No. 102 of the Revenue village of Usuppur in the Chidambaram taluk in the South Arcot district, bounded on the north by the Natarajapuram road commencing from the South Indian Railway level crossing situated just to the east of the Chidambaram Municipal toll-gate, on the east and south by the Uppanar and on the west by the South Indian Railway line and lands belonging to the South Indian Railway Company, Limited; and Resurvey Nos. 65 to 68 and 105 to 144 of the abovementioned Revenue village of Usuppur.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 12th October 1928. *

The House met at 11 o'clock, Mr. 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.	Muppil Nayar of Kavalappara, Mr. Murugappa Chettiyar, Diwan Bahadur A. M. M.
Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Muthuranga Mudaliyar, Mr. C. N.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P. Muthiah Mudaliyar, The hon. Mr. S. Abdul Razack Sahib Bahadur, Khan Bahadur S. K.	Nagan Gowda, Mr. R.
Abdul Wahab Sahib Bahadur, Munshi. Adinarayana Chettiyar, Bar-at-Law, Mr. T. Anantakrishna Ayyar, Rao Bahadur C. V. Anjaneyulu, Mr. P.	Nanjappa Bahadur, Subadar-Major S. A. Narayana Raju, Mr. D.
Appavu Chettiyar, Mr. C. D.	Narayanan Chettiyar, Mr. Al. Ar.
Ari Gowder, Mr. H. B.	Obi Reddi, Mr. C.
Arogyaswami Mudaliyar, Diwan Bahadur B. N.	Parasurama Rao Pentulu, Mr. A.
Basheer Ahmad Sayeed Sahib Bahadur.	Patro, Kt., Rao Bahadur Sir A. P.
Bhaktavatsulu Nayudu, Mr. P.	Premayya, Mr. G. R.
Bhanoji Rao, Mr. A. V.	Raja of Panagal, K.C.I.E.
Bheemayya, Mr. J.	Rajan, Mr. P. T.
Biswanath Das Mahasayo, Sriman.	Ramachandra Padayachi, Mr. K.
Chidambaranatha Mudaliyar, Mr. T. K.	Ramachandra Reddi, Mr. B.
Congreve, Mr. C. R. T.	Raman Menon, Mr. K. P.
Corley, Mr. F. E.	Ramanath Goenka, Mr.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Ramasomayajulu, Mr. C.
Cotton, C.I.E., I.C.S., Mr. C. W. E.	Ramjee Rao, Mr. V.
Dorai Raja, Rajkumar S. N.	Ramunni Menon, Diwan Bahadur K.
Foulkes, Mr. R.	Ranganatha Mudaliyar, Mr. A.
Gangadhara Siva, Mr. M. V.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Gnanavaram Pillai, Mr. P. J.	Saldanha, Mr. J. A.
Gopala Menon, Mr. C.	Sami Venkatachalam Chetti, Mr.
Govindaraja Mudaliyar, Mr. C. S.	Satyamurti, Mr. S.
Guruswami, Rao Sahib L. C.	Shetty, Mr. A. B.
Hamid Khan Sahib Bahadur, Abdul.	Sitarama Reddi, Rao Bahadur K.
Harisarvottama Rao, Mr. G.	Siva Raj, Mr. N.
John, V. Ch.	Sivasubrahmanya Ayyar, Mr. K. S.
Kameswara Rao Nayudu, Mr. V.	Slater, C.I.E., I.C.S., Mr. S. H.
Karant, Mr. K. E.	Smith, Mr. W. E.
Kay, Mr. Kenneth.	Soundarapandiya Nadar, Mr. W. (P. A.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Souter, I.C.S., Mr. C. A.
Khadir Mohidin Sahib Bahadur, Muhammad.	Srinivasa Ayyangar, Mr. R.
Khalif-ullah Sahib Bahadur Khan Bahadur, P.	Srinivasa Ayyangar, Mr. T. C.
Koti Reddi, Bar-at-Law, Mr. K.	Srinivasan, Rao Sahib R.
Krishnan, Mr. K.	Subrahmanya Moopanar, Mr. S.
Krishnaswami Nayakar, Mr. K. V.	Subrahmanya Pillai, Mr. Chavadi K.
Kumaraswami Reddiyar, Diwan Bahadur S.	Syed Ibrahim Sahib Bahadur, Nattam Du.
Kuppuswami, Mr. J.	Kadir Sahib.
Mahmud Sohamnad Sahib Bahadur.	Tajudin Sahib Bahadur, Syed.
Mallayya, Dr. B. S.	Tampoe, I.C.S., Mr. A. McG.
Manikkavelu Nayakar, Mr. M. A.	Thomas, Mr. Daniel.
Marudavanam Pillai, Mr. C.	Tulasiram, Mr. L. K.
Meera Ravuttar Bahadur, K. P. V. S.	Uppi Sahib Bahadur, K.
Muhammad.	Vanavudaiya Gounder, Mr. S. V.
Muniswami Nayudu, Rao Bahadur B.	Venkatarama Ayyar, Mr. K. R.
Muniswami Pillai, Mr. V. I.	Venkataramana Ayyangar, Mr. C. V.
	Venkataraman Nayudu, Mr. C.
	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 Seithur.
	Zamindar of Singampatti.

[12th October 1928]

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Gazetteers

Preparation of the District Gazetteers.

* 535 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have any proposal to appoint any Editor for the preparation of the several District Gazetteers to succeed the late Mr. J. J. Cotton, I.C.S. (who died in June 1927);

(b) whether the Government will lay on the table a list of the present establishment list of the Gazetteer section, with the names of the holders, their qualifications, duties assigned, age, previous experience, etc., and their pay;

(c) whether it is a fact that an unpassed man has been appointed as a clerk in the Gazetteer section in preference to qualified men available from the Staff Selection Board's lists;

(d) when, how long, and to what places the Personal Assistant has undertaken touring from the time of his appointment till this date;

(e) what was the necessity and the purpose of these tours; and

(f) what was the cost incurred by these tours and the net result therefrom in the matter of the preparation of Gazetteers?

A.—(a) The hon. Member is referred to the answer given to clause (c) of question No. 312 on 8th September 1928.

(b) & (c) A report has been called for.

(d), (e) & (f) The Government have permitted the Personal Assistant to the Editor of Gazetteers to tour out of Madras when necessary for the purpose of collecting information for the B. Volumes of the District Gazetteers which are being compiled. A statement of the tours made under this order has been called for.

Irrigation

Construction of a masonry dam at Tiruvarkadu.

* 536 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(a) whether any memorial was received by Government from the villagers of Iynambakam village No. 87, of Saidapet taluk, Chingleput district, requesting the construction of a masonry dam to feed the Iynambakam tank from the Cooum river at Tiruvarkadu, Avadi-Poonamallee Road, and, if so, what action was taken thereon;

(b) whether the place was inspected by the then District Collector and whether the work was strongly recommended in the interest of the villagers;

(c) whether the then Superintending Engineer also inspected the place and very strongly recommended the work;

(d) whether the villagers were asked to pay a moiety of the costs and whether they expressed their willingness to bear the same;

[12th October 1928]

(e) whether an advance of Rs. 30 was also taken from the villagers as preliminary advance; and

(f) whether the Government propose to do anything in the matter at all, if not, why?

A.—(a) No such memorial has been received during the past three years.

(b) to (f) The Government will call for a report.

Investigations regarding the Kanchalamma tank project.

* 537 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 105 on 4th September 1928 regarding investigations regarding Kanchalamma tank project—

(a) whether the report therein mentioned has been received; and

(b) if so, what it is?

A.—(a) & (b) The report called for from the Chief Engineer has not yet been received.

Reinvestigation of the Gudempad project.

* 538 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 106 on 4th September 1928 regarding the reinvestigation of the Gudempad project—

(a) whether the report of the Chief Engineer has been received; and

(b) if so, what it is?

A.—(a) & (b) The report of the Chief Engineer has not yet been received.

Re-examination of the Duvvaleru project.

* 539 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 107 on 4th September 1928 regarding the re-examination of the Duvvaleru project—

(a) whether the report of the Chief Engineer has been received; and

(b) if so, what it is?

A.—A copy of the Chief Engineer's report, dated 6th September 1928, is laid on the table. The estimates for the Gundlakamma project referred to in the report are under revision by the Chief Engineer for Irrigation.

Repairs to the supply vagu to Damerla tank.

* 540 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in view of the replies given to question No. 108 on 4th September 1928 regarding repairs to the supply vagu to Damerla tank—

(a) whether the information called for has been received; and

(b) if so, what it is?

[12th October 1928]

A.—(a) Yes.

(b) A copy * of the Chief Engineer's report, dated 3rd October 1928, is laid on the table."

Mr. G. HARISARVOTTAMA RAO :—" Sir, with reference to the statement in the Appendix that the ryots could easily have closed the hole and the breach which at first was small, may I ask the hon. the Revenue Member to satisfy himself whether the accusation against the ryots is true? I do not think it is true."

The hon. Sir NORMAN MARJORIBANKS :—" It is only the opinion of the Executive Engineer. I should not call it an accusation."

Plans and estimates for the Thukapalli project.

* 541 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state in view of the answer given to question No. 10 on 3rd September 1928 regarding the Thukapalli project—

(a) whether the revised plans and estimates have been received;

(b) whether the report of the Chief Engineer referred to in paragraph 2 of the above answer has been received, and if so, what it is; and

(c) if the answer to clause (a) or (b) be in the affirmative, what action the Government propose to take on the report or reports?

A.—(a) to (c) The answers to clauses (a) and (b) are in the negative.

Districts included in the five circles mentioned in Government Order regarding Tank Restoration Scheme divisions.

* 542 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state in reference to the annexure to G.O. No. 1814 I., dated 25th July 1928, the districts that are included in the five circles mentioned therein?

A.—The staff sanctioned in the annexure to G.O. No. 1814 I., dated 25th July 1928, is to work in all the districts of the Presidency except Salem, Coimbatore, North Arcot, Malabar, South Kanara, the Nilgiris, Guntur and Tanjore. The staff will, in the first instance, carry out work in the localities indicated in the annexure to the Government Order and then proceed to other areas where estimates are ready for execution.

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, whether the office located at Chittoor will deal with all matters relating to the Kurnool district? "

The hon. Sir NORMAN MARJORIBANKS :—" I think the area is given in the annexure to the Government Order. I am sorry I have not got it now."

Mr. G. HARISARVOTTAMA RAO :—" It is not in the annexure? "

The hon. Sir NORMAN MARJORIBANKS :—" I must ask for notice."

* Printed as Appendix II on pages 540-541 infra.

12th October 1928]

Proposal to extend the irrigation under the Muneru in Nandigama taluk.

* 543 Q.—Mr. A. KALESWARA RAO : With reference to question No. 1134, dated 4th November 1927, will the hon. the Member for Revenue be pleased to state—

(a) in what stage the proposal to extend the irrigation under the Muneru in Nandigama taluk by constructing a reservoir at Konduru now is;

(b) whether the ryots have promised to pay any contribution towards the cost of construction; if so, how much;

(c) what net profits are estimated to be realized by Government on the scheme; and

(d) whether the Government propose to push on with the scheme rapidly?

A.—(a) A copy * of the latest report of the Chief Engineer for Irrigation, dated 5th October 1928, showing the present stage of the scheme is laid on the table.

(b) The attention of the hon. Member is invited to paragraph 2 of the Chief Engineer's report, dated 25th March 1927, laid on the table in answer to question No. 1134, on 4th November 1927. The Government have not received any further report in the matter.

(c) & (d) The Government are unable to say until they receive the final report of the Chief Engineer.

Restoration of Peddinayani tank in Nandigama taluk under the Tank Restoration scheme.

* 544 Q.—Mr. A. KALESWARA RAO : Will the hon. the Member for Revenue be pleased to state—

(a) whether under the Tank Restoration scheme for which a division has been created in Bezvada the restoration of Peddinayani tank in Nandigama taluk which was breached in the cyclone of 1925 will also be taken up; and

(b) whether the ryots have offered any contribution towards the cost of restoration and, if so, what amount?

A.—(a) The proposal to restore the tank has been negatived on the recommendation of the Chief Engineer. The Tank Restoration Scheme division will not therefore take up the work.

(b) The ryots at first stated that they would contribute towards the cost of the work; but when asked by the Executive Engineer to quote a definite figure and execute a formal agreement, they took no action in the matter.

Land Revenue

Introduction of the Land Revenue Bill.

* 545 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state whether in view of the recent statement made by Sir Muhammad Habib-ul-lah Sahib Bahadur in the Council of State regarding Land Revenue legislation what steps the Local Government are taking to expedite the passing of the Land Revenue Bill in this Council?

* Printed as Appendix III on page 541 infra.

[12th October 1928]

A.—The question is not understood. There is no Land Revenue Bill pending in this House. The Government of India have recently addressed this Government on the subject and the reply of this Government is under preparation.

Mr. C. RAMASOMAYAJULU :—“ Is it not a fact that the Government published a Land Revenue Bill in the latter part of 1926 with a view to introduce it in the Council ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ They published a Bill for public criticism.”

Mr. C. RAMASOMAYAJULU :—“ May I know whether this Government in its reply to the Government of India is going to recommend the introduction of a Bill in this Council ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I cannot say what the reply will be.”

Mr. S. SATYAMURTI :—“ May I know whether the Government will lay on the table of the House the letter of the Government of India on this subject ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The hon. Member is well aware that it is not in our power to do that.”

Mr. S. SATYAMURTI :—“ May I know whether, before this Government sends its reply to the Government of India, they will give an opportunity to this Council to express its views on the nature of the Bill ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The Bill has already been published.”

Mr. S. SATYAMURTI :—“ It is stated in the answer that the reply of this Government is under preparation. I am asking whether this House will be given an opportunity of expressing its opinion on the reply before it is sent to the Government of India ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The answer given here is with reference to the question which refers to a statement of the hon. Member of the Government of India. That statement is, as far as I am aware, that the Local Governments would be addressed. I simply wish to say that this Government have been addressed.”

Mr. S. SATYAMURTI :—“ I wish to know whether, before the Local Government makes up its mind on this important piece of legislation, i.e., Land Revenue, they have any intention of giving an opportunity to this House to express their opinion.”

The hon. Sir NORMAN MARJORIBANKS :—“ The hon. Member assumes that this Government have been addressed on the question of legislation. I do not see that there is anything in the answer to suggest that.”

Mr. S. SATYAMURTI :—“ Sir, the question is: Will the hon. the Member for Revenue be pleased to state whether in view of the recent statement made by Sir Muhammad Habib-ul-lah Sahib Bahadur in the Council of State regarding Land Revenue legislation what steps the Local Government are taking to expedite the passing of the Land Revenue Bill in this Council? The answer given is that the Government of India have recently addressed

[12th October 1928]

this Government on the subject and the reply of this Government is under preparation. I am asking what the subject is on which the Government of India have recently addressed this Government.”

The hon. Sir NORMAN MARJORIBANKS :—“ On that subject I can give no information at this stage.”

Mr. S. SATYAMURTI :—“ On Land Revenue legislation ? ”

The hon. the PRESIDENT :—“ The hon. Member has refused to give any information at this stage.”

Mr. S. SATYAMURTI :—“ Even as to on what subject ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ On that subject I am unable to give information.”

Mr. S. SATYAMURTI :—“ Even as to what the matter is ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Yes.”

Mr. J. A. SALDANHA :—“ May I know whether the hon. Member is aware of the Revenue Settlement Bill submitted by my humble self ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I have not got it.”

Mr. D. NARAYANA RAJU :—“ Apart from the preparation of the reply to the Government of India, may I know whether the Government have taken any steps to expedite the passing of a Land Revenue Bill in this Council ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The hon. Member is well aware that the Government published a Bill and the opinions expressed on it were generally adverse. There the matter stands.”

Mr. D. NARAYANA RAJU :—“ Is it the intention of the Government not to introduce any Bill unless the public are in favour of the draft Bill published by the Government ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The main objection to the Bill was that certain powers to fix the rates of assessment were not given to the Legislative Council. A provision to that effect had been put into the Bill that was submitted originally to the Government of India. As I have explained more than once in this House, they took exception to that provision and therefore this Government has no power to introduce a provision like that. It is understood from the criticisms that we have received, that the House will not be prepared to assent to any Bill unless that provision is inserted.”

Mr. D. NARAYANA RAJU :—“ Therefore, is it the intention of the Government not to introduce any Bill unless this House consents not to have the power of fixing rates of assessment ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ We cannot introduce such a power in the Bill.”

Mr. C. RAMASOMAYAJULU :—“ May I request the Government to press upon the attention of the Government of India that this House is of opinion that the power to fix the rates of assessment must be vested in the Council? May I ask the Local Government to fight with the Government of India on the basis of the resolution passed by this Council ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ We certainly are not prepared to fight with the Government of India on any issue.”

[12th October 1928]

Mr. G. HARISARVOTTAMA RAO:—"May I ask the hon. Member to make a recommendation to the Government of India that this Council has expressed its desire to have such a power and that it should have such a power. I am not asking him to fight."

The hon. Sir NORMAN MARJORIBANKS:—"The hon. Member is well aware that such a provision was inserted in the Bill submitted by this Government and it was disallowed."

Mr. J. A. SALDANHA:—"May I enquire whether the Government of India are at present inclined to give the concession which was sought for by this House?"

The hon. Sir NORMAN MARJORIBANKS:—"I cannot possibly say that. That is a question to be addressed to the Government of India."

Mr. S. SATYAMURTI:—"May I know whether in the Local Government's reply to the Government of India they propose to make any reference to the opinion of this Council that any Bill introduced in this Council must contain the provision giving the Council the power to fix the rates of assessment?"

The hon. Sir NORMAN MARJORIBANKS:—"I cannot say, Sir, what the reply would be till it is prepared and considered."

Sriman BISWANATH DAS Mahasaya:—"Sir, if the Government of India and the Local Government hold out a threat to the Council that unless the Council agrees to leave the power of fixing the rates of assessment to the Government they would not introduce a Bill in the Council, may I know how they reconcile their position with the clear and specific recommendation of the Joint Parliamentary Committee that the fixing of assessment of land revenue should thereafter be left to the vote of the Council?"

The hon. Sir NORMAN MARJORIBANKS:—"I do not agree with the hon. Member in his description of the recommendations of the Joint Parliamentary Committee."

Loans

Penal interest on loans under the Agricultural Loans Act.

* 546 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether he is aware of the fact that in many cases under the Land Improvement Loans Act and the Agricultural Loans Act penal interest is charged on very small balances and that in that manner the sums grow heavy and oppressive; and

(b) whether he will consider the advisability of regulating the levy for the penal rate in such a manner as not to be oppressive where the ryot is in ignorance of the actual small balance standing against his name?

A.—(a) The Government have received a representation on the subject from Diwan Bahadur P. Kesava Pillai.

(b) The question of amending the rules relating to the levy of penalty on arrears of loans is under consideration.

[12th October 1928]

Reduction of the rate of interest on loans under the Land Improvement Loans Act.

* 547 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the investigation into the question of reducing the rate of interest under the Land Improvement Loans Act and the Agricultural Loans Act has been completed; and

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

A.—(a) & (b) The Government have just received the report of the Board of Revenue on the subject. The report is under examination, and orders will be passed as early as possible.

Navigation

Vessels plying in the Godavari river.

* 548 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the report of the Chief Engineer (Irrigation) with reference to introduction of Act I of 1917, to vessels plying in the Godavari river has been received;

(b) if so, whether the same would be placed on the table;

(c) whether any orders were passed thereon and if so, to what effect; and

(d) whether the Government will expedite the taking of necessary measures to ensure safety of passengers?

A.—(a) The Chief Engineer's report has just been received.

(b) The question will be considered after the report has been examined.

(c) The reply is in the negative.

(d) The matter is under consideration and will be disposed of as expeditiously as practicable.

Boat traffic on Godavari river.

* 549 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government would call for information as regards the extent of boat traffic on the Godavari river near Kotipalli and Yanam and the number of accidents due to the capsizing of boats plied by unskilled boatmen and the unfitness of the craft for navigation; and

(b) whether the Government intend to make the necessary regulations with reference to boat traffic in the bed of the river so as to ensure the safety of passengers by imposing restrictions against unworthy craft and unskilled pliers?

A.—(a) A report will be called for.

(b) The matter is under consideration.

Revenue Establishments

[12th October 1928]

Tahsildars in Ganjam, Vizagapatam and Guntur districts.

* 550 Q.—Diwan Bahadur P. C. EPHIRAJULU NAYUDU: Will the hon. the Member for Revenue be pleased to state the number and community of the Tahsildars in the Ganjam, Vizagapatam and Guntur districts, acting and permanent?

A.—The hon. Member is referred to the Revenue establishment lists of the districts corrected up to 1st April 1928 which are available in the Secretariat Library for reference.

Village Establishments

Appointment of assistant karnams with hereditary rights in villages in Kurnool district.

* 551 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is not a fact that the assistant karnams of Midutur, Nandikotkur, Paramanchala, Atmakur and Velgode in the Kurnool district were appointed in 1872 with hereditary rights;

(b) whether it is a fact that after 40 years in 1911 the hereditary rights of assistant karnams was first annulled by G.O. No. 2632 of 1911 and B.P. No. 250, dated 26th September 1911;

(c) whether it is a fact that the assistant redds were created after Act III of 1895;

(d) whether it is a fact that such assistant redds are now recognized as hereditary;

(e) whether it is a fact that the work of village accountants in such villages as stated in (a) is not sufficiently heavy to require assistant karnam; and

(f) whether the Government will further investigate the question of appointing assistant karnams with hereditary rights in such villages?

A.—(a) The answer is in the negative.

(b) The answer is in the negative.

(c) The answer is in the negative.

(d) A reference has been made to the Board of Revenue on this point.

(e) It has been reported that the work in three of the villages mentioned is sufficiently heavy to justify assistant karnams.

(f) The Government will consider the question of appointing karnams instead of assistant karnams in villages where the work justifies more than one karnam.

Mr. G. HARISARVOTTAMA RAO:—"In view of the answer to clause (f), may I know whether the Government will make a reference to the Board of Revenue and, if the work in the villages I have mentioned justified the appointment of two karnams, recommend to them the appointment of additional karnams?"

The hon. Sir NORMAN MARJORIBANKS:—"It is stated in the answer that the Government are considering the appointment of additional karnams."

12th October 1928]

Arms and Explosives

Shooting by Mr. A. F. Bulkley, Superintendent, Railway Police, Trichinopoly.

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

(a) whether it is a fact that on or about the 21st July 1928, Mr. A. F. Bulkley, Superintendent, Railway Police, Trichinopoly, shot a man with a revolver in or near Villupuram station platform on the occasion of the railway strike and whether the fingers of the person shot at were injured thereby;

(b) whether it is a fact that at about that time the District Magistrate and the District Superintendent of Police were on the Villupuram Railway Station platform;

(c) whether Mr. Bulkley had any instruction or received any order from the District Magistrate, South Arcot, to open fire;

(d) whether the Government have received reports touching the revolver incident from the District Magistrate and the Superintendent of Police, South Arcot;

(e) whether the Government have held or ordered any enquiry touching the said incident;

(f) whether any, and if so, what action was taken on the conduct of Mr. Bulkley in discharging a revolver; and

(g) whether the Government will be pleased to lay on the table the papers connected with the said incident including the reports of the District Magistrate and District Superintendent of Police?

A.—(a) No. Mr. Bulkley fired one shot into the ground. He did not fire at or injure anyone. The incident took place outside the station about 100 yards down the line.

(b) Yes.

(c) No.

(d) The District Magistrate sent a report about the general incidents of the strike in his district.

(e) No.

(f) None.

(g) The Government see no reason to do so.

Mr. R. SRINIVASA AYYANGAR:—"May I ask the hon. the Home Member to give us some details of the incidents which led up to Mr. Bulkley's opening fire?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Mr. Bulkley was surrounded by a mob who threw stones at him and therefore he discharged his revolver."

Mr. R. SRINIVASA AYYANGAR:—"May I ask the hon. Member to state whether the shot fired into the ground deflected its course and caused injury to anybody?"

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

Mr. R. SRINIVASA AYYANGAR:—"May I ask the hon. Member whether the answer to clause (a) is based upon the statement or report of Mr. Bulkley or whether it is also based on the report of the District Magistrate?"

[12th October 1928]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is based on the report of the District Magistrate."

Mr. R. SRINIVASA AYYANGAR :—" May I ask the hon. the Home Member whether the report of the District Magistrate does or does not refer to this revolver incident, and particularly to the injuries ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is a complete report of the whole incident."

Mr. R. SRINIVASA AYYANGAR :—" I want to know whether there is any reference to any person having sustained injuries."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is not by the opening of fire by Mr. Bulkley."

Mr. R. SRINIVASA AYYANGAR :—" Does it show exactly by whom these injuries were caused ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The injury was caused by a Reserve Policeman. When he found that Mr. Bulkley was in danger, he shot at the crowd."

Mr. R. SRINIVASA AYYANGAR :—" With reference to the answer to clause (g), may I know why the Government see no reason to place the report on the table ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is a confidential document."

Mr. SAMI VENKATACHALAM CHETTI :—" Did the District Magistrate authorize Mr. Bulkley to open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The District Magistrate was far away from Mr. Bulkley."

Mr. R. SRINIVASA AYYANGAR :—" Should not Mr. Bulkley get the sanction of the District Magistrate ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It was unnecessary. The moment Mr. Bulkley got down from the train he was surrounded by a huge mob. The District Magistrate was far away from him."

Mr. R. SRINIVASA AYYANGAR :—" Did not the District Magistrate report to the Government that Mr. Bulkley opened fire without his permission ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is not accurate, Sir."

Mr. S. SATYAMURTI :—" May I know under what authority the hon. the Home Member has said that Mr. Bulkley was surrounded by a mob and therefore he had to fire in self-defence. Is it upon the mere statement of Mr. Bulkley or upon the report of any other officer of Government sent there to make an enquiry ? "

11-15 a.m. The hon. the PRESIDENT :—" It is stated that the District Magistrate has sent the report."

Mr. S. SATYAMURTI :—" May I ask whether the statement that Mr. Bulkley was surrounded by a mob is that of Mr. Bulkley himself or is that statement contained in any official report received by the Government ? "

[12th October 1928]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is contained in the official reports received from the District Magistrate and the Inspector-General of Police."

Mr. S. SATYAMURTI :—" May I ask whether those reports are based on any enquiry open or public conducted by these officers, with notice to those who were injured by the shots ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" There was no enquiry necessary at all."

Mr. S. SATYAMURTI :—" May I ask the hon. the Home Member the authority for those statements in the report so far as the Government can ascertain from the reports themselves ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have said that the District Magistrate and the Inspector-General of Police have sent their reports."

Mr. S. SATYAMURTI :—" Did they make any enquiries ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It was not necessary to make any enquiries ; they are matters of fact."

Mr. S. SATYAMURTI :—" Where was the District Magistrate then ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" He was about 100 yards away."

Mr. S. SATYAMURTI :—" Did not the District Magistrate see the mob ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" He might have seen it ; he came there immediately and found out the true state of affairs."

Mr. S. SATYAMURTI :—" May I ask my hon. Friend why when the District Magistrate was so near and who saw that Mr. Bulkley was surrounded by a mob and that the mob was throwing stones, he thinks he was not near enough to Mr. Bulkley to get orders to open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Between the District Magistrate and Mr. Bulkley there was a crowd which was throwing stones at Mr. Bulkley."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the hon. the Home Member is aware that the District Magistrate did not open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The question of the District Magistrate opening fire or not is not before the House."

Mr. G. HARISARVOTTAMA RAO :—" If, as is stated, there was a crowd between the District Magistrate and Mr. Bulkley, why did not the District Magistrate open fire in the circumstances in which Mr. Bulkley opened fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The mob was towards the direction where Mr. Bulkley was. The District Magistrate was a little far away. The mob was then cleared and the District Magistrate reached the place."

Dr. B. S. MALLAYYA :—" May I know if the fire that was opened by the Police was with revolvers or with guns ? "

[12th October 1928]

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

Dr. B. S. MALLAYYA:—“Was not a man injured, with his five fingers shot by a revolver by Mr. Bulkley?”

The hon. the PRESIDENT:—“The hon. Member is not asking a supplementary question.”

Dr. B. S. MALLAYYA:—“May I know if the statement that the man was shot by a revolver by the Superintendent himself, is not correct?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“As I have said, Mr. Bulkley did not shoot at the man injured.”

Dr. B. S. MALLAYYA:—“May I ask if the statement given by the man whose fingers were shot is not the correct one?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“As I have said, the statement is from the report of the officials.”

Mr. G. HARISARVOTTAMA RAO:—“May I know if Mr. Bulkley was surrounded by a crowd?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Yes, Sir.”

Mr. G. HARISARVOTTAMA RAO:—“If he was surrounded by the mob, may I ask whether a part of the mob at least was not within the sight of the District Magistrate?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Yes, Sir.”

Mr. S. SATYAMURTI:—“With reference to clause (e) of the answer, may I know the reasons why the Government have not held or ordered any enquiry touching the incident?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“No enquiry was necessary; because we have received official reports on the subject from the District Magistrate and the Inspector-General of Police and we are satisfied with those reports.”

Mr. S. SATYAMURTI:—“May I ask whether, with reference to those official enquiries said to have been conducted, any notice was given to the persons who were injured?”

The hon. the PRESIDENT:—“The hon. Member did not say that any official enquiry was conducted.”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“The District Magistrate was 100 yards away; he came to the place and his report is a result of his enquiries.”

Mr. S. SATYAMURTI:—“With regard to those enquiries conducted by those officials, was any notice given to those who were injured as a result of those incidents?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“The injured were there.”

Mr. S. SATYAMURTI:—“May I know whether that statement is contained in the report of the officer who made the enquiry?”

[12th October 1928]

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

Mr. S. SATYAMURTI:—“With regard to the answer to clause (g) of the question, may I know the reasons why the Government decline to place on the table the reports of the District Magistrate and the District Superintendent of Police?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“There was no report from the District Superintendent of Police. There was a report from the District Magistrate, and it is confidential.”

Mr. S. SATYAMURTI:—“May I know if the reason, why the Government decline to place the report, is that the District Magistrate himself admits that Mr. Bulkley opened fire without his orders?”

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

Mr. P. ANJANEYULU:—“May I know whether any statement was taken from the injured person?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I have already answered that question.”

Mr. G. HARISARVOTTAMA RAO:—“May I know why the District Magistrate who was only a few yards away from Mr. Bulkley was not in a position to judge whether fire should be opened or not?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“The question was not before the District Magistrate; it was before Mr. Bulkley.”

Mr. R. SRINIVASA AYYANGAR:—“May I ask whether a part or the whole of the report of the District Magistrate is confidential?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“The whole of the document is confidential.”

Dr. B. S. MALLAYYA:—“May I know if Mr. Bulkley offered a sum of Rs. 100 to the injured man to keep quiet?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I am not aware of it.”

Mr. T. ADINARAYANA CHETTIYAR:—“May I know who was the District Magistrate at that time?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Mr. Upendra Pai.”

Mr. T. ADINARAYANA CHETTIYAR:—“Has he been transferred since?”

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

Mr. J. A. SALDANHA:—“May I enquire whether the official view is the only view to be accepted by the Government? Is there no other view?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“There is no other view at present.”

[12th October 1928]

Mr. G. HARISARVOTTAMA RAO :—"In view of the fact that the Home Member was saying that a head constable opened fire and that the man was injured, was any order given to that head constable to open fire?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"No, Sir; when he found that Mr. Bulkley was in danger, he immediately fired a shot in order to save Mr. Bulkley."

Books and Publications

Alleged proscription of the "Bheeshma Prathignya."

* 553 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Home Member be pleased to state whether the Government propose to proscribe *Bheeshma Prathignya* especially the scene of moral delinquency of Satyavati from staging?

A.—There is no such proposal under the consideration of Government.

The ZAMINDAR OF GOLLAPALLI :—"Will the Government be pleased to consider the desirability of proscribing such dramas?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"There is no such proposal at present; if the hon. Member writes to the Government bringing facts and figures to their notice, the Government will consider the question."

Mr. S. SATYAMURTI :—"Before the Government makes up its mind to interfere with literature, will the Government consider that Law and Government cannot really regulate these literary productions?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"As I have said, there is no proposal before the Government."
(Voices :—Thanks.)

Police

Alleged ill-treatment of the under-trial accused in the Trichinopoly Railway strike case.

* 554 Q.—Dr. B. S. MALLAYYA: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received a letter from Mr. N. S. Ramaswami Ayyangar about the under-trial accused in the Trichinopoly Railway strike case;

(b) whether it is a fact that some of the accused in the said case are over 55 years old and suffering from diseases such as hernia, etc., and whether all the accused were made to walk a distance of three miles from the Central Jail to the Court of the Deputy Magistrate, Trichinopoly, on 14th September 1928;

(c) whether it is a fact that they represented to the escort officer that they were too ill to walk;

(d) whether the escort officer reported the matter to his superiors and whether their representation resulted in the men being handcuffed;

(e) whether it is a fact that on being made to walk like this, one of them fainted and fell on the road three times;

[12th October 1928]

(f) whether it is a fact that when these men complained in court about the treatment they received at the hands of the police, the escort officer was examined and the men were asked to submit a written complaint; and

(g) whether a written complaint has been made and if so, what action has been taken on it?

A—(a) Yes.

(b) to (g) The Government have no information; they have called for a report.

Dr. B. S. MALLAYYA :—"May I know whether it is the policy of the Government to treat under-trial prisoners as convicts till they are convicted?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"That is not the policy of the Government."

Dr. B. S. MALLAYYA :—"Do the Government think that the treatment given to the under-trial prisoners at present is fair?"

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

Dr. B. S. MALLAYYA :—"Is it fair that they should be asked to walk a distance of 4 miles?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"As I have said, the Government have called for a report. The Government have no facts before them at present."

Dr. B. S. MALLAYYA :—"Have not the Government received a letter from a respectable gentleman like Mr. N. S. Ramaswami Ayyangar and are not the Government satisfied that there is something wrong and that they should rectify matters?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"The Government have to hear both sides of the question before they come to a conclusion."

Dr. B. S. MALLAYYA :—"Are the under-trial prisoners to suffer in the meanwhile? Cannot the Government issue orders that they may be treated as human beings till they are convicted?"

Mr. S. SATYAMURTI :—"In view of the fact that the question was sent to your office on the 25th of the last month and to the hon. the Home Member on the 5th of this month, may I know the reasons why the Government have not yet been able to get information from Trichinopoly which is within 12 hours of Railway Mail journey on these serious allegations?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"We have referred the matter to the District Magistrate; we have not received his report; we have reminded him."

Dr. B. S. MALLAYYA :—"May I ask if the hon. the Home Member is not aware that even yesterday it was mentioned in the papers that these unfortunate, old, infirm and incapable men were being made to walk four miles a day to and fro from the jail to the Magistrate's office?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I am not aware of it."

[12th October 1928]

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Pending the report from the District Magistrate, will the hon. Member be pleased to issue orders to take the accused by motor bus or any other conveyance?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"All that I can say at present is that, as soon as the report is received, the matter will be dealt with."

Dr. B. S. MALLAYYA:—"Are these men to suffer till the Government receive the report and pass orders?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I do not know whether they are suffering or not."

Dr. B. S. MALLAYYA:—"Cannot the Government believe the statement made by respectable citizens of His Majesty?"

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Even if the Government err, will they be pleased to err on the safe side?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I have already promised that the Government will consider the question as soon as the report is received."

Mr. S. SATYAMURTI:—"Even in case the allegations are untrue that these gentlemen are being made to walk to and fro, may I ask why the Government should not issue orders that they should be treated as innocent men until they are convicted and given a conveyance from the Trichinopoly Jail to the Court which is a distance of between 3 to 4 miles? May I know any other reasons why this order should not be issued by this Government except on the ground that it may be superfluous if our allegations are untrue?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"It is a matter for the Court to decide."

Mr. Sami VENKATACHALAM CHETTI:—"Will the Government be pleased to issue orders that these persons may be conveyed in a carriage at least in the interest of the police constables who have got to accompany these persons?" (Laughter.)

Madras Record Office

Curator of the Madras Record office.

* 555 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state—

(a) when the appointment of the Curator, Madras Record office, was created;

(b) what was the necessity for the creation of the appointment and what were the duties attached to it; and

(c) when the Madras Record office was constituted and whether the Government will place the connected papers on the table?

A.—(a) April 1911.

(b) An officer was required to take charge of all the records, of all current work in connexion with them, of their preservation, repair, indexing, calendaring and publication.

(c) The Record office was constituted in April 1908. The Government do not propose to place papers on the table.

[12th October 1928]

Duties of the Superintendent, Madras Record office.

* 556 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state what were the duties of the Superintendent of the Madras Record office during the tenure of Mr. Dodwell and what are the duties of the present Superintendent or the ministerial head of the Record office?

A.—During the time of Mr. Dodwell the duties of the Superintendent were such as Mr. Dodwell assigned to him. The duties of the Senior Assistant are now such as the present Curator assigns to him.

Civil Justice

Action taken by Government on the report of the Special Committee regarding the amendment of the Civil Procedure Code.

* 557 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether the proposal made by the Special Committee on the amendment of the Civil Procedure Code contained in paragraph 12 of the Committee's report, dated 31st August 1907, regarding the annual publication of a Manual of Practice has been acted upon by Government or by the High Court, if not, why not;

(b) whether complaints have been made that for want of such a Manual, great difficulty is being experienced by the Civil Courts and the Bar of the province; and

(c) whether Government propose to take any and if so, what steps in the matter or to request the High Court to take such steps themselves?

A.—(a) The answer is in the negative. It has not been thought necessary.

(b) The Government have no information.

(c) The Government have taken steps to supply civil courts with such publications as are considered necessary for their guidance.

Criminal Justice

Alleged attack on the depressed classes by the caste Hindus at Angambakkam.

* 558 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Law Member be pleased to state—

(a) whether it was a fact that on or about the 12th August 1928 a mob of caste Hindus attacked the depressed class people (Adi-Dravidas) in Angambakkam cheri, Conjeeveram taluk, Chingleput district, and in defence one of the cheri men shot some of the caste Hindus;

(b) if the answer be in the affirmative the number of men that were shot dead and the number injured;

(c) whether it was a fact that the cheri men had sent a telegraphic or other message to the District Magistrate, Superintendent of Police and the Tahsildar informing them of the impending danger when they saw the castemen were preparing for an attack on the cheri people;

[12th October 1928]

(d) if the answer be in the affirmative, the date, time and the persons by whom the telegrams or messages were first received, whether by clerks or officers themselves;

(e) the date and time the officers first reached the place to investigate; and

(f) what steps had been taken to prevent such an occurrence or protect the cheri people?

A.—(a) to (f) Criminal cases arising out of the incident are still before the Court. The Government can make no pronouncement till these have been disposed of.

Mr. V. I. MUNISWAMI PILLAI :—“With reference to clause (c) of the question, will the hon. the Law Member be pleased to state if telegraphic or other message was received by the District Magistrate before the incident?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“The answer to all the clauses of the question is that the whole matter is now before Courts of Justice. As those cases are pending, I cannot go into detail in this Council.”

Forests

Committee to enquire into the grievances of ryots in forest areas.

* 559 Q.—Mr. A. KALESWARA RAO : Will the hon. the Law Member be pleased to state what steps the Government have taken on the resolution passed in this Council on 6th September 1928 to appoint a committee of the Members of this Council to enquire into the grievances and hardships of the ryots in the forest areas of the province in regard to the administration of the Forest Department?

A.—The matter is under consideration of Government.

Panchayat Courts

Alleged prohibition of legal practitioners from appearing before village courts.

* 560 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Law Member be pleased to state—

(a) whether complaints have been made to Government that section 24 of the Madras Village Courts Act prohibiting legal practitioners qualified or unqualified, from appearing or acting for clients in suits or proceedings before the village courts is causing great hardship and inconvenience to the litigant public; and

(b) whether the Government would consider the desirability of amending the Act so as to make provision for practitioners capable of acting as agents to appear and act for clients?

A.—(a) No.

(b) No.

Mr. C. RAMASOMAYAJULU :—“May I know if the Government are aware that it is particularly necessary that persons should have some legal knowledge to attend to the work of the Panchayat Courts?”

[12th October 1928]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“The Government are not aware.”

Mr. C. RAMASOMAYAJULU :—“Do the Government think that laymen can attend to Court business?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“That is the sole object of the Act.”

Mr. C. RAMASOMAYAJULU :—“Are the Government aware that difficulties are being experienced by litigants in this matter?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“No difficulty whatever is experienced by them.”

Mr. M. V. GANGADHARA SIVA :—“With reference to the answer to (b), may I know the reasons why the Government do not consider it desirable to amend the Act so as to make provision for capable practitioners to act as agents for clients?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“There has been no complaint whatever that the Act is working any hardship on any person.”

State Prisoners

Release of Mr. Narayana Menon.

* 561 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Law Member be pleased to state—

(a) what was the surety demanded by the Government for the release of Mr. Narayana Menon;

(b) how the surety tendered was inadequate; and

(c) what were the conditions imposed by the Government for the said release?

A.—(a) & (c) The Madras Government made no demands of Mr. Narayana Menon. The surety they contemplated was an undertaking given by Narayana Menon himself or by his friends on his behalf, that he would not take part in political activities or enter or reside in Malabar until the conditions there became normal.

(b) It was inadequate because it did not meet the requirements which the Government considered indispensable.

Mr. G. HARISARVOTTAMA RAO :—“May I know whether it is not a fact that a few friends of Mr. Narayana Menon have given an undertaking on his behalf as required by the Government?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“Yes.”

Mr. G. HARISARVOTTAMA RAO :—“May I know then why Mr. Narayana Menon was not released?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“Because Mr. Narayana Menon did not give his consent to the conditions which were laid down by the two sureties.”

Mr. G. HARISARVOTTAMA RAO :—“May I ask the hon. Member whether the surety demanded by the Government was one either from Mr. Narayana Menon or from his friends on his behalf?”

[12th October 1928]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. G. HARISARVOTTAMA RAO :—"The friends having given surety why did not the Government release Mr. Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The conditions have to be agreed to by Mr. Narayana Menon also."

Mr. S. SATYAMURTI :—"With regard to the answer to clause (b) of the question, may I know, Sir, what according to the Government, are the indispensable requirements, which would made them to come to the conclusion that the sureties offered are adequate?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The consent of Mr. Narayana Menon."

Mr. S. SATYAMURTI :—"May I ask the hon. the Law Member whether he differs and, if so, why, from the opinions of the gentleman called Diwan Bahadur M. Krishnan Nayar who, while on this side of the House, urged upon the Members of Government the unconditional release of Mr. Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I hold even now the opinions that I did."

Mr. S. SATYAMURTI :—"May I know then why he does not give effect to his opinions?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Because it does not depend upon myself alone. It depends upon the decision of the Government as a whole."

Mr. S. SATYAMURTI :—"May I know whether it differs from his own opinion,—I mean the decision of the Government—and if so, whether he is unable to enforce his own opinion on them, and if so, why he continues in that office?"

11-30
a.m.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That is a Cabinet secret, Sir."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know from the hon. the Law Member whether the conditions in Malabar have become normal?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. SAMI VENKATACHALAM CHETTI :—"If the conditions in Malabar are normal, where then is the necessity for sureties being given?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Sureties are to be given not only with reference to the conditions of Malabar, but also with reference to Narayana Menon taking no part in political activities."

Mr. SAMI VENKATACHALAM CHETTI :—"The surety is for this condition, that he would not take part in political activities in Malabar until conditions there became normal. Conditions have now become normal, and therefore there is no necessity for the surety?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Evidently, the hon. Member does not take into consideration the first part of the answer which he himself read just now. There are two conditions; the first is that he will not take part in political activities and the

[12th October 1928]

second is that he will not enter or reside in Malabar. The fact that the conditions in Malabar have become normal applies only to the latter condition, namely, that he will not enter or reside in Malabar."

Mr. SAMI VENKATACHALAM CHETTI :—"Then, Sir, apart from this, is it not usual for the Government on certain occasions to remit sentences passed on convicts?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. SAMI VENKATACHALAM CHETTI :—"If it be so, why should not the Government exercise that consideration in respect of Mr. Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It has not been considered necessary in his case."

Mr. SAMI VENKATACHALAM CHETTI :—"Is that view held by the hon. the Law Member individually?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That is exactly what I stated once before. My views are the same as before, but the opinions of the Government as a whole prevail, and that is a Cabinet secret."

Mr. A. RANGANATHA MUDALIYAR :—"So far as the sureties are concerned, did they fulfil all the requirements of the Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. G. HARISARVOTTAMA RAO :—"In view of the answers given by the hon. the Law Member, may I know whether he will solve the difficulty of Cabinet secrecy early and enforce his individual opinion on the Government and release Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is beyond me to say that."

Dr. B. S. MALLAYYA :—"May I know, Sir, from the hon. the Law Member what is that abnormal condition in Malabar that is dangerous for the release of Narayana Menon and also what are the conditions exactly that will satisfy the Government in order to release this gentleman?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I stated more than once in answer to questions that the conditions in Malabar have become normal."

Mr. K. R. KARANT :—"May I just ask, Sir, whether after the hon. Member assumed office, he has made any serious attempts to modify the conditions for the release of Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I have stated in answer to similar questions again and again that it is a Cabinet secret."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"If the conditions are normal, what is the difficulty to release him?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Mr. Narayana Menon has not consented to give an undertaking that he will not take part in political activities."

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I know whether the Cabinet means the Cabinet of four or of seven?"

[12th October 1928]

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"That again is a Cabinet secret."

Mr. ABDUL HAMEED KHAN:—"The hon. the Law Member stated in answer to one of the questions that the conditions in Malabar have become normal since the time when the terms were offered to Narayana Menon for his release. In view of that, has the Law Member made any attempts to see that the conditions that were offered then to Mr. Narayana Menon for his release were reduced or modified?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"My friend, I am sorry to say, has not read the answer carefully. There are two conditions. The first is that Narayana Menon should not engage in political activities, and the second is that he should not travel or reside in Malabar so long as the conditions in Malabar are abnormal. The conditions are normal in Malabar. But, so far as Narayana Menon's taking part in political activities is concerned, that is quite independent of the conditions of Malabar."

Mr. ABDUL HAMEED KHAN:—"May I know if the hon. Member is aware that if Mr. Narayana Menon was kept in jail, it was because the conditions in Malabar were not satisfactory at that time in the opinion of the Government? And when the Government are now assured and when the hon. the Law Member is satisfied that the conditions in Malabar are normal, does he not think that he is justified in giving Narayana Menon his freedom?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I am sorry to say I have not been able to follow the involved question of my friend."

The hon. the PRESIDENT:—"When the hon. Member is not able to understand the question, the best thing to do is to refuse to answer the question at once."

Mr. SAMI VENKATACHALAM CHETTI:—"Is it the intention of the Government to impose the condition that Narayana Menon should not take part in political activities for all his life?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"That is the present intention."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know if the Government were of that opinion previous to Mr. Krishnan Nayar's appointment as Law Member?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes."

Mr. SAMI VENKATACHALAM CHETTI:—"May I therefore request him to peruse the previous Government Law Member's speeches once again?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes, I shall read them very carefully."

Mr. S. SATYAMURTI:—"May I know, Sir,—if my hon. friend can be serious for half a minute—why the Government do want that Mr. Narayana Menon should not engage in political activities for the rest of his life in spite of their admission that conditions in Malabar have become normal?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Because in the opinion of Government, Narayana Menon's political opinions are dangerous, he is a very clever man and by his preaching on political matters, he will be able to influence others."

12th October 1928]

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"Are the ways of Government so bad that poor Narayana Menon's preaching or writing will affect the tranquillity of Malabar?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is because of the preachings of clever and seditious persons that sometimes the security of even strong Governments in the world is endangered."

Mr. P. BHAKTAVATSULU NAYUDU:—"Mr. President, do the Government think that they are so weak as to be tattered and torn by one man like Narayana Menon?"

The hon. the PRESIDENT:—"That is asking for an opinion."

Mr. S. SATYAMURTI:—"May I ask my hon. Friend whether this opinion of the destiny of humanity which my hon. Friend just now gave as to the instability of Government under the influence of clever and seditious speakers is the opinion of the hon. the Law Member or of that Cabinet which is enveloped in secrecy?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is my own individual opinion, Sir."

Local Boards

Introduction of an amending Bill to the Local Boards Act.

* 562 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the Government proposes to introduce an amending Bill to the Local Boards Act;

(b) whether a final draft amending Bill is ready;

(c) whether the Government propose to abolish nominations altogether; and

(d) whether the Government have considered any method of reserving seats to Mussalmans, Indian Christians and depressed classes in elections?

A.—(a) & (b) A draft Bill was prepared and referred to all local boards for remarks. The Bill with the criticisms received thereon from the local boards and individuals consulted, is being placed before the Local and Municipal Advisory Committee at a meeting to be held on the 15th October.

(c) The Government propose to abolish nominations reserving however power to appoint to any district board such number of persons as they think fit not exceeding three to represent the European or Anglo-Indian community or officers of Government. Persons so appointed will, it is suggested, be supernumerary members, irrespective of and in addition to the strength fixed for the particular district board.

(d) Yes.

[12th October 1928]

Alleged nomination of ex-presidents of district boards to the same boards.

* 563 Q.—Mr. C. OBI REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that vacancies in the nominated seats of the district boards are filled up by nominating the outgoing presidents of the said boards; and

(b) if so, on what principle?

A.—(a) & (b) Outgoing presidents of district boards are occasionally nominated as members because it is considered desirable to secure for the Boards the benefit of their administrative experience.

Excise

Rentals from liquor shops in Ceded districts.

* 564 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state in view of answers given to question No. 261 on 8th September 1928—

(a) whether the report said to have been called for in (a) and (b) has been received, if so, what it is; and

(b) what is the percentage of cases in which the upset price was fixed lower than the last year's rental during the last three years in the Ceded districts and what is the percentage in which it was fixed higher?

A.—(a) The report has been laid on the table.

(b) The Government do not have the information.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Minister for Public Health whether in view of the fact that from the report laid on the table it appears that the drink evil has increased and the number of shops has increased at any rate in two districts, he will give us an opportunity to judge of that by calling for the information asked for by me?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I am not able to follow, Mr. President, how the information asked for will answer the doubt raised by my hon. Friend."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Minister will call for the information, Sir, in order that we may be able to know exactly what the effect of the policy of fixing rentals is on the number of shops?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"As will be seen from the answer, in two of the districts the number of shops has gone down by 7 or 8 and in two of the districts, on the advice of the Excise Advisory Committees, two shops have been newly opened. Whether the question as regards the rise or fall of rentals of the shops has any bearing on the closing or opening of shops or not, I am not able to say. If however the hon. Member is anxious about the information, I shall try and get it for him. But it is not now available."

Government policy towards prohibition.

* 565 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state in view of replies given to question No. 76 on 4th September 1928 regarding Government policy towards prohibition—

(a) what the further details of the scheme are which were under the consideration of the Government;

[12th October 1928]

(b) whether the consideration thereof has been concluded;

(c) what the final scheme is as settled by the Government; and

(d) what amount the Government propose to spend upon the scheme during the current financial year?

A.—(a), (b), (c) & (d) The subject is still under the consideration of the Government. Details have not yet been settled.

Mr. D. NARAYANA RAJU:—"May I know how long this subject has been under the consideration of the Government and what time it will take to come to a decision?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"In the last Council the matter was answered, and since then the matter is being considered."

Mr. G. HARISARVOTTAMA RAO:—"May I know how much time approximately the Government will take to complete the working out of the details which they say have not yet been settled?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Probably two or three months."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"The question relates to the policy of the Government in regard to prohibition. I should like to know from the hon. the Minister whether by doing propaganda work he can achieve prohibition at all?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I believe so, Sir; it may be right or it may be wrong."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know, with reference to propaganda work, whether it is being directed towards preventing people from drinking or only for preaching moderation in drinking?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Propagandists will say, 'do not drink'; what effect it will have on the people it is not possible to say now." (Laughter by the Members seated behind the Treasury bench.)

Mr. S. SATYAMURTI:—"I think, Sir, the Government Secretaries can help us by helping us to hear the answers, instead of laughing so loudly. They are so amused at the Minister's replies; but they can restrain their amusement for the benefit of those who have to hear the answers."

"Will my hon. friend the Minister say whether, in view of the policy being said to be prohibition, any of the steps contemplated will actually amount to *prohibiting*, in its natural sense, the people who are resorting to the toddy or arrack shops from drinking, or whether such steps only amount to only *dissuading* people from drinking?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Prohibition by legislation or forcible means is not a part of the propaganda work, but I think prohibition is part of the effect of such propaganda work."

Mr. G. HARISARVOTTAMA RAO:—"May I know when the Government will arrange a scheme—it may not be legislation exactly, but it may be persuasion or peaceful picketting with a view to enforce prohibition?"

[12th October 1928]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It depends upon what sense is attached to picketting. If the hon. Member means that the Government should take steps to prevent people from entering the shops, then Government do not propose to do that; but anything short of it, they will do."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" The answer says that the subject is still under the consideration of Government. May I know if the hon. the Minister for Excise has consulted the Excise Advisory Committee and taken their opinion on this question? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It was first placed before the Excise Advisory Committee and it is on their advice that all the steps are being taken."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask the hon. the Minister once again, Sir, whether this propaganda would be carried on with a view to tell the people that they should not drink at all or with a view to tell them that they should drink only with moderation? I ask this, Sir, because moderation is not prohibition."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid the hon. Member has not followed my answer. We will say to the people 'do not drink' and not 'drink in moderation'."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I believe Government agency is going to be employed? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" As far as possible."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the Minister has under consideration any scheme for enforcing prohibition by picketting or other methods? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" As I said, picketting is a very wide term. If the hon. Member wants any specific steps to be taken, I shall consider."

Mr. A. RANGANATHA MUDALIYAR :—" Will the agents also advise the people not to bid for shops? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" No."

Mr. J. A. SALDANHA :—" Is the Government going to compile any Manual called the Prohibition Manual? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member was telling the other day that he was having two books on other matters for publication. If he writes another on this subject and gives it to me, I shall consider it."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" The hon. Minister said that picketting is a very wide term. Will he prevent even peaceful picketting? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the hon. Member will tell me what he exactly means, by the word 'picketting', or if he gives me any instance, I shall try to answer."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know if the Excise department agency is going to be used for stopping this drink evil? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If they can possibly do it."

[12th October 1928]

Mr. S. SATYAMURTI :—" With reference to the answer of the Minister to the question of my hon. Friend from Coimbatore, may I ask specifically whether it is open to volunteers, Congress or otherwise, to stand about a hundred yards, from a toddy or arrack shop and dissuade people who go there and point out the evils of drink? I say it is a peaceful and legitimate means. In that case, will the Government or the Minister representing the Government, without being tutored by the hon. the Finance Member, give an undertaking that they won't prohibit such peaceful and legitimate picketting? "

The hon. the PRESIDENT :—" I request the hon. Member to put his question in a form which is not hypothetical."

Mr. S. SATYAMURTI :—" Will the hon. the Minister be pleased to state whether the Government will or will not prohibit an assembly of Congress or other volunteers before toddy or arrack shops using all peaceful and legitimate means in order to dissuade people from going to drink? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If such assembly does not disturb the public peace and if it does not offend against any other law, the Government won't prevent it."

Mr. S. SATYAMURTI :—" With regard to the auctions held by Collectors of districts, will the Government prohibit any peaceful persuasion by Congress or other volunteers telling the prospective bidders not to bid at the auction and thereby encouraging the habit of temperance among the people? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is open to any citizen of the State to go and dissuade his neighbour from bidding at the auction, and if it is peacefully done, the Government will not interfere."

Report of the Committee on the consumption of opium in East Godavari district.

* 566 Q.—Mr. B. VENKATARAMAN: Will the hon. the Minister for Public Health be pleased to state—

(a) whether orders have been passed on the report submitted by the Committee of Enquiry on excessive consumption of opium in East Godavari district in April 1928; and

(b) whether a copy of the same will be placed on the table?

A.—(a) The answer is in the negative.

(b) Does not arise.

Mr. C. RAMASOMAJULU :—" May I know whether the Government will be pleased to place the report of the Enquiry Committee on the table? In answer to question (b) asking for a copy, the answer is 'Does not arise.' I am only asking for a copy? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The report of the Committee along with the orders passed thereon will be placed on the table as soon as possible."

[12th October 1928]

Medical

Providing a hostel for the students of the Government School of Indian Medicine.

* 567 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that the mufassal students of the Government School of Indian Medicine are suffering in health and comfort for want of hostel accommodation; and

(b) what steps Government propose to take for providing the students with a hostel?

A.—(a) A report has just been received from the Principal of the School regarding the need for a hostel.

(b) The matter is engaging the attention of the Government.

Mr. A. RANGANATHA MUDALIYAR:—“In the answer it is stated that a report has just been received. May I know, Sir, when the report was actually received by the Government?”

11-45
a.m.

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I should say within a month, Sir.”

Mr. P. ANJANEYULU:—“May I ask, Sir, whether it is likely to materialise before the next budget, Sir?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The Government will take as early steps as possible under the circumstances.”

Industries

Proposed transfer of the Government rights of mortgage on the Carnatic Paper Mills.

* 568 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Government have decided to transfer to an European purchaser their rights of mortgage on the Carnatic Paper Mills for a sum of 4½ lakhs of rupees, and if so, what are the conditions of the transfer;

(b) whether it is a fact that the share-holders have invested in the company a sum of over 13 lakhs;

(c) whether the Government have taken any action to safeguard the interests of the share-holders; and

(d) whether the Government will be pleased to consult the share-holders and give an opportunity to the Legislative Council to discuss the matter before effecting the transfer?

A.—(a) The question of the disposal of Government interest in the concern is under consideration.

(b) Yes.

(c) No.

(d) In view of the discussions of the Legislative Council that took place on this subject on the 5th September 1928 it is not proposed to take any action as suggested.

[12th October 1928]

Origin of the Carnatic Paper Mills, Limited.

* 569 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) when the company under the name of the Carnatic Paper Mills Company, Limited, Rajahmundry, was formed;

(b) the purpose for which the mill was intended to be started; and

(c) what the subscribed capital of this concern is?

A.—(a) 1920.

(b) For manufacturing paper pulp from bamboo and paper from paddy straw.

(c) Rupees 16,74,820 on 30th June 1927.

Inspection of the Carnatic Paper Mills Company, Limited, by the Director of Industries.

* 570 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) whether the Director of Industries inspected the Carnatic Paper Mills in 1925 when the application for loan was first made;

(b) whether any report was sent by him on this subject; and

(c) if so, whether the report will be placed on the Council table?

A.—(a) The Director visited the Mills in 1924. It was in that year the Company applied for a loan.

(b) & (c) No report was submitted to Government; but his inspection was done with a view to collecting certain particulars for the information of the Board of Industries.

Mr. C. RAMASOMAYAJULU:—“In the answer it is stated that no report was submitted to Government: may I know what instructions the Government gave, as it is stated in the answer that the inspection was done with a view to collection of certain particulars for the information of the Board of Industries? May I also know, Sir, what those particulars are and whether the Government will be pleased to place them on the table?”

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

Application of the Carnatic Paper Mills Company, Limited, for a loan of 6 lakhs.

* 571 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) whether the Carnatic Paper Mills applied for a loan of six lakhs more on the strength of the recommendation of the Tariff Board in 1925;

(b) whether that application was considered by the Government; and

(c) if so, when and with what result?

A.—(a) They applied for an additional loan of Rs. 4 lakhs and for an over draft with a Bank for Rs. 2 lakhs.

(b) Yes.

(c) It was considered in November 1925 and the loan could not be sanctioned as the full amount applied for was not admissible under the State Aid to Industries Act.

[For further list of starred questions, see page 493-503 infra.]

[12th October 1928]

UNSTARRED QUESTIONS**Holidays***Partial holiday for Muslims for Gyarween-Shareef.*

572 Q.—Mr. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have investigated the question of granting a partial holiday for Muslim public servants for Gyarween-Shareef, i.e., the 11th day of Rabi Ussani in accordance with the assurance given by the hon. Member in reply to a resolution on the subject moved by Mr. Syed Ibrahim, on 27th February 1928;

(b) if so, what is the result of that investigation; and

(c) whether the Government will be pleased to declare it as a partial holiday?

A.—(a) Yes.

(b) & (c) The enquiry has elicited the suggestion that a holiday for Muhammadans only on the eleventh day of Rabi Ussani should be substituted for the second holiday for Bakrid at present given for Muhammadans only. This suggestion is under consideration.

Irrigation*Maintenance of the road from the Vennar Regulator and Pandavayar Head to Kalathoor.*

573 Q.—Mr. U. RAMASWAMI AYYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether there is a dispute between the Nannilam Taluk Board and the Public Works Department regarding the payment of maintenance charges by the former to the latter for the road leading from the Vennar Regulator and Pandavayar Head to the village of Kalathoor No. 205, Nannilam taluk, Tanjore district;

(b) whether the Government are aware of the fact that the road has been blocked by the Public Works Department for the past 15 days and that the people of the surrounding villages are put to a great deal of inconvenience in this cultivation season;

(c) whether the Government are not armed with any other power to settle the dispute; and

(d) whether the Government will be pleased to issue orders to open the road at once?

A.—The Government have called for a report.

Land Revenue*Confidential records in the Revenue Department.*

574 Q.—Munshi MUHAMMAD ABDUL WAHAB SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) how are confidential notes against the staff maintained in the Revenue Department;

(b) whether the party concerned is given an opportunity to explain matters before a note is made in the confidential records against him;

[12th October 1928]

(c) whether the party concerned is furnished with a copy of such confidential notes;

(d) whether the party concerned is given opportunities to know his faults and mend his conduct;

(e) if not, whether the Government will be pleased in the interests of justice and fair play to consider the desirability of obtaining the explanation of the party concerned before making a note of the same in the confidential register and furnishing him with a copy just as is done in the Postal and Telegraph Departments?

A.—The hon. Member is referred to Board's Standing Order No. 132 which contains detailed instructions on the subject.

Legislative*Exemption of M.L.C.'s from postage rates.*

575 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state what action has been taken on the suggestions made during the debate on the motion for the reduction of the allotment for 'Supplies and Services—Legislative bodies' on 19th March 1928 with a view of securing to M.L.C.'s the privilege of being exempted from postal rates in their correspondence in connexion with their functions as M.L.C.'s?

A.—The House Committee has been requested to consider and advise on the suggestions regarding postal concessions to Members of the Legislative Council.

Minor Irrigation*Failure of crop under the Badvel tank in the Cuddapah district.*

576 Q.—Mr. K. KOTI REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the failure of crops for a number of years during recent times, under the Badvel tank in the Cuddapah district owing to short supply of water; and

(b) whether the Government have investigated the possibility of supplying water to the above tank by a channel from the Sagileru river and with what result?

A.—(a) In the last fifteen years, there have been three years (namely, faslis 1323, 1333 and 1336) when supplies in this tank were seriously short

(b) Yes. The scheme was abandoned as it was found that it would not pay even its working expenses.

Labour*District Labour officers to be directly controlled by the Labour Commissioner.*

577 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Home Member be pleased to state whether Government propose to place the District Labour officers under the direct control of the Commissioner of Labour?

A.—No.

Civil Justice

[12th October 1928]

Memorial from copyists in Judicial service.

578 Q.—Mr. K. MADHAVAN NAYAR: Will the hon. the Law Member be pleased to state—

- (a) whether the Government have received any memorial from the copyists in the Judicial service about their pay and pension; and
- (b) whether the Government are prepared to redress the long standing grievances of the said copyists, increase their pay and make their service pensionable?

A.—(a) Yes.

- (b) The Government have considered the question and have decided that no increase in the pay of copyists is necessary and that their services need not be made pensionable.

Education

Alleged arrears of grants to J. K. Middle School, Penukonda.

579 Q.—Mr. J. BHEEMAYYA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) whether it is a fact that the teaching grants due to the J. K. Middle School, Penukonda, West Godavari, are in arrears for some years;
- (b) if so, why; and
- (c) when the grants in arrears will be paid?

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

Local Boards

Nominations to the Palghat and Ponnani taluk boards.

580 Q.—Mr. K. MADHAVAN NAYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the names of the persons nominated to the taluk boards of Palghat and Ponnani during the last one year; and
- (b) the principles followed by the District Board President in making such nominations?

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

Nomination of ex-military officers to municipalities and local boards.

581 Q.—Subadar-Major S. A. NANJAPPA Bahadur: With reference to the answer to question No. 419 answered on 27th August 1927, will the hon. the Minister for Education and Local Self-Government be pleased to state the number of military Indian officers that have been nominated to the municipalities and local boards throughout the presidency since August 1927?

A.—Appointments of members of taluk and union boards are made by Presidents of district boards and Presidents of taluk boards, respectively. The Government have therefore no information as to the number of Indian military officers appointed to taluk and union boards. Appointments of municipal councillors and district

[12th October 1928]

board members are made by Government and the hon. Member should have been able to obtain the information he requires from Part I-A of the *Fort St. George Gazette* which is supplied to all Members of the Legislative Council. An Indian military officer was appointed last year to the Trichinopoly Municipal Council.

Medical

Employment of trained midwives in rural dispensaries.

582 Q.—Mr. V. KAMESWARA RAO NAYUDU: Will the hon. the Minister for Public Health be pleased to state—

- (a) how many rural dispensaries now exist;
- (b) in how many of them trained midwives are employed by the medical officers; and
- (c) whether the Government propose to take steps to have more midwives employed by increasing the necessary allowance?

A.—(a) There were 319 in existence on the 30th April 1928. No later information is available.

(b) Information is not available and has been called for.

(c) The Government have under consideration the question of increasing the subsidy given to midwives in rural dispensaries.

[For further list of unstarred question, see page 503 infra.]

STARRED QUESTIONS

Economic condition

Market rates of provisions published in the district gazettes.

* 583 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether the publication of prevailing market rates for provisions every month in district gazettes is meant merely for the information of the public or for any other purpose;

(b) whether the Government rely on these figures as a correct basis for revising rates of assessment at the time of resettlement;

(c) on whose information these prices are quoted and what safeguards are taken to vouchsafe the accuracy of such report;

(d) whether the public are entitled to question the accuracy of such figures and get them corrected;

(e) before whom and in what manner such complaints are considered; and

(f) whether it is a fact that in civil courts the Gazette rates are not taken as binding on parties unless both parties agree to abide by them?

A.—(a) The publication is intended to supply useful information both to the public and the officers of the Government.

(b) They are taken as affording data for comparison.

(c) The Taluk Sarshtadar or the Taluk head accountant in the 'Tahsildars' offices and the Head clerks in the Deputy Tahsildars' offices are responsible for the figures, and they have to

[12th October 1928]

check their accuracy by personal enquiries from day to day. The Treasury Deputy Collector also has to check the figures before they are published in the Gazette.

(d) & (e) Complaints questioning the accuracy of the figures should be addressed to the Collector of the district.

(f) The Government are not aware of any rule on the subject.

Mr. A. B. SHETTY :—" With regard to answer to clause (c), Sir, May I know whether the Government made any enquiry to find out that the officers mentioned in the answer do really make personal enquiries from day to day and check the figures, as they are expected to do ? "

The hon. Sir NORMAN MARJORIBANKS :—" They have no reason to doubt it ? "

Mr. A. B. SHETTY :—" With regard to the answer to clause (f), the answer given is not the proper answer to my question. May I request the hon. the Revenue Member to give the answer required in clause (f) ? "

The hon. Sir NORMAN MARJORIBANKS :—" I do not know what further answer I can give, Sir. "

Irrigation

Area on which inclusion fee has not been paid.

* 584 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) the number of acres on which inclusion fees has not been paid up to end of fasli 1337 though they were included in the ayacut of Kistna Eastern Delta;

(b) the number of acres out of them which have been cultivated wet by ryots on which penal assessments have been levied by Government in faslis 1337, 1336 and 1335, respectively; and the total amount of penal assessments levied on them in each one of those three faslis; and

(c) the number of acres out of them which are kept waste by ryots in each one of these three faslis for fear of penal assessment being levied?

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

Supply of water for irrigation from the Red Hills tank.

* 585 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have come to any definite conclusions with regard to the supply of water for irrigation from the Red Hills tank to the Red Hills and other villages under the tank;

(b) if the answer to (a) be in the affirmative, whether the Government will place on the table a statement of their decision in the matter;

(c) if the answer to (a) be in the negative, whether the Government propose to take early steps to allay the longstanding grievances of the villagers under the Red Hills tank;

[12th October 1928]

(d) whether the Government are aware that the agricultural ryots under the Red Hills tank are being put to serious loss on account of the insufficient supply of water from the Red Hills tank;

(e) whether the Government propose to cut off altogether the supply of water from the Red Hills tank to agricultural ryots;

(f) if the answer to (e) be in the affirmative, whether the Government have consulted legal opinion as to the rights of the ryots to the supply of water from the Red Hills tank;

(g) if the answer to (f) be in the affirmative, whether the Government will lay on the table a statement about the legal opinion obtained; and

(h) if the answer to (f) be in the negative, whether the Government will consider the advisability of obtaining legal opinion on the matter?

A.—(a) to (c) The issues of water for the irrigation of lands under the Red Hills tank are governed by rules which were framed with due regard to the rights of parties and the necessity for the supply of drinking water for the City of Madras. Certain improvements to the upper supply channel leading from the Tamarapak anicut to the Cholvaram tank estimated to cost Rs. 86,250 are in progress and will be completed in about a month.

(d) The Government have received complaints to this effect and as stated above are doing what they can to improve the supply to the Red Hills tank.

(e) No. Issues for irrigation will continue to be allowed in accordance with the rules referred to above.

(f), (g) & (h) In view of the negative answer to clause (e) these points do not arise.

Mr. C. N. MUTHURANGA MUDALIYAR :—" May I know, Sir, whether the improvements which are in progress to the upper supply channel leading from the Tamarapak anicut to the Cholvaram tank, will improve the chances of water-supply to the ryots ? "

The hon. Sir NORMAN MARJORIBANKS :—" That is why it was undertaken. "

Dr. B. S. MALLAYYA :—" May I know, whether the Government are aware that the Public Health Minister received a deputation from the ryots and that he promised them compensation from the Corporation of Madras for the loss of their revenue from cultivation due to shortage of water ? "

The hon. Sir NORMAN MARJORIBANKS :—" I am not aware of it. "

Mr. SAMI VENKATACHALAM CHETTI :—" May I know from the hon. Member if the upper supply channel which is being improved is only intended to give benefit to the ryots ? "

The hon. Sir NORMAN MARJORIBANKS :—" It depends on the supply and the amount of water that will be stored for the purpose. "

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know, Sir, whether it is the intention of Government to carry out such comprehensive improvements as will overcome the present difficulty about irrigation ? "

The hon. Sir NORMAN MARJORIBANKS :—" It remains to be seen whether what is being done will have that effect or whether something more is necessary. "

[12th October 1928]

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ Is it the intention of Government only to carry out improvements to the upper supply channel and then to wait and see what further should be done ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ We are carrying out the suggestions for improvement made by the Engineers. If these are found inadequate we shall see what more can be done.”

Dr. B. S. MALLAYYA :—“ May I know, Sir, if there is shortage of rain, what the Government are going to do for the supply of water ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ That question I must leave to be answered by the hon. Member himself.”

Central Record Office

Publications made by Mr. H. Dodwell as Curator of the Madras Record office.

* 586 Q.—MR. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) how long Mr. H. Dodwell was holding the post of Curator of the Madras Record office ;

(b) what were the publications that were published by him in respect of cataloguing, press listing, translation of Ananda Ranga Pillai Diary, printing of old records, etc. ; and

(c) who attended to the several duties connected with the Record office between 1908 to 1911 under publication, research and referencing ?

A.—(a) From April 1911 to March 1922.

(b) A complete list of the publications issued by Mr. Dodwell is not readily available.

(c) In 1908 a Superintendent was appointed to be in charge of the records under the Chief Secretary. In 1909, the Superintendent was placed under the general direction of Mr. C. M. Schmidt, who was then Inspector-General of Registration.

Preparation of the calendar after 1755 in the Record office.

* 587 Q.—MR. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) whether at present any calendar is being prepared in the Record office for the period after 1755 ;

(b) who prepared the manuscripts of the calendars and when ;

(c) in what stage it was left when the present Curator took charge of the office ;

(d) when the work will be completed ;

(e) whether it is a fact that except passing the proofs that are checked by the clerk on this duty, there is nothing else to be done under this head of work also ;

(f) when the manuscripts of calendars, if any after 1755, were sent to the press for printing ; and

(g) what is the delay due to, in not issuing this work till now ?

[12th October 1928]

A.—(a) No.

(b) Mr. Dodwell as Curator.

(c) Mr. Dodwell published two volumes and a third volume is now passing through the press.

(d) That volume is expected to pass through the press in about a year.

(e) The question is not understood.

(f) As stated above the third volume is passing through the press now.

(g) Calendaring was temporarily postponed when Mr. Dodwell left.

Forests

Supply of fuel for Kurnool town.

* 588 Q.—MR. G. HARISARVOTTAMA RAO : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that both in the town of Kurnool and in the town of Nandyal in the Kurnool district fuel is selling at abnormal rates ranging from Rs. 13 to Rs. 16 a cart-load ;

(b) what arrangements the Government have made to supply the people of these towns with fuel and at what standard rates ; and

(c) what the reserves are which are actually serving the needs of the Kurnool town ?

A.—(a) Unsplit fuel is sold at Rs. 10 per cart-load (taking 1 cart-load equal to $\frac{1}{2}$ ton) in both Kurnool and Nandyal towns. The price of split fuel in Kurnool town has been Rs. 13 per cart-load and its price in Nandyal town is Rs. 11-4-0 per cart-load.

(b) The reserves under departmental control which can be economically worked for fuel, are being worked under definite working schemes for supply of fuel to the two towns. Annually about 500 acres of the Nallamalai Terrai forests and of the Yerramalais are felled for the supply of fuel and small timber to Kurnool. Similarly about 1,100 acres are felled annually in the South Kurnool forests for the supply of fuel and small timber for Nandyal. Steps have been taken during the year to transport by rail part of the yield of fuel from the South Kurnool forests to Kurnool.

In every case where fuel areas are worked departmentally as in the West Kurnool division a standard rate not exceeding Rs. 1-4-0 for every 72 stacked cubic feet of fuel (equal to about half a ton) has been fixed for delivery at site of coupe to all bona fide ryots. In the case of fuel coupes leased to contractors, as in South Kurnool division, steps have been taken during the year to bind the contractors to sell fuel to bona fide ryots at standard rates. A revision of this rate is under the consideration of the local officers.

(c) The reserves are—

(1) Nandyal.

(2) Nandikotkur.

(3) Yeparlapad.

[12th October 1928]

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member whether, in view of the experience we have had of the contractors' coupes for the purpose of ascertaining whether they are carrying out this condition of their contract, that they should sell fuel at standard rates to ryots? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not able to say now, but if my hon. Friend gives me notice, I will make enquiries."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, now if he will order such arrangements to be made? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As a matter of fact, the order has already been passed that they should sell at standard rates."

Mr. G. HARISARVOTTAMA RAO :—" I am asking, Sir, whether the hon. the Law Member will be willing to send out instructions that the contractors' coupes should be examined from time to time by the authorities concerned or by some other agency to find out whether they are fulfilling these conditions or not? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I shall do so, Sir."

Report regarding fire tracing in exterior lines of forests by forest panchayats.

* 589 Q.—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to state whether he has received the report referred to in the answer to question No. 5 answered on 3rd September 1928 regarding the fire tracing of the exterior lines of forests by forest panchayats?

A.—Yes. A copy of the Chief Conservator's report is appended.

Mr. A. B. SHETTY :—" With reference to the information furnished by the Chief Conservator in clause (a), may I ask why this new condition was inserted in the agreement last year? (Appendix I—Question 5, dated 3rd September 1928.)"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I want notice."

Mr. A. B. SHETTY :—" With reference to clause (a), may I know, Sir, whether this refund of grazing fees was not given even before this new duty was imposed upon the forest panchayats? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice again, Sir."

Mr. A. B. SHETTY :—" May I know, Sir, whether the Government propose to remove this new condition from the agreement in view of the fact that five out of the nine panchayats have declined to renew their agreements? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Mr. A. B. SHETTY :—" May I know, Sir, why? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because Government will otherwise have to spend money."

12th October 1928]

Education

Estimate of expenditure for exempting poor girls from school fees.

* 590 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Director of Public Instruction has submitted the detailed estimate of the expenditure involved in giving effect to the resolution of this Council on 5th November 1927 on the question of exemption of poor girls reading in classes up to III form from the payment of fees; and

(b) if they have received the estimate, what action they propose to take in the matter?

A.—The estimate has not yet been received.

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, when the estimates were called for? "

The hon. Dr. P. SUBBARAYAN :—" Soon after the resolution was passed in this Council."

Mr. G. HARISARVOTTAMA RAO :—" Now that it is a long time since, may I know whether he will expedite and get the information? "

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

Classification of students in Government Colleges as rich and poor.

* 591 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state the principles according to which students studying in Government colleges are classified as belonging to the richer, middle and poor classes respectively?

A.—Pupils the annual income of whose parents or guardians is Rs. 7,000 and upwards are classified as 'richer', those whose parents or guardians derive an annual income of Rs. 400 and upwards but below Rs. 7,000 are classified as 'middle' and those pupils the annual income of whose parents or guardians is below Rs. 400 are classed as 'poorer'.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I know, Sir, whether the hon. Minister for Local Self-Government considers that a monthly income of Rs. 34 can be taken as representing the earning of a middle class man? "

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

Local Boards

Throwing open to election the District and Taluk Boards in Kistna district.

* 592 Q.—Mr. A. KALISWARA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the Kistna District Board and the taluk boards in the Kistna district are likely to be thrown open to election; and

(b) how many seats will be thrown open to election and how many will be kept for nomination for the Kistna District Board?

[12th October 1928]

- A.—(a) The Special Officer of the District Board has reported that he proposes to confirm the resolution fixing the total and elective strengths of the taluk boards on the 21st October 1928 and expects to hold the elections for taluk boards in the first half of January next year. Elections of members to the district board will be held as soon as the elections and nominations to taluk boards have been completed.
- (b) The strength of the district board has been fixed at fifty-two members of whom forty will be elected.

The ZAMINDAR OF GOLLAPALLI:—“Will the hon. the Minister for Local Self-Government be pleased to state the strength of the taluk board of Kistna and the number of nominations?”

The hon. Dr. P. SUBBARAYAN:—“The Government have not that information.”

Poor-houses

Government aid to the Beggars' Home, Madras.

* 593 Q.—The ZAMINDAR OF GOLLAPALLI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) what help the Government are rendering to the Beggars' Home at Madras; and
- (b) whether they will be pleased to introduce legislation to enable the city police to send all street beggars to that asylum?

A.—(a) The Government transferred to the Corporation in 1925 the old Leper Hospital buildings in which the Beggars' Home is now located. No other financial assistance is being given by Government.

- (b) The question of legislation is under correspondence with the Corporation of Madras.

Religious and Charitable Endowments

Nomination of a member from the Nagarathar community to the Temple Committee, South Arcot.

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

- (a) the reasons for nominating M.R.Ry. Diwan Bahadur A. M. M. Murugappa Chettiyar, M.L.C., as a Member of the Temple Committee, South Arcot, especially when a member of the Nagarathar community (Mr. A. Muthiah Chettiyar, son of Sir A. Annamalai Chettiyar, Kt.), has been nominated thereto;
- (b) whether it is a fact that Mr. Murugappa Chettiyar has no landed property in Chidambaram taluk or anywhere in the district of South Arcot;
- (c) whether it is a fact that he does not reside in Chidambaram and has no place of residence in South Arcot;
- (d) what interests were intended to be served by his nomination;
- (e) the reasons for not nominating a member of the Vellala community to the Committee;

[12th October 1928]

(f) whether any attempt was made to select suitable persons in Tindivanam and Villupuram taluk for nomination, and also, with what result; and

(g) what are the special reasons for nominating persons from Cuddalore taluk out of 11 persons nominated so far; and

(h) whether the Government intend to nominate a member of the Vellala community for the seat now vacant?

A.—(a) & (d) It is well known that the temples of Southern India owe much to the munificence and religious devotion of the Nagarathar community. Apart from this, the gentleman in question has evinced a particular personal interest in the temple at Chidambaram.

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

(e) A member of the Vellala community, M.R.Ry. M. G. Parthasarathi Mudaliyar Avargal, has been appointed to the Committee.

(f) The nominee selected for the representation of the Villupuram taluk declined to serve. The question of appointing a suitable person from the Tindivanam taluk will be considered.

(g) Members are not selected solely with reference to the taluk in which they happen to reside.

(h) The question will be considered.

Mr. M. V. GANGADHARA SIVA:—“May I know, Sir, whether any depressed class representatives have been nominated?”

The hon. Dr. P. SUBBARAYAN:—“No, Sir.”

Mr. M. V. GANGADHARA SIVA:—“May I know the reason, Sir?”

The hon. Dr. P. SUBBARAYAN:—“The reasons are obvious, if the hon. Member would only think over that.”

Mr. G. HARISARVOTTAMA RAO:—“May I ask the hon. Minister to state what those obvious reasons are?”

The hon. Dr. P. SUBBARAYAN:—“I said before if the hon. Member applied his mind, he would find the answer.”

Medical

Sending Captain Srinivasamurti, Principal of the Government School of Indian Medicine, on deputation to Northern India.

* 595 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) for what purpose Captain Srinivasamurti, the Principal, Government School of Indian Medicine, was deputed to Northern India recently;

(b) what are the recommendations contained in his report;

(c) whether the Government will be pleased to place his report on the table; and

(d) what steps Government propose to take to give effect to his recommendations?

[12th October 1928]

A.—(a) The Principal was deputed to the United Provinces to gather first hand information of the action that was being taken there to encourage and develop indigenous systems of medicine and to furnish the Government with a full report.

(b), (c) & (d) The recommendations made in the report are being considered and will be published as soon as conclusions are arrived at.

Hostel attached to the Medical School at Rayapuram.

* 596 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is a hostel attached to the Medical School at Rayapuram; and

(b) if so, whether it is open to the students of the Madras Medical College?

A.—(a) Yes.

(b) No.

Dr. B. S. MALLAYYA:—“May I know whether this hostel was accommodating till year before last eight students from the Medical College?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I want notice, Sir.”

Dr. B. S. MALLAYYA:—“May I know why they were turned out this year, Sir?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“When I have asked for notice for the first question, it follows that this question also requires notice.”

Dr. B. S. MALLAYYA:—“Is it notice always, Sir?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Notice for a consequential question.”

Appointment of lady sub-assistant surgeons in Nellore district.

* 597 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received any report or representation from Gudur and Kavali, either from the public or from the local boards concerned or from the District Medical Officer, Nellore, requesting them to appoint lady sub-assistant surgeons in the hospitals of the abovementioned divisional headquarters; and

(b) if so, whether they have considered the question and with what results?

A.—(a) & (b) A representation was received from the President, Taluk Board, Gudur, for the appointment of a lady sub-assistant surgeon in the Gudur hospital. The District Medical Officer and the Surgeon-General considered that the appointment was not necessary at present. The Government agreed with them. No representation has been received in regard to the Kavali hospital.

[12th October 1928]

Mr. B. RAMACHANDRA REDDI:—“May I ask, Sir, whether it is the Government or the Surgeon-General that consulted the District Board President on this matter?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I am not aware of it. I think the District Medical Officer and the Surgeon-General would have considered the matter before recommending to Government.”

Mr. B. RAMACHANDRA REDDI:—“May I know the opinion of the District Medical Officer?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The District Medical Officer and the Surgeon-General considered that the appointment was not necessary at present.”

Public Health

Report on Ahobilam protected water-supply scheme.

* 598 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state in view of replies given to question No. 154 on 5th September 1928—

(a) whether the report of the President, Kurnool District Board, has been received on the question of the Ahobilam protected water-supply scheme; and

(b) if so, what it is?

A.—(a) Yes.

(b) A copy of the report is placed on the table.

[For further list of starred questions, see pages 504–511 infra.]

UNSTARRED QUESTION

Landlord and Tenant

Applications for settlement of rents under Chapter XI of the Estates Land Act since January 1928 from the villagers of Dharakote estate.

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

(a) the number of villages in Dharakote estate that have applied for settlement of rents under Chapter XI of the Estates Land Act since January 1928;

(b) the number of villages that have fully deposited the amounts; and

(c) whether the Government would be pleased to accord early sanction of the settlement operations in that estate?

A.—(a) The Board of Revenue reports that applications have been made from 47 villages.

(b) The Board of Revenue reports that 11 villages have made deposits in full.

(c) The matter will be considered when the applications and report of the Collector and the Board of Revenue thereon reach the Government.

STARRED QUESTIONS

[12th October 1928]

Irrigation

Accumulation of sand and silt on the river bed of the Godavari.

* 600 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the river bed of the Godavari above the anicut is being gradually covered by sand and that the volume of water is getting diminished as a result thereof;

(b) whether an enquiry has been made as to the reasons for the accumulation of sand and silt; and

(c) whether the Government would call for a report as regards the causes that lead to the accumulation of sand and silt and the measures necessary to prevent the same?

A.—(a) to (c) A report has been called for.

Mr. C. RAMASOMAYAJULU:—“Can I take it that the Government have not bestowed any attention up to now on the river bed which is being gradually covered by sand and lankas?”

The hon. Sir NORMAN MARJORIBANKS:—“No, Sir.”

Land Assignment

Assignment of land in Andhra districts to two gentlemen.

* 601 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that about 500 acres of land in the Andhra districts have been recently assigned to two very respectable politicians of this Presidency;

(b) if so,

(1) the names of the two gentlemen to whom the assignments were made;

(2) the district or districts in which the respective assignments were made;

(3) the estimated value and the extent of the land assigned to each;

(4) the conditions under which the assignments were made;

(5) the dates of the applications and those of the assignments;

(6) whether the usual procedure under darkhast rules were observed in both the cases;

(7) whether any money was received by the Government from the assignees, being the value of the lands assigned, and if so, the respective amounts received;

(8) whether there were any trees on the lands assigned;

(9) if the answer to (8) is in the affirmative, whether any money was recovered for the values of the trees;

(c) whether any, and if so, what objection was originally taken against the assignment of the land to the two gentlemen or to one of them, by subordinate revenue authorities; and

(d) whether the assignments in one or both the cases, were ultimately made on the intervention of a high authority of the Government?

12th October 1928]

A.—(a) & (b), (1) to (4) & (7) to (9).—G.O. Mis. No. 1027, Revenue, dated 10th May 1928, is laid on the table^a. The applicants were not described to the Government as politicians and the assignment was not made to them as such.

(b) (5) The exact date of the application is not mentioned in the papers with the Government. The Collector recommended the application to the Board of Revenue on 15th May 1927 and the Board of Revenue recommended it to Government on 5th December 1927.

(b) (6) The rules in Board's Standing Order No. 15 contain no provision to regulate the disposal of land for plantation purposes in the Agency tracts. This was the first application of its kind in those areas and was dealt with by Government under paragraph 3 (3) of Board's Standing Order No. 15.

(c) The Government are not aware of any such objection by the subordinate Revenue authorities. Both the Collector and the Board recommended the application.

(d) The question is not understood. The orders were issued by the Government.

Mr. C. N. MUTHURANGA MUDALIYAR:—“May I know, Sir, if any other members of this House were granted assignments either this year or previously?”

The hon. Sir NORMAN MARJORIBANKS:—“I have to make enquiries. There are about 120 members in this House and as to whether they have obtained any darkhasts or not, I should like to have notice, Sir.”

Mr. C. N. MUTHURANGA MUDALIYAR:—“Is there any such precedent of granting lands to sitting members of this House anywhere in the province?”

The hon. Sir NORMAN MARJORIBANKS:—“I cannot recollect now. I must ask for notice if the hon. Member wants a specific answer.”

Mr. S. SATYAMURTI:—“May I know if the hon. Member can give the actual monetary value of the concession involved in the assignment of these lands to these two gentlemen?”

The hon. Sir NORMAN MARJORIBANKS:—“It is very largely a matter of opinion. If there is no means of extracting produce, some people might say it was nothing.”

Mr. S. SATYAMURTI:—“What is the opinion of Government?”

The hon. Sir NORMAN MARJORIBANKS:—“The Government thought that it was rather an advantageous offer from people who were willing to risk their money in opening up a new tract for coffee plantation and that it would prove to be a great benefit to that part of the country if it succeeded. Nobody has hitherto been prepared to risk money—certainly it is a risk—and Government were glad to find anybody to do it.”

Mr. S. SATYAMURTI:—“May I know if this grant was made jointly to these two gentlemen or individually?”

The hon. Sir NORMAN MARJORIBANKS:—“Jointly, Sir.”

[12th October 1928]

Mr. S. SATYAMURTI:—"May I know, with reference to the answer to clause (a) of the question, whether in view of the fact that both these gentlemen are politicians of high reputation and influence in this province and one of them occupies a high and responsible office, the Government considered that aspect of the question before they came to a decision on this matter, especially when their action is liable to be misconstrued as placing them in an awkward position?"

The hon. Sir NORMAN MARJORIBANKS:—"Certainly, Sir. I think it shows public spirit on the part of these gentlemen to risk their money."

Mr. K. R. KARANT:—"With reference to the answer to item (5) in clause (b) of the question, may I know whether these applications were made before November 1926 or after that?"

The hon. Sir NORMAN MARJORIBANKS:—"Somewhere in the beginning of 1927 as far as I recollect."

Mr. S. SATYAMURTI:—"May I know whether, if similar offers are made by other gentlemen, the Government would consider the matter equally sympathetically?"

The hon. Sir NORMAN MARJORIBANKS:—"They would be delighted, Sir."

Mr. K. R. KARANT:—"May I ask, Sir, why when the Board of Revenue passed their orders on the 5th December 1927, the Government order was delayed till 10th May 1928?"

The hon. Sir NORMAN MARJORIBANKS:—"As I already explained, Sir, this is the first application for opening a plantation in these areas, and the usual procedure of the Secretariat was followed; precedents were looked up as to what had been done when such applications were first received from the Nilgiris, Shevaroy's and the Anaimalais, and the study of all these matters took some time."

Land Revenue

Removal of prickly-pears from lake bunds in ryotwari villages.

* 602 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the ryots are charged for removing prickly-pears from lake bunds in ryotwari villages;

(b) under what authority is this being done and has the Government ever consulted legal opinion as to the validity of charging ryots for removing prickly-pears;

(c) whether the Government have any records to indicate what customs have been prevailing in each village with regard to kudimaramat;

(d) whether it is a fact that in several villages the removal of prickly-pears from tank bunds by the ryots has never been a custom; and

(e) whether the Government will consider the advisability of instructing the District Officers not to charge the villagers for removing prickly-pears; and if necessary of amending Act I of 1858 suitably?

[12th October 1928]

4.—(a) Wherever by local custom, the work of removing prickly-pear from bunds of irrigation tanks is usually executed by the joint labour of the village community and when any ryot neglects or refuses without reasonable cause to comply with an official requisition for such customary labour, the ryot concerned can be called on to pay his share of the cost.

(b) Under section 6 of Madras Act I of 1858. It is entirely a question of fact whether the local custom does or does not exist; and so no point for legal opinion arises.

(c) There is a paragraph in the descriptive memoir of the settlement registers of most districts detailing the works which the ryots have to attend to according to local custom.

(d) The Government have no specific information to that effect.

(e) The question of amending the Act is under consideration.

Landlord and Tenant

Settlement operations in Parlakimedi estate.

* 603 Q.—Sriman BISWANATH DAS Mahasaya: With reference to the reply given to the question No. 209 answered on the 6th September 1928 will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have arrived at a decision on the question;

(b) if not, whether the Government will consider the desirability of directing the Assistant Settlement Officer, Ganjam, not to proceed further with the settlement operations in Parlakimedi estate till the Government arrive at a decision; and

(c) the reasons why settlement operations in Parlakimedi estate were given preference even though such operations for villages in the Tekkali, Nandigam, Khallikote, Attagada and Dharakote estates were sanctioned earlier?

4.—(a) & (b) Government have not yet arrived at a decision. They are awaiting a report from the Collector.

(c) No preference was given to settlement work in the Parlakimedi estate. The same officer was appointed to work in all the estates mentioned and took charge on the 23rd February last.

Minor Irrigation

Inclusion of the 'Kilanur madugu' in Tiruvellore taluk in the Imperial list.

* 604 Q.—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that Public Works Department Imperial list tank No. 466 of Tiruvellore taluk, Chingleput district, known as "Kilanur tank" alias "Vishnuvakam madugu thangal," tank No. 2 of Karikalavakam tank group of the Red Hills Minor Basin, actually irrigates 181 acres 99 cents in the village of Karikalavakam, 147 acres 21 cents in the village of Vilapakam, 89 acres Vishnuvakam, 30 acres and 40 cents in the village of Arumbakam, amounting and 4 cents in Kilanur and 48 acres and 50 cents in Arumbakam, amounting in all to 447 acres and 23 cents;

[12th October 1928]

(b) whether it is a fact that before the resettlement of the Tank Restoration Scheme party in their memoirs under the heading details of irrigation, the ayacut area under the source was wrongly given as 3.24 acres instead of 32.1 acres;

(c) whether it is due to this clerical mistake that has crept into the printed memoirs that this tank is treated as a minor source and kept under the Revenue department for its repairs, although the actual area of the tank is about 3 square miles; and

(d) whether the Government will be pleased to transfer this Issa tank to the Public Works Department classifying the same as an imperial one, as it actually irrigates about 450 acres yielding a revenue of more than Rs. 2,000?

A.—(a) Kilanur Maduvu is in charge of the Public Works Department and has according to the resettlement register prepared in fasli 1320 a registered ayacut of 429.95 acres in Kilanur village only. It is not identical with the Vishnuvakkam Maduvu Tangal, which is a minor irrigation tank in charge of the Revenue Department.

According to the resettlement register, the registered ayacut of the Vishnuvakkam Maduvu Tangal is 284.14 acres as detailed below.

Village.	Extent in acres.	Assessment.	
		RS.	A.
Karikalavakkam	131.99	482	1
Vishnuvakkam	121.75	624	4
Vilapakkam	30.40	159	0
Total	284.14	1,265	5

No lands in Kilanur or Arambakkam village are irrigated by this tank.

(b) & (c) The Government are not aware that the facts are as stated.

(d) The question of the transfer of the tank to the Public Works Department is under correspondence between the Collector and the Executive Engineer, Chingleput.

Water rate

Diminishing of gingelly crop area in East and West Godavari owing to heavy penalties.

* 605 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that gingelly crop area in the East and West Godavari has been diminishing gradually during the last four years and whether the same is due to the heavy penalty rate levied for closed channel irrigation unlike garlic and chillies for which only single water rate is charged; and

(b) whether the Government intend to modify the rules making the levy uniform?

[12th October 1928]

A.—(a) & (b) The gingelly crop area in East and West Godavari was above the average in faslis 1333, 1334 and 1335. There was a fall in fasli 1336. The Government understand that this was due, not to special rates for irregular irrigation, for such rates do not vary with the crops, but to an extension of groundnut cultivation. The area under groundnut increased from a normal of 600 acres to 5,181 acres in fasli 1336.

Books and Publications

Alleged search of the Bharathi Pracharalaya by the Police on 19th September 1928.

* 606 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Bharathi Pracharalaya of Triplicane was searched by the City Police on the 19th September 1928, and that the entire stock of Subrahmanya Bharathi's poems, volumes 1 and 2, were seized and taken over;

(b) whether the Government have decided to proscribe Subrahmanya Bharathi's poems, volumes 1 and 2;

(c) if the answer to (b) be in the affirmative, the grounds for the decision of the Government;

(d) the circumstances under which the Government have taken the action against Subrahmanya Bharathi's poems at this moment, while they have been tolerated by the Government since their publication;

(e) whether the Government are aware of the deep resentment of the people of Tamil Nadu at the action taken by the Government against Subrahmanya Bharathi's poems;

(f) whether it is the object of the Government to put an end to national aspirations in Tamil Nadu by proscribing the poems of Subrahmanya Bharathi; and

(g) whether the Government are aware that the late Mr. Subrahmanya Bharathi is revered by the whole of the Tamil Nadu as a great patriot and poet?

A.—(a) Yes, on the 20th September.

(b) No.

(c) Does not arise.

(d) The Government took no action.

(e) This Government have taken no action against these poems.

(f) The Government are unaware that such would be the consequences of proscription.

(g) Government have no information.

Civil Justice

Vacancies in the Madras High Court Bench.

* 607 Q.—Mr. BASHIR AHMAD SAYEED: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that two vacancies are going to occur in the Madras High Court Bench shortly, and if so, the dates when the vacancies will arise and the nature of the vacancies;

[12th October 1928]

(b) whether the local Government have submitted recommendations to fill up the vacancies; and

(c) whether the Government have recommended or propose to recommend any Muslim for at least one of the said judgeships?

A.—(a) One temporary judge and one permanent judge of the High Court attain 60 years of age on 16th November 1928 and 18th December 1928 respectively.

(b) The local Government make no recommendations for filling up vacancies among permanent judges or temporary additional judges of the High Court.

(c) The question does not arise.

Mr. W. O. Newsam's service as District Judge in Ganjam.

* 608 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

(a) for how long Mr. W. O. Newsam has been acting as District Judge in Ganjam; and

(b) his service, and experience in all as acting District Judge?

A.—The hon. Member is referred to the History of Services of Gazetted and other officers in the Civil Department. A copy of the publication is available in the Council Library.

Religious and Charitable Endowments

Alleged withholding of tasdikis to certain temples in South Kanara.

* 609 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that in the case of temples in South Kanara with incomes of less than Rs. 250 per annum and in which the trusteeships are vacant the tasdikis payable to them have been held up;

(b) if so, for what reasons, and how long the Government propose to follow that course and whether the Government have given any instructions as to how the viniyogas in such institutions are to be carried on till the tasdikis are restored to them; and

(c) whether such temples are still governed by the old committees which have been abolished?

A.—(a) & (b) The information has been called for.

(c) No. Under section 4 of the Hindu Religious Endowments Act, 1926, the provisions of the Act do not apply to temples the average annual gross income of which, including income from endowments connected therewith for a period of five years immediately preceding the commencement of the Act, was less than Rs. 250 each. The temples in question are not therefore under any temple committee at present. The question of placing them under the control of the two new temple committees formed in the district is under consideration.

[12th October 1928]

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“With your permission, Mr. President, I should like to bring to your notice one point which I think is a matter of importance to non-official members. During the time of questions and answers, the hon. the Minister for Education replying to a question asked by an hon. Member of this House said ‘if the hon. Member would apply his mind to it, the reasons would be obvious’, or something to that effect. It is due to the hon. Members of this House when they ask questions that the Government should give reasons as far as possible. We can consider it quite reasonable if the Government ask for notice, but when obviously they can give the answer or information, it is due to this House that they should give the answer. In these circumstances I would request you, Sir, to protect the interests of the House.”

The hon. the PRESIDENT:—“Will the hon. Member state the question and answer he refers to?”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“In reply to one of the questions the hon. the Education Minister asked the questioning member to apply his mind and stated that the reasons would be obvious. I think it is due to this House that hon. Members of the Treasury Bench should show greater courtesy and give reasons wherever they can, if asked.”

The hon. Dr. P. SUBBARAYAN:—“If I could remember aright, the question was as to why a depressed class man had not been nominated to a temple committee under the Hindu Religious Endowments Act; and I thought naturally, as all hon. Members are aware of the social customs in these matters, that it would not serve the interests of the public if I were to mention publicly the reasons. When hon. Members asked the question, I thought it was in the interests of the public themselves not to say it publicly.”

The hon. the PRESIDENT:—“I do not think the hon. the Minister intended anything against the capacity of hon. Members to understand things.”

The hon. Dr. P. SUBBARAYAN:—“No, Sir.”

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

II

VOTING BY LOBBIES.

Mr. SAMI VENKATACHALAM CHETTI:—“May I make a request, Sir? Last year about the time of the budget discussion as soon as the arrangements for the lobby system were completed, you enquired of the Members of this House whether the division might hereafter be taken under the lobby system. I remember that, so far as the budget discussion then was concerned, you decided that you might defer taking votes by means of the lobby arrangement and that later on we could consider the proposal. Now, Sir, I beg to submit that hereafter, that is from the next meeting, votes may be taken by dividing the House into lobbies.”

* The hon. the PRESIDENT:—“I think the Leader of the House will consider the matter and state his views. I should like to hear after lunch interval from the leaders of parties as to their wishes regarding the question of going into lobbies.”

[12th October 1928]

III

COMMUNICATION TO THE COUNCIL.

The Secretary then laid on the table, with reference to the answer given to question No. 1185 at the meeting of the Legislative Council held on the 5th November 1927, copies of the statement^a received from the Collector of South Kanara showing the area of certain villages, the extent under cultivation and the extent available for grazing purposes, together with the explanatory note of the Revenue Department.

IV

THE ANNAMALAI UNIVERSITY BILL.

The House then resumed consideration of the Annamalai University Bill.

No amendments having been moved under clause 16, the clause was put, passed and added to the Bill.

Clause 17.

*The hon. Dr. P. SUBBARAYAN :—" Mr. President, I move that for items (1) and (2) in class II the following may be substituted :—

(1) *Ten members of whom not less than five shall be teachers other than Professors and Readers, elected by such teachers.*

(2) *Five members elected by the Senate from among its members, provided that no one who is already a member of the Academic Council shall be eligible for election under this item.*"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 17, as amended, was then put, passed and added to the Bill.

Clause 18 was also put, passed and added to the Bill.

Clause 19.

*Mr. J. A. SALDANHA :—" Sir, I move that in sub-clause (1) after the word 'science' the word 'technology' be inserted.

"This is a subject, Sir, on which much need not be said because a large number of hon. Members of this House have given expression to the opinion that what is needed very much now in this Presidency is the development of industries and therefore the necessity is for technical education. Technical education, Sir, has been very much neglected in this Presidency. For any higher technical education we have to send our boys to Bombay. Even in Bombay from boys who have gone there we know that the Victoria Technical Institute is not of a very high class. After all, in England or Germany or Japan, this institution in Bombay would be considered a third rate one. There is no chance of such an institution being started in Madras; our Madras University seems to have all along adopted a policy of neglecting scientific and technical education. And the pity of it is we have got friends like the representative of the University, my hon. Friend Mr. Satyamurti, discounting its importance. The bias of our leaders in the University is

^a Printed as Appendix VII at pages 544-545 infra.

[12th October 1928]

[Mr. J. A. Saldanha]

towards humanities and almost exclusively humanities. It is most necessary that we should direct our attention to this neglect of technical education, and I am glad to note that the Select Committee in spite of the indifference of some of the members has agreed to include technology as one of the objects of study in the university. Now, what is the use of mentioning this object in the purposes of the university, if no steps are taken for having a faculty of technology. If we say there should be a technological faculty, a technological school should be started at least on a modest scale. They can go step by step and raise it to a first-class institute. Technical institutions are more necessary especially in South India, where there are already a large number of colleges wherein education in humanities, literature, Sanskrit and other languages is being imparted. I may point out, Sir, that mere studies in language in a university cannot improve the literature. Can we maintain that by a study of English in our universities the English literature will be improved in any way? It is the authors and poets in the English language that have improved the English literature. I doubt very much whether by the cultivation of Tamil or Sanskrit, the literature in those languages will be very much improved or extended. The literature of a country must come from the authors and poets of the people. I do not discard or underrate the value of humanities. I am very much for the study of humanities, but at the same time, side by side with it, I think it would be to the interests of our people, the masses, if technical education is attended to at once. I therefore propose that a faculty of technology should be started at once in the new University. We are very proud and we appreciate with the greatest feelings of pride that Sir Annamalai Chettiyar has come forward with this princely endowment. He has followed the example of merchants and others in Bombay and Bengal and other Presidencies, and has set an example for zamindars and capitalists and merchant princes to come forward with further benefactions. I am sure that it will not stop with this endowment alone but other endowments from others will be forthcoming hereafter.

"In Bombay we have institutions of this sort. Sir Victor Sassoon¹²⁻¹⁵ began with an endowment for science. Another man came forward with p.m. building and so on. Originally there were ten lakhs and now there are more than thirty lakhs. Therefore, if a start is made and if we have a school for technology in one particular subject, other endowments will be forthcoming not only from the members of the family of the Founder but from others also. I am sure that once the faculty of technology is established, there will be funds forthcoming and a very good beginning will be made to put to shame our own university and that is what is wanted in the interests of the industrial development of this Presidency. I would point out, Sir, that I was not surprised when the Finance Member stood up yesterday at the remarks of the hon. Member for the University. I have never known our Finance Member being partial towards the development of the industries of this Presidency. You have got Calicut, Mangalore and Bellary where the late Minister Mr. Ranganatha Mudaliyar promised to open industrial schools but which could not be opened because the Finance Member finds no funds. There is lack of sympathy on the part of the Government. It is very discreditable that our Ministers do not stand up and see that the industrial schools are started. The hon. the Finance Member stood up with glee at the statement of the hon. Member for the University because of his want of

[Mr. J. A. Saldanha] [12th October 1928]

interest in industries. I am sure the founders of the university will provide the necessary funds, and, if not, others will come forward to endow this university, and Government therefore must give the necessary aid and support."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I have very great pleasure in seconding this amendment and I appeal to Government to accept this so that we may have a unanimous vote. This is a very mild amendment considering the amendment I had given notice of. Government can have no excuse to be against this in view of the fact that it is in a general way that the provision is made. The clause itself gives room for the Senate to make the necessary safeguards by their rule-making power. So far as this Government is concerned, we know that they have been sending every year four or five students to Bombay because we have no technological institute here. They do the same thing in the case of the Tata Institute at Bangalore. Both sides of the House were using the name of the Founder as having any views regarding an amendment of mine yesterday. Mr. Venkatapathi Raju in supporting the Government referred to him and Mr. Arogyaswami Mudaliyar in his speech had to refer to him also. The Founder as a matter of fact is perfectly willing to accept any amendment that may be made in this House. He has handed unconditionally over to Government promissory notes of the face value of about 22 lakhs, and no one else would be willing to do it. Even, if I am so rich, I won't give so much money unconditionally. This gentleman is so kind that he has left the whole thing to the Government and to the Council and they can make any amendment if they like at any time, now or later on. He has placed the whole thing at the disposal of the Government relying on their wisdom. It is very fortunate that the European members supported me yesterday. I am sure the hon. Minister will consider the matter and kindly accept this so that it will facilitate the passing of the Bill more unanimously."

* The hon. Dr. P. SUBBARAYAN :—" I am sorry that Mr. Venkataramana Ayyangar while saying that the name of the Founder should not be made use of, he himself almost went near doing it. I do not think I am guilty of the charge. As my hon. Friend pointed out, the Founder has placed the money at the disposal of the Government for the purpose of this new university. It is irrelevant to discuss whether the Founder would like a particular amendment or not. It is purely for the Council to say what kind of university they would like to have and what subjects ought to be taught. With regard to this amendment, I do not think there will be any harm because it is already provided for in clause 3. Though I personally think no purpose will be served, since hon. Members seem to lay so much stress in having it on paper rather than the practice of it, I have no objection to accept this."

* Mr. G. HARISARVOTTAMA RAO :—" I am very sorry for the sentiment expressed by the hon. the Chief Minister. He is prepared to accept that a faculty of technology be started and yet he tells us that he proceeds on the assumption that it is a paper provision. I am afraid, Sir, that this House will have to consider this Bill in a serious light, if that is the way in which he is going to deal with this clause. The House is serious that technology should be provided for, and the amendment proposes that there should be a faculty of technology. If the Chief Minister should accept this merely to

12th October 1928] [Mr. G. Harisarvottama Rao]

rush the Bill through, it appears to me that it is not proper. If he does, he will have to face opposition enough to make him realize that he must respect the wishes of this House in the matter of this particular question."

The amendment was put and carried.

Clause 19, as amended, was put, passed and added to the Bill.

Clause 20.

Clause 20 was put, passed and added to the Bill.

Clause 21.

The hon. Dr. P. SUBBARAYAN :—" I move—

'In item (4) of Class II—Other Members—of clause 21 of the Bill for the word "place" where it first occurs substitute the word "office" and where it occurs for the second time substitute the word "vacancy".'

"This is merely a verbal amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 21, as amended, was put, passed and added to the Bill.

Clause 22.

Clause 22 was put, passed and added to the Bill.

Clause 23.

* The hon. Dr. P. SUBBARAYAN :—" I move—

For clause 23 of the Bill substitute the following :—

'23. The Finance Committee shall consist of the following persons, namely :—

- (1) The Secretary to the Government of Madras in charge of Finance.*
- (2) The Founder and, in case the office is vacant, any person nominated by the Chancellor to do the duties of the Founder under this section during the continuance of the vacancy.*
- (3) The Vice-Chancellor.*
- (4) One member elected by the Senate from among its members, provided that no one who is already a member of the Syndicate shall be eligible for election under this clause.'*

"I am not in any way trying to go behind the decision of the Select Committee to have this Committee only for ten years. I am providing under another amendment that this Finance Committee is to exist only for ten years. To make it more complete I am suggesting this amendment. I hope hon. Members will have no objection."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried, and the clause was added to the Bill.

Clause 24.

Clause 24 was put, passed and added to the Bill.

[12th October 1928]

Clause 25.

12-30
p.m.

The hon. Dr. P. SUBBARAYAN:—"I beg to move—

*'That for the existing clause 25, the following be substituted:—*25 (1) *The Board of Selection shall consist of the following persons, namely:—*

- (a) *One member nominated by the Chancellor;*
- (b) *The Founder and in case the office is vacant any person nominated by the Chancellor to do the duty of the Founder under this section during the continuance of the vacancy;*
- (c) *The Vice-Chancellor;*
- (d) *One member elected by the Syndicate from among its members; and*
- (e) *One member elected by the Senate from among its members; and*

(2) *The Board of Selection shall have the power to appoint the teachers and the Registrar of the University.'*

"I move this amendment, because this is more complete."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put and carried, and the amended clause was added to the Bill.

Clauses 26, 27 and 28 were then successively put, passed and added to the Bill.

Clause 29.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move—

'In item (e), after the word "Vice-Chancellor" insert the words "and the Registrar".'

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put and carried.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move another amendment to this clause, which is necessary, and I gave notice of it to the Secretary. That is—

'In item (j), to insert the words "the Founder" between the words "the Chancellor" and "the Pro-Chancellor".'

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put and carried.

The clause as amended was then put, passed and added to the Bill.

Clause 30 was then put, passed and added to the Bill.

Clause 31.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move—

'In item (c), for the word and figure "section 8", substitute the word and figure "section 7".'

"Hon. Members are aware that clause 7 of the original Bill was omitted by the Select Committee, and what was clause 8 then has now become clause 7. To make this correction, I propose this amendment."

12th October 1928]

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

The amendment was put and carried.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move—

'In item (f), for the words "colleges and hostels" substitute the words "hostels and lodgings".'

"That again is an amendment consequential on the amendment we arrived at with regard to the proposal made by Mr. Satyamurti."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

* Mr. S. SATYAMURTI:—"Sir, this amendment will create some difficulty. I do not know, if you omit the word 'colleges' from this sub-section altogether, we shall have power, in the regulations, for prescribing conditions subject to which persons may be recognized as qualified to give instruction in colleges. I think the only amendment consequential on the House accepting my amendment with regard to an earlier clause will be an amendment which will say 'colleges, hostels and lodgings not maintained by the University'. The result of the amendment of the hon. Minister will be, as far as I can make out,—I speak subject to correction—that there will be no provision in the Act by which the regulations of the Academic Council can prescribe conditions subject to which persons may become qualified to give instruction in colleges. I think I am right. If so, the hon. the Minister may be permitted to withdraw his amendment, and I may have your leave to move my amendment. In the meantime, I shall hand you a copy of my amendment."

The hon. the PRESIDENT:—"The hon. Member will have full liberty to do so with the leave of the House."

* The hon. Dr. P. SUBBARAYAN:—"I think my hon. Friend is right and I therefore beg leave of the House to withdraw my amendment."

The amendment was by leave withdrawn.

* Mr. S. SATYAMURTI:—"I move—

'In item (f), for the words "colleges and hostels", the words "colleges, hostels and lodgings" be substituted.'

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second it."

The amendment was put and carried.

The clause as amended was then put, passed and added to the Bill.

Clause 32.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move—

'In the second paragraph, for the words "at its next meeting or a subsequent meeting", substitute the words "at its next meeting or at any other meeting to which it may adjourn the consideration thereof".'

"The difficulty is this: if the amendment made by the Select Committee is adopted, it may be that the Senate may postpone the thing to any other subsequent meeting. To avoid that difficulty, if we give power to the Senate to adjourn this business if they do not have the time to get through it at the next meeting, I think it will be more easy to carry out the object hon. Members have in mind."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

[12th October 1928]

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I am afraid the object with which it was so amended in the Select Committee does not seem to have been considered by my friends. Supposing this subject comes to the notice of the Syndicate and they bring it to the Senate without giving the necessary time for notice, then it cannot be brought at the next meeting. The present amendment contemplates the possibility of every such subject being brought at the next meeting. It may not be possible to bring such subjects at the next meeting itself for want of time. It is to provide for that the Select Committee suggested this change, i.e., 'at its next meeting or a subsequent meeting'. Otherwise, there will be difficulty in the way of the Syndicate and the Vice-Chancellor on account of the rule of proper notice if they have not sufficient time before them to bring forward the subject at the next meeting. I will, therefore, suggest that the original wording as made by the Select Committee be accepted, and I do not think this amendment is necessary."

* Diwan Bahadur K. RAMUNNI MENON :—" I think the wording of the amendment of which notice has been given is sufficiently clear. These matters will come up at a Senate meeting after the regulation has been passed, and either at that meeting or at any subsequent meeting to which the matter may be adjourned by the Senate the subject may be considered, and it seems to me that the amendment is perfectly right. Judging from the experience which we have gained in our University, I do not think there will be any difficulty in practice. So I suggest that this amendment may be accepted."

* Mr. S. SATYAMURTI :—" I also am in agreement with my hon. Friend the Vice-Chancellor of the University of Madras. There is no possibility of any regulation not coming before the next meeting for this simple reason: the section as it stands is, 'every regulation so made shall be submitted as soon as may be to the Senate who shall consider it at its next meeting'. The next meeting means after such submission to the Senate. Therefore, there is no possibility of any regulation not coming before the next meeting of the Senate. The next meeting for that purpose will be the meeting of the Senate after the regulation can be brought to their notice. That is the only way of doing it in other universities, and that is by inclusion in the agenda of the particular meeting of the Senate. Whether you like it or not, the regulation will be in the agenda for the next meeting. The amendment provides against the possibility of there being no time at that meeting or any other contingency under which the Senate may not be able to dispose of the matter at that very meeting. But it will have an opportunity, under this amendment of the hon. Minister to say, 'We adjourn consideration of this regulation to a subsequent meeting', and then the regulation will come up for consideration there. I think the amendment accurately covers all the requirements of the case."

The amendment was put and carried.

Clause 32 as amended was then put, passed and added to the Bill.

Clause 33.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'(i) In sub-clause (3), omit the words "or if he goes on leave for a period of not less than six months"; and

[12th October 1928]

[Dr. P. Subbarayan]

'(ii) add the following explanation at the end :—

'Explanation.—Any person nominated or elected as aforesaid shall, for the purpose of this sub-section, cease to be a member of the body or the holder of the appointment as the case may be with effect from the date on which he goes on leave if the period of leave is more than six months.'

"The same object as is wanted by the Select Committee is achieved by this amendment. The amendment makes it more clear."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I beg leave to move 12-45 p.m. the following amendment, viz. :—

'Substitute the word "Proviso" for the first "explanation" and substitute the words "provided that" for the next "explanation".'

Mr. G. HARISARVOTAMA RAO :—" I second it."

* Mr. S. SATYAMURTI :—" Sometimes, second thoughts are better, but not always. I should like to know what is wrong with this clause as it stands, and why this explanation or proviso is necessary, and whether it makes sense. The 'explanation' says 'Any person nominated or elected . . . shall for the purpose of this sub-section cease to be a member of the body', etc. I ask, does he continue for any other purpose? I want to know why these words are put in, viz., 'for the purpose of this sub-section', unless the implication is while they may cease to be members for the purposes of this sub-section, they may continue for any other purpose.

"Then the amendment says 'cease to be a member of the body . . . with effect from the date on which he goes on leave if the period of leave is more than six months'. Now look at the wording of the section as it stands: 'Any person nominated or elected in his capacity as a member of a particular body or the holder of a particular appointment shall if he ceases to be a member of that body or the holder of that appointment (there must be a comma here) as the case may be, for a period of more than three months or if he goes on leave for a period of not more than six months, (there must be a comma here also) cease to be a member of the authority or the body of the University concerned.' I do not know what is obscure in this sub-section, which is sought to be made clear by this proviso. As I have pointed out, the provision made is obscure by introducing unnecessary words and by suggesting that the cessation of membership is merely for a particular purpose, whereas according to the scheme of the Act the membership ceases for all purposes. Therefore, there is no need for this amendment."

Mr. K. RAMUNNI MENON :—" The sub-section in the Bill as it stands is much more correct than the amendment. I suggest that the amendment may be withdrawn."

* The hon. Dr. P. SUBBARAYAN :—" My one difficulty is the House is seized of the amendment."

* The hon. the PRESIDENT :—" It is only the amended amendment that is before the House."

[12th October 1928]

* The hon. Dr. P. SUBBARAYAN :—" In view of what Mr. Ramunni Menon has said, I beg leave to withdraw the amendment and let the clause stand as it is."

The amendment was by leave of the House withdrawn.

Clause 33 was put, passed and added to the Bill.

Clause 34 was also put, passed and added to the Bill.

Clause 35.

* The hon. Dr. P. SUBBARAYAN :—" I move :—
for the words "if at the date of election or nomination" substitute the words "if at the time of election, nomination or appointment".

"This is only a verbal amendment and may be accepted by the House."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 35 as amended was put, passed and added to the Bill.

Clause 36.

* The hon. Dr. P. SUBBARAYAN :—" I move—
for the word and figure "section 9" in sub-clause (1), substitute the word and figure "section 8".

"I have omitted the words 'sub-section (a) of' from my amendment as appearing in the agenda."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

* Mr. S. SATYAMURTI :—" I move—

In line 4 for the figures "4, 5 and 6" in sub-clause (1), substitute the figures "5, 6 and 7".

"Sir, this is a mere consequential amendment. To the officers described in section 8, a new officer is added, namely, the Founder. Therefore this amendment is necessary."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it."

The amendment was carried.

Clause 36 as amended was put, passed and added to the Bill.

Clause 37 was also put, passed and added to the Bill.

Clause 38.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

"Omit the words "not exceeding one-fifth of their total number" and add the following proviso at the end :—

"provided that the number of persons so included in any committee shall not exceed one-fifth of the total of that committee".

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 38 as amended was put, passed and added to the Bill.

Clauses 39 and 40 were successively put, passed and added to the Bill.

[12th October 1928]

Clause 41.

* The hon. Dr. P. SUBBARAYAN :—

"For the word 'twenty' in sub-clause (ii) (b) substitute the word 'twenty-seven'.

"Sir, this amendment is moved with the permission of His Excellency the Governor."

* The hon. the PRESIDENT :—" The hon. Member has not sent the sanction of His Excellency to the office."

* The hon. Dr. P. SUBBARAYAN :—" I will send it. I have not got it here at present. I move for the adjournment of the House till after lunch."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

This was carried.

The House adjourned at 12-55 p.m. for lunch.

After Lunch (3 p.m.)

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, before I move the amendment standing against my name, I want to express my regret to you for not having already supplied your office with the communication of His Excellency the Governor giving sanction under section 80-C of the Government of India Act.

"Sir, I move—

"that in clause 41, sub-clause (ii) (b), the word 'twenty-seven' be substituted for the word 'twenty'."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I second it."

The amendment was put and carried.

Clause 41, as amended, was then put, passed and added to the Bill.

Clause 42 was put, passed and added to the Bill.

Clause 43.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

"that for clause 43 of the Bill the following shall be substituted :—

43. The Local Government—

(1) shall contribute to the General Fund annually a sum of one and a half lakhs of rupees, and

(2) subject to such conditions as may be agreed upon between them and the University

(a) shall give for the buildings and equipment of the University a sum of seven and a half lakhs of rupees and

(b) may contribute, from time to time, such further sums as they deem fit to contribute to the said Fund or towards such buildings or equipment."

"Mr. President, this is a slight change made in the Bill after it emerged from the Select Committee. An additional clause has now been added regarding the contribution of seven and a half lakhs of rupees to be granted by the Government for the building and equipment of this new University. I am moving this because when the Government gives a grant for buildings, they ought to have a right to get plans and estimates examined by their Public Works Department and sanctioned by them. Besides, if there is no condition attached, it may be that the Government will have to pay seven

[Dr. P. Subbarayan] [12th October 1923]

and a half lakhs immediately. That was not the intention of the Government when it was introduced. The intention was to pay this 7½ lakhs from time to time as buildings are ready whereas the other sum of 27 lakhs was intended to be paid unconditionally. Under the circumstances, I hope the House will accept the amendment."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I second it."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, I rise to ask for some information. Yesterday on the floor of the House the hon. the Chief Minister told us that the endowment consisted of 20 lakhs of rupees in cash and some other properties and added that the properties were worth 12 lakhs including the contribution that the Government have made towards the buildings. Am I to understand that these 7½ lakhs spoken of in sub-clause 2 (a) are exclusive of the amount hitherto contributed by the Government? "

* The hon. Dr. P. SUBBARAYAN :—" This sum which is now being provided for under the Act is different from the sum that has already been granted under the Grant-in-Aid Code to the Sri Meenakshi College, Chidambaram."

Mr. G. HARISARVOTTAMA RAO :—" What is the previous sum? "

* The hon. Dr. P. SUBBARAYAN :—" The previous sum was about five lakhs of rupees given under the Grant-in-Aid Code."

The amendment was put and carried.

Clause 43, as amended, was then put, passed and added to the Bill.
Clause 44 was also put, passed and added to the Bill.

Clause 45.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

'for sub-clause (2) of clause 45 substitute the following :—

'(2) At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted, the Registrar and the teachers of the University shall be appointed by the Chancellor after considering the recommendations of a committee consisting of the Pro-Chancellor, the Vice-Chancellor and such other person or persons, if any, as the Chancellor thinks fit to associate with them; and'

"Sir, this is merely a transitory provision for carrying on the work of the University till the various bodies of the University come into being. I hope hon. Members will accept it."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried and the amendment was made.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

'that after sub-clause (4), the following sub-clause shall be inserted :—

'(5) The salary if any of the first Vice-Chancellor shall be fixed by the Chancellor.'

"This again is a transitory provision to get over the time when the University bodies are not working."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 45, as amended, was then put, passed and added to the Bill.
Clause 46 was put, passed and added to the Bill.

12th October 1928]

New Clause 47.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move

'After clause 46 of the Bill insert the following as clause 47 :—

"47. This section, item (6) of section 14, and sections 23 and 24 shall cease to be part of this Act on the termination of ten years from the date on which section 23 comes into force."

"Mr. President, as I said when I moved section 23, the Bill provides a separate place for the Finance Committee going out of existence after 10 years. This is the effect of this clause. I hope the House will have no objection to this."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried and the new clause was added to the Bill.

The hon. the PRESIDENT :—" The question is : Schedule A shall stand part of the Bill."

The motion was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" Sir, with the leave of the House I move to

'substitute the word "Schedule" for "Schedule A" wherever it occurs'."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried.

The hon. the PRESIDENT :—" The question is that the Preamble shall stand part of the Bill."

The motion was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" I now move that the Bill be passed into law. In doing so I would like to say a few words. Hon. Members may think that this legislation has been hurried through. As a matter of fact, the Select Committee considered this legislation thoroughly and most of the amendments I have moved are merely verbal amendments and not amendments of a substantial nature. Under the circumstances I hope hon. Members will not object to the third reading being taken at this stage."

* Mr. S. SATYAMURTI :—" Sir, I have great pleasure in seconding the motion of the hon. Minister for Education that this Bill be passed into law. It is a proud moment when this Council gives its final assent to this piece of legislation which will create, in as early a time as possible, a University, the first of its kind in South India. (A Voice : Whole India). No, it is not the whole of India. There are residential Universities at Benares and Aligarh and at Decca and other Universities also. So far as South India is concerned this is the first University of its kind, and I think the Council owes it to itself, and I am sure I am echoing the feeling of the whole House when I say that we feel very proud of the magnificent endowment of the Founder of this University, my friend Diwan Bahadur Sir Annamalai Chettiyar. His endowment comes to 35 or 40 lakhs of rupees and this House has wholeheartedly shown its appreciation of the generosity and philanthropy of the gentleman. I am sure, knowing him as I do, that he will come forward with more money and more endowments to this University. In passing, Sir, I may say that I accept the vote of the House,

[Mr. S. Satyamurti]

[12th October 1928]

whatever my views may have been, in having insisted upon the inclusion of the faculty of technology at once in this University. I am sure both the Founder and the Government accept the implications of the vote of the House. I, as a loyal Member of the House, want that both the Founder and the Government should implement this vote of the House by finding the necessary money for it. I appeal to those friends of mine who were anxious to include technology in this University, when the Government comes forward with proposals for giving more money to this University for founding a Technological school in this University, to give their hearty support to the Government. May I also appeal to the generosity of the Founder that he should, as I am sure he will, accept the vote of the House and carry it out loyally and generously, hoping that thereby we shall be founding on the banks of the Coleroon at Chidambaram a University which will on the one hand promote the study of the humanities and also on the other hand subserve the modern needs of this country as our friends are anxious that it should?

"Then, Sir, it is not my habit to praise the Government, not because I do not want to praise it but because there have been no occasions for it. (Laughter.) To the best of my knowledge, it has not so far done anything half as generous, and half as graceful as it has done in this matter. We owe a great debt of gratitude to my hon. Friend, the Minister for Education, for having piloted this Bill and for having melted to use my own phrase, the stony heart of the hon. the Finance Member and made him agree to this liberal, and may I say generous, help to the University which we are all anxious should be established very soon. I am glad to see that my hon. Friend, the Finance Member, is not a mere dragon . . . keeping his watch and ward over the treasury of the Madras Government and allowing no inroads to be made upon it, except for certain purposes which may commend themselves to him. I am glad to see he is also a warm educationist who recognizes a good thing when it is offered to him. I am glad further, that the Government have been able to realize the full implications of this generous endowment and have come forward with this liberal help

"So far as the actual composition of the University bodies is concerned, although there were some warm debates yesterday I may congratulate the new University on having got, as a result of the vote of this House, bodies in whose wisdom, educational enthusiasm and disinterestedness, we can have full confidence. I believe we have got a representative Senate, a good Academic Council and a Syndicate on which the teaching side of the University will be adequately, if not generously, represented. I think, Sir, that the intimate connexion established between the Founder and the University will inure to the advantage of the University. There was one provision in the Bill which, by the vote of the House, has been rendered innocuous, from the point of view of the friends of the University. That was with regard to the Finance Committee. Thanks to the reasonableness of the Government, the life of the Finance Committee has been limited to a period of ten years. The composition has been altered so as to give no undue representation to any relevant interest. For the first ten years they will be there to guide, advise, and control so that the money may be spent properly with a view to the very best results being achieved. After that, when the University has gained experience it will become an absolutely autonomous one, in all its affairs, financial, as well as academic.

[12th October 1928]

[Mr. S. Satyamurti]

"Then, Sir, I have only one word to say with regard to the future of the University. In South India, a teaching and residential university is an experiment, and the success of the University depends, in the ultimate resort, on the ability of the Founder and the authorities of the University in attracting to the University and retaining there, first-class men in the various subjects which are going to be taught. A Residential University cannot make an appeal to the students, unless those who are in charge of the teaching of the various subjects in the University are first rate men, whose lectures are listened to, not because attendance at them for a number of days is compulsory to entitle them to sit for University examinations, but because, in the opinion of the students themselves, these lectures are worth attending. That is the rule in Oxford, and I hope that those who will have a great deal to do with the Chidambaram University will see to it that no quarter is given to second rate or third rate men and that they will so arrange their recruitment to the teaching staff of the University, that, whether it be Physics, Chemistry, English, Tamil, History, Economics or Technology, if I may say so, they will get the very best men available whose name will shed lustre on the Annamalai University, and will make it *primus inter pares* among the universities of the world. I do want that that aspect should be borne in mind. Finance is alright. But in high educational matters a cheese-paring policy is suicidal. I hope and trust that the authorities of the University will not stint any money in attracting to and retaining in the new University the very best men who will shed lustre on the University.

"Then, Sir, I must say one word about the light references made by certain members to the production of pandits. I have already referred to it in my speech on the second reading. I know, Sir, we have got a large number of graduates which our Universities produce. Some of them are unemployed. I do not think I shall be doing any injustice to these very men, the graduates, when I say that we have not got in our country too many men and women really educated and really cultured. I look up to the Chidambaram University not to produce graduates on the model of the other Universities, but to send forth from its portals, young men and women of whom the country may be proud, really cultured, refined and educated ladies and gentlemen anxious, capable, and willing to take their part in the public life of this country in every sphere and be leaders of men and women. Our Universities, I am convinced, have not yet produced those leaders of men which the public schools of England and the Universities of Oxford and Cambridge send out to govern this far-flung Empire of Great Britain. (Hear, hear.) There is one thing I envy in Great Britain and I want to copy that—the system of education given in Oxford and Cambridge by which their men are able to impress themselves upon others by their very presence. That is a thing to be admired. I am not an admirer of things English, because they are English. But I do feel, Mr. President, that in this matter we have a great deal to learn from those great residential universities. Not that they are entirely new to us, but we have forgotten our past. The ancient Gurukulas of our own country produced men and women who could have held their own easily as against the graduates of Oxford and Cambridge. But, alas, we have lost those great ideals. I am looking forward most hopefully, that in Chidambaram, with this generous endowment, will be reproduced those ancient ideals of the Gurukula, and that we shall create there an atmosphere which will give real education to our men and women

[Mr. S. Satyamurti]

[12th October 1928]

and send them forth as men and women who will be known as educated, not because of the suffixes to their names as B.A., or M.A., but because of their very presence, person, address, conduct and character. This kind of education I look forward to in Chidambaram. That is why I believe that so far as literary education is concerned, or as it is otherwise known, education in the humanities, Chidambaram will make a notable contribution, unprecedented in the annals of university education in South India. That is all to the good of South India.

"Sir, I have done. I am one of those who believe—I may be optimistic—that very soon, sooner than many of us realize, India will have Swaraj. Whether I am right or wrong, I know that the Annamalai University will play a much greater part in a self-governing India, than it may play to-day. Because, in a free and self-governing India, there will be greater need for robust young men and women who will come with characters shaped, with physique developed, and with their mental and moral outlook trained, to face the storms of life. I have no doubt that the Swaraj Government of the province of Madras and the Swaraj Government of India will look up to Chidambaram as the nursery of their great administrators, statesmen, diplomats, educationists, philosophers and scientists, even as the Government of the British Empire looks upon Oxford and Cambridge for men and women who will carry out the functions of the Empire throughout the world. I therefore feel, Mr. President, that in giving our blessings to this Bill, we are doing the right thing by our posterity, for which I am sure, they will bless those who have taken any part, however humble, in seeing that this Bill is passed into law.

"I see, Sir, that in the preamble special reference is made to the development of Tamil and Sanskrit studies. I hope and hope sincerely that the Chidambaram University will apply itself earnestly and whole-heartedly to the development of the study of these two great literatures. Tamil literature is a mine which is not yet opened to the people of South India as adequately as it ought to be. Sanskrit is also equally a great heritage of the people of South India. When these two literatures are equally well developed, I hope to see in Chidambaram the synthesis of the Eastern and Western cultures which will shine forth in Chidambaram as an important meeting place of the cultures of the world.

"With these words, Mr. President, as one representing the University of Madras and its graduates, I have great pleasure in wishing God speed to this university and in giving the profound and grateful thanks of this House, to the founder of the university and to the Government for having come forward with such generous grants, and in praying to the Almighty that He may shower His choicest blessings on the future of this university which we all wish to be enduring and great."

The hon. the PRESIDENT:—"The question is that the Bill be passed into law."

* Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, words fail me to express adequately our feelings of gratitude and thankfulness to the hon. Sir Annamalai Chettiyar for his large, princely and magnificent donation which has made the establishment of the university possible. The founder is animated by unselfish and altruistic motives in endowing this university. The value and spontaneity of the gift is enhanced by the liberality with

[12th October 1928] [Mr. R. Srinivasa Ayyangar]

which it has been made. If the lights lit on the top of the Annamalai Hills at Tiruvannamalai every year during the *Kartikai Deepam* serve to purify the souls of the devotees that go there every year, I have not the slightest doubt that the light of learning that will spread and diffuse from Chidambaram will go a long way in steadying, purifying, chastening and elevating, if I may say so, the moral and intellectual side of those who get into its portals. I feel sure that this university will give a great impetus to the development of Tamil and Sanskrit learning and I have no doubt that this act on the part of Sir Annamalai Chettiyar will be a great incentive to many more Annamalais springing in Kerala and Andhra countries in course of time so that this Presidency may have a net-work of universities of this type. We are thankful to Sir Annamalai Chettiyar's family for diverting a portion of its well-earned wealth to these channels of public utility. If it had been left to his beloved brother and an esteemed friend of mine, the late Diwan Bahadur Ramaswami Chettiyar, to have given water-supply and also a High School for Chidambaram, the coping stone had been supplied and had been furnished by Sir Annamalai Chettiyar; and the University which is in sight will be regarded as the key-stone of the edifice of philanthropy which has been so carefully reared and nurtured. As my hon. Friend, the Member for the University, had put it, may Providence shower on Sir Annamalai Chettiyar His choicest blessings and may his university begin to fulfil its functions and serve as a beacon light for all time to come so long as the sun and the moon last. I have great pleasure in supporting this motion."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I should have certainly objected to the passing of this Bill into law but for the regard that one must have for the great munificence of the donor. Neither the Government nor my hon. Friend, the Member for the University, can claim very great virtue for the law that they are now passing. For one thing the whole law is undemocratic. The constitution that is vouchsafed to this Annamalai University is oligarchic. The Founder, the Chancellor and Vice-Chancellor, between them, share almost the whole power in the constitution of this University. At every stage we have seen how attempts were made to make this university as archaic as possible. There was a great deal of discontent in the House and to allay the discontent, the word 'technology' was put subsequently into this Act; and the hon. the Chief Minister when speaking on this particular motion said in such specific terms that this was a matter which was merely on paper. The hon. Member for the University made a fervent appeal that the Technological faculty should not find a place in this Bill. I do not know whether this object of the Bill will ever be carried out within any measurable distance of time. I have great regard for Sanskrit, English and Tamil. We have already a multiplicity of universities where humanities are encouraged *ad infinitum*. As for funds, funds are forthcoming to this university because the donor has been liberal enough to throw a bait, in the way of the Government, of a sum of Rs. 27 lakhs approximately. The Government cannot claim very well any merit and I do not know why my hon. Friend, the Member for the University, eulogises the Government. The Government have barely done its duty. So I do not think that either the hon. the Chief Minister or the Finance Member deserves any encomiums. They have probably done a fraction of their duty. There are other universities which have been asking for funds; and funds are not

3-30
p.m.

[Mr. G. Harisarvottama Rao] [12th October 1928]

forthcoming though this Government has had a remission of over 3½ crores of rupees. Education purposes have not been well served by this Government as yet. When they come forward to help a university that is likely to be archaic in its type, it is no recommendation. I should have welcomed a change of heart and feeling and I should have welcomed a university that can take up mostly modern subjects. We are now labouring under the difficulty that we have not got enough of living in this country for our graduates. It is all very well to say that humanities are required for the elevation of the intellect and that humanities will produce both men and women, who will be the best statesmen, the best scientists and all that is best in the world. I admit that there is truth in that argument to a certain extent. However, when we have to consider the value of education we have to take into consideration the needs of the country, the needs of the moment and the supply that already exists. Without considering these questions and without addressing ourselves to the development of a university that would provide for the needs required, if we assist in the formation of a university which is likely to be archaic, it redounds to nobody's credit. But I have still a ray of hope even if the university is started now out of regard for the donor who has really given more than what one would have expected in Southern India. There is yet time after experience to amend the Act.

"My hon. Friend talked of Swaraj. I am also as optimistic as he is that we shall be able to force Swaraj out of the hands of the British Government within a reasonable and measurable period of time. If that should happen, we will have sufficient opportunities for amending the Act that has been enacted under particular contingencies at present. I therefore feel that no purpose is served by opposing the passing of this Bill at this stage. I am not opposing the motion; but I am sounding a note of warning that this university should not function on archaic lines. It is up to the Founder, up to the bodies that are going to be set up and up to the Government that has brought forward this university into existence, to see that this university functions in a manner which is serviceable to the country. The first requisite appears to me to be this; that this university should endeavour to carry out the particular branches of learning that this House has been fighting for and has been able to include in the Bill after a great deal of discussion, i.e., Technology explicitly and Commerce by implication. If the university addresses itself to that aspect of the matter, I should feel particularly satisfied for the hurry with which this Act is being passed."

* Mr. V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I rise to support the motion before the House as a representative of the depressed classes. I must welcome most heartily the munificent gift that has been made by the hon. Diwan Bahadur Sir Annamalai Chettiyar and the encouragement given by the Government in bringing a university of this sort into existence. Sir, to those hon. Members of this House who know the history of the depressed classes and the greatness of Sri Nanda who had the opportunity of going to Chidambaram and attaining the spiritual bliss, I have to say that Chidambaram has got a great future before it. Sir, at present the headquarters of the university is to be at Chidambaram which also forms the centre of activity of the depressed classes in southern districts. My hon. Friend, Swami Bahajanandam, who unfortunately happens to be absent to-day has started the Nandanar Kalvi Kazhagam with a Higher Elementary school and a

[12th October 1928] [Mr. V. I. Muniswami Pillai]

hostel known as the Moir Hostel at Chidambaram and the fact that the university lies within a distance of a mile from it is a welcome sign of the future happiness for the depressed classes in this district.

"Apart from this, some communities especially the depressed classes who have stood and have been made to stand on the outskirts of Hindu society are to be allowed into this university. Another factor which makes me take this opportunity of speaking on this particular subject is that one of the members of Sri Nandanar Kalvi Kazhagam is to be a member of the Senate. Sir, I was one of those who served on the Select Committee of this University Bill and I think I must say a word of congratulation to the hon. the Chief Minister for so ably piloting the Bill through the Select Committee stage and in this Council. When this Bill becomes an Act and when the university is established, I am sure that liberal scholarships will be given to the depressed classes because the district is economically very poor as far as the depressed classes are concerned."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I do not propose to detain the House for more than a minute or two. I have no doubt that some of those who have already preceded me and many who are to follow me know the Founder more intimately than I do and of the numerous benefactions he has given. But this much I wish to say with your indulgence that my friends and myself on this side of the House wish to associate ourselves most sincerely with the good wishes that have been expressed on the floor of this House and wish this university which has been started under such good auspices a long and very useful career."

* The hon. Mr. T. E. MOIR:—"Mr. President, if I were the ideal Finance Member, I suppose there is no doubt that nothing more could be reasonably expected of me than the stony heart to which reference has been made, the front of brass, no bounds of compassion and the cold and calculating eye. But even if that were true of myself I am speaking now on behalf of the official Members who, I may say, confidently do desire to join all the other sections of the House, on this occasion in wishing Godspeed to this new university. Even as Finance Member I do not propose to follow one or two previous speakers who addressed appeals to the Founder of this university to show even greater generosity towards it. But there is one appeal I should like to make and that is to others to follow his example; (Hear, hear) because great as his generosity has been, there is no one in this House who supposes for a moment that the flow of benevolence may now cease and that there are no further demands either on behalf of this university or on behalf of the other two universities of which we boast to which such generosity might not very well be applied."

"If I remember rightly it was the hon. Member representing the Madras University who complimented me on the fact that I knew a good thing when I saw it. Yes; Rs. 20 to Rs. 30 lakhs is an exceedingly good thing, and I only hope that this is not the only occasion on which I shall be able to look upon donations for educational purposes of a similar kind."

"Sir, one or two criticisms have been made as to the constitution of the university, and on those I do not propose to dwell at any length. But one observation made was that this university is not democratic. I believe the democratic charter of this university is to be found in clause 5 of the Bill where it is expressly laid down that no person shall be excluded from this

[Mr. T. E. Moir]

[12th October 1923]

university on the ground of sex, race, creed, class or caste. That seems to me the democratic charter of this university. It does not consist in the manner in which the Senate, the Syndicate, and the Finance Committee are constituted. They are constituted for special purposes and I do not know of any university in the world in which due provision is not made, as has been made in this Bill, for the representation on such bodies of men possessed of those qualifications which are required to ensure the very existence of a university.

"On one point which was under discussion and controversy yesterday, namely, the addition to the Senate of this university of representatives of the Southern India Chamber of Commerce and of the Madras Chamber of Commerce, I may say that personally speaking, I was exceedingly glad to find that a resolution to that effect was passed by this House; and for the very good reason that, from my own experience, on bodies, such as the Finance Committee and the Public Accounts Committee, of the services that can be rendered in administrative and financial matters by members such as my hon. Friend Mr. C. Gopala Menon who represents the Southern India Chamber of Commerce, I am convinced that it will be an exceedingly good thing for this university if on the Senate which is the supreme governing body of the university and from which its Syndicate and Finance Committee will, in part, derive their representation, men of such qualifications find place.

"Then, Sir, one Member expressed the hope that this university would not turn out Pandits. Well, on the spur of the moment, I applauded that sentiment; but then it suddenly occurred to me that if my own educational history were examined, I could make claim, if to anything, only to being a Pandit of a very ordinary kind, because such education as I myself received was on those very lines which I think people in India are just now a little too ready to deprecate. I do not agree with those who think that the sole object of education is to turn out specialists, in whatever subject it may be. But I do think that there is something in the old system of general education which attempted to teach people to think and to give them some familiarity with general culture the importance of which is sometimes neglected nowadays, and I do not think it will be in any way to the detriment either of the Annamalai University or of the community which it is to serve, if it does turn out men who do not possess any special qualification, but have a sound general education and a mind open to the critical appreciation of all that interests or concerns humanity. But it is not merely the production of individual men and women of that kind which I look to the Chidambaram University to supply. I hope that in Chidambaram we shall find what perhaps has been somewhat lacking in our universities so far, and that is, a permanent home for what I might call the academical atmosphere, a centre where men will be found who can stand above the ordinary turmoil and controversies of the day and look with a calmer mind on what is going on around them, who will reside permanently there,—a centre to which men who do take a part in the dust and storm of conflict, be it political or otherwise, can turn from time to time in order to enter into a calmer atmosphere where reflection and meditation can take their due part. I think I am right in saying that more than once in my own country where controversies and differences have tended to obscure the interests of the people, it has been because we possessed men of the highest culture of that university

12th October 1923]

[Mr. T. E. Moir]

training to which the hon. Member for the University referred, who were able to intervene and bring to bear influences which could not be disregarded and in spite of all difficulties to clear the air of what was purely ephemeral and that we have been able to overcome mere factions or of controversy, and once again to direct events into a channel which could prove beneficial to the general interests. It may be that in years to come occasions will arise in the history of this Presidency when men of that kind will be badly wanted and indeed when it will be essential that they should be forthcoming. I myself hope and hope sincerely that this new university from Chidambaram, will, when such occasions do arise, contribute its quota with men who will, no matter at what risk, come forward and say 'this must cease; this is to the detriment and bane of society; this is merely leading to a crash; we will have no part in it, we protest against it, and we warn you against it.' If this university can do that, may I say that it will be doing a greater service to this country than any specialising will confer upon it. And that I regard as what in the future, may be one of the most valuable functions which this university will exercise.

"On behalf of those for whom I am speaking, I would express our most earnest desire that the new university may fulfil all the wishes of those who wish it well, and also express our very deep appreciation of the generosity of the founder who has made its coming into existence and the passing of this Bill possible."

* The RAJA OF PANAGAL :—"I am glad to say that in the epoch-making enterprise of the hon. Sir Annamalai Chettiyar, we have a magnificent instance of private benefaction. The magnificence of the quantity as well as of the quality of Sir Annamalai's charity is certainly unsurpassed. In India we are yet to have another to endow forty lakhs or thereabouts for a single object; we are yet to have another to choose a nobler object for his munificent endowment. We all know that Chettinad is a land of charity. Even there the charity of Sir Annamalai is unique. It is really princely and that it is so will, I dare say, be ungrudgingly recognized by all, by the Government and the people. The cheerfulness with which the passage of the Bill has been welcomed on all sides of the House is perhaps an earnest of that recognition.

"Sir, Sir Annamalai's charity deviates from the usual channel of the Chettinad charity which used to find its vent in the direction of the renovation of old temples sometimes carried out not without prejudice to the successful archaeological operations in the Province. Sir Annamalai chalks out a new line. He has brought into existence a new temple, the temple of learning.

"Sir, the greatest asset of a nation is its culture and those who in some way or other contribute to the promotion of national culture are entitled to the highest esteem of the nation. Many of us know how to earn money. But, alas! only few of us understand how to spend our earnings. I need hardly say that Sir Annamalai is one of those few. Sir Annamalai has set a splendid example by giving an impetus to the promotion of culture in the country. If the wealthy among us follow Sir Annamalai's example, I have no doubt that India can lift her head aloft and keep pace with the most advanced countries in the march of progress.

"Sir, the Annamalai University is conceived on right lines. It is to serve as a teaching and a residential university. It is to serve as a means for

[The Raja of Panagal]

[12th October 1928]

advancing alike oriental and occidental learning. We are urgently in need of a university of the kind. I hope and trust that in the service that is expected of the new university the high ideals of the generous Founder will be realized. May the university continue to be a boon to the people of Southern India by promoting their culture. May Sir Annamalai Chetti and his lineage be ever spared to serve the university, as Pro-Chancellors! Sir, I support the motion."

The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, as I said when I introduced this Bill in this House, not only the Legislative Council but also the country owes a deep debt of gratitude to Sir Annamalai Chetti for the munificent gift without which it would have been impossible for the Government of their own accord to have this new university at Chidambaram. As I said then, Sir, and as has been said by both the learned Member for the University and my hon. Friend the Raja of Panagal, I hope his example will be a standing example to other rich men in this country to whom it is given to enjoy the blessings of wealth, to understand that such wealth is given not for one's own glorification, but to help other human beings situated not in the self-same happy position as those rich men. I am also obliged to my hon. Friend, the learned Member for the University, that he also, like my hon. Friend the Finance Member, recognized a good act when it comes even from the hands of the Satanic Government; because it is very rarely that people recognize acts done by their political opponents when they deserve recognition."

4 p.m. "I am glad, Sir, that my hon. Friend has also recognized the great part played by my Colleagues on this bench, because if I can let out a secret, I could tell them that without the help of my hon. Friends who are seated on this bench—I am sorry that my hon. Friend the Development Minister is not here—and of His Excellency the Governor, it would not have been possible for us to have so expeditiously finished the business of this new university. We must pay our tribute, as my hon. and learned Friend did, to my hon. Friend the Finance Member because, as he said, the Finance Member is the custodian of the purse of this province and I am glad to recognize that my hon. Friend does a good thing, because from my experience of the last two years, in spite of feeling sometimes the pinch of not getting money for schemes which I think are right and which would go to the benefit of the people, I must say that my hon. Friend when he finds that his Colleagues are in earnest and that the schemes they put forward are for the good of the province, he always comes to the help of his Colleagues in order that such good things may go forward and in that sense I am glad that one of the Deputy Leaders of the Opposition recognized the great part played by the Finance Member of this Government in the happy position in which we are to-day in seeing this university coming into its own. I join my hon. Friends of this House in wishing Godspeed to this new university and I wish, as my hon. Friend the Member for the University wishes, that this new university will be a real home of culture. As he himself has pointed out we have talked so much about unemployment and as he himself recognized I do feel that the modern universities which we have in this country are really not centres of culture and education although during the last few years most of the universities in India are trying to keep up to the level of the two great universities whose names the hon. Member mentioned with such praise. It is that kind of life which will go to cultivate comradeship,

[12th October 1928]

[Dr. P. Subbarayan]

go to cultivate feelings of oneness, which we hope for in this university and I wish that will be the ideal which will be followed by the university when it begins to function. As my hon. Friend, the Finance Member, said the Government, after having made this university a university will really not influence it in a manner that would suit their interests, because that seemed to be the song of my hon. Friend Mr. Harisavottama Rao that we have brought forward this university because it is going to help the Government in the ideal they are going to follow. That is the last thing which I have in mind and which I think the Founder of the University had in mind. I do not think he wanted to give this magnificent donation in order to help any Government and I am sure the ideal that he had in mind was the production of the right type of men who will be the future statesmen, pioneers of industry and other professions that will redound to the greatness and to the credit of not only this province, but to the whole of India. With these few words, Mr. President, I, on behalf of the Government, wish this new university Godspeed."

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

The motion was then put to the House and carried unanimously and the Bill was passed into law.

The announcement was received with loud cheering and clapping of hands.

V

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The discussion on the Madras University Bill was then resumed.

CLAUSE 15—cont.

Class III—Other Members.

MR. BASHEER AHMAD SAYEED:—"I move that for the word 'thirty' the word 'thirty-five' be substituted."

Sriman BISWANATH DAS Mahasaya:—"I second it, Sir."

The hon. the PRESIDENT:—"The question is that for the word 'thirty' the word 'thirty-five' be substituted."

The hon. Dr. P. SUBBARAYAN:—"I do not think, Sir, that it is necessary to increase the number of members to be returned by the graduate electorate, because the proportion that is maintained in the whole clause is so evenly placed that it will really increase one kind of representation and so I oppose the increase from thirty to thirty-five."

Sriman BISWANATH DAS Mahasaya:—"I propose for an adjournment of the consideration of the Bill to the next meeting of the Council."

* The hon. the PRESIDENT:—"For the present, the hon. Member is not in order, because he is not ready with his own motion."

MR. K. UPPI SAHIB:—"Mr. President, Sir, I beg to support the amendment of Mr. Basheer Ahmad, because the hon. the Chief Minister told us that it would increase the representation of one particular constituency. Now representation is given to the South Indian Muhammadan Educational Association to elect two members to the Senate. It is a separate electorate of one separate communal body. What we now say is that for the time being we may not be represented on the Senate by graduates and so we only

[Mr. K. Uppi Sahib]

[12th October 1928]

ask for separate representation by a mixed electorate. The South Indian Muhammadan Educational Association is not a representative body and the chances for a mufassal member are very difficult to get into the Senate from the South Indian Muhammadan Educational Association. Any man who pays 4 annas can become a member of that body and any moneyed man can get into the South Indian Muhammadan Educational Association of 400 or 500 members by paying a hundred rupees and then get elected to the Senate. Moreover the association is an official-ridden body. Its function is only to dole out scholarships and to give tea parties to hon. Members of Government who have the fortune to be on the Treasury Benches or who hold high offices under Government. That is the reason why we ask that Muhammadans should be represented and be elected by proper persons. So I heartily support this motion."

The hon. the PRESIDENT:—"I think the House is ready for a vote."

The amendment was then put to the House and declared lost.

A poll was demanded and the House divided thus:--

Ayes:

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|-------------------------------------|------------------------------------|
| 1. Mr. Sami Venkatachalam Chetti. | 16. Sriwan Biswanath Das Mahasaya. |
| 2. " S. Satyamurti. | 16. Mr. R. Srinivasa Ayyangar. |
| 3. " P. Anjaneyulu. | 17. " K. Koti Reddi. |
| 4. " J. A. Saldanha. | 18. " C. Marudavanam Pillai. |
| 5. Abdul Hamid Khan Sahib Bahadur. | 19. " C. Venkatarangam Nayudu. |
| 6. Mr. C. S. Govindaraja Mudaliyar. | 20. " S. Sivasubrahmanya Ayyar. |
| 7. " G. Harisarvottama Rao. | 21. " A. Ranganatham Mudaliyar. |
| 8. " C. N. Muthuranga Mudaliyar. | 22. " Ramanatha Goenka. |
| 9. " D. Narayana Raju. | 23. " R. Nagan Gowda. |
| 10. " K. Uppi Sahib. | 24. The Zamindar of Gollapalli. |
| 11. " K. R. Karant. | 25. Mr. P. C. Srinivasa Ayyangar. |
| 12. " C. Obi Reddi. | 26. " K. R. Venkatarama Ayyar. |
| 13. " Basheer Ahmad Sayeed Sahib. | 27. " C. Gopala Menon. |
| 14. " P. Bhaktavatsulu Nayudu. | |

Noes:

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| 1. The hon. Sir Norman Macjoribanks. | 26. Mr. M. V. Gangadhar Siva. |
| 2. " Sir Muhammad Usman Sahib Bahadur. | 26. Rao Sahib L. C. Guruswami. |
| 3. " Mr. T. E. Moir. | 27. Mr. V. I. Muniswami Pillai. |
| 4. " Diwan Bahadur M. Krishnan Nair. | 28. " W. P. A. Soundarapandia Nadar. |
| 5. " Mr. S. Muthiah Mudaliyar. | 29. " Daniel Thomas. |
| 6. " Dr. P. Subbarayan. | 30. " Vanavudaya Gounder, S. V. |
| 7. Diwan Bahadur P. Kesava Pillai. | 31. Zamindar of Singampatti. |
| 8. Rao Bahadur C. V. Anantakrishna Ayyar. | 32. Mr. F. E. Corley. |
| 9. Mr. C. B. Cottrell. | 33. " W. E. Smith. |
| 10. " H. A. Watson. | 34. Rajkumar S. N. Dorai Raja. |
| 11. " C. A. Souter. | 35. The Zamindar of Kallikota. |
| 12. " S. H. Slater. | 36. Mr. G. R. Premayya. |
| 13. " A. McG. C. Tampoe. | 37. The Raja of Panagal. |
| 14. " C. W. E. Cotton. | 38. Rao Bahadur Sir A. P. Patro. |
| 15. " V. Ch. John. | 39. Khan Bahadur S. K. Abdul Razaack Sahib Bahadur. |
| 16. " M. A. Manikkavelu Nayakar. | 40. Rao Bahadur K. Sitarama Reddi. |
| 17. Syed Tajudin Sahib Bahadur. | 41. " B. Muniswami Nayudu. |
| 18. Mr. A. B. Shetty. | 42. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 19. " J. Bheemayya. | 43. Mr. A. V. Bhanaji Rao. |
| 20. " B. Foulkes. | 44. " Chavadi K. Subrahmanya Pillai. |
| 21. " P. J. Gnanavaram Pillai. | 45. " B. Ramachandra Reddi. |
| 22. " Muppil Nayar. | 46. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 23. " K. Krishnan. | |
| 24. " N. Siva Raj. | |

Ayes 27. Noes 46.

The amendment was lost.

[12th October 1928]

Sriwan BISWANATH DAS Mahasaya:—"Sir, I beg to propose that the consideration of the Madras University Bill be adjourned to the next sitting of the Legislative Council. Sir, we have a thin House and we came prepared to consider only the Annamalai University Bill, and it was practically understood that the consideration of this Bill would be postponed either to Monday next or to the next sitting of the Council. We were not at all, at least I am not, prepared to give our consideration and thought to the various amendments of the Bill relating to the Madras University Act. In these circumstances I take it that the Council will agree to the adjournment of the consideration of this Bill."

Mr. K. Uppi SAHIB:—"I second it."

The hon. Dr. P. SUBBARAYAN:—"I have no objection to the adjournment of this Bill to the next sitting. As my hon. Friend Mr. Biswanath Das has stated, hon. Members have been considering another piece of legislation and evidently they want some little time to consider the effect of the amendments put forward to this Bill. So, I agree to the adjournment."

The motion was put and carried.

VI

A BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

The hon. the PRESIDENT:—"The House will now resume consideration of Mr. Venkatarama Ayyar's Bill. Last time the motion of Mr. Satyamurti that the Bill be circulated for public opinion was under consideration. The House will now resume consideration of that motion."

* Mr. A. B. SHETTY:—"Mr. President, Sir, it was rather surprising that such doughty champions of reform as the two deputy leaders of the Congress party should have thought it fit to oppose a measure of this sort."

Mr. S. SATYAMURTI:—"On a point of personal explanation, Sir, I did not oppose the measure. I moved for circulation of the Bill. It is a misrepresentation to say that I opposed."

Mr. A. B. SHETTY:—"It is true Mr. Satyamurti moved that the Bill be circulated for eliciting public opinion but almost the whole of his speech was nothing but an entire condemnation of this Bill and it showed that he was not for any legislation of this sort. What were his arguments, Sir? He said that Madras was the purest of the cities he had seen in India as well as in the West. For such evil as exists here there is ample provision in the Madras City Police Act. This Bill gives too much power to the police and they are likely to abuse it. It is strange that a gentleman of Madura should think of applying this measure to the City of Madras. Let him (first) set his own place in order and leave Madras to be taken care of by its own people. Any way this Bill is too dangerous a piece of legislation to be rushed through in this way. This was the substance of Mr. Satyamurti's speech the other day."

"Now I ask, Sir, whether this Bill has been sprung upon this House as a surprise. It was, as it was said the other day, drafted two or three years ago. It was put on the agenda several times but for some reason or other it was held up. And who is the author of this legislation? Not my hon. Friend of Madura but the Vigilance Association of Madras itself. This association has among its members some of the leading men of this city."

[Mr. A. B. Shetty]

[12th October 1928]

It has for its President the hon. Sir Usman Sahib, and its vice-presidents are no less distinguished men than the hon. Mr. Justice Venkatasubba Rao, Mr. T. R. Venkatarama Sastri and Diwan Bahadur Tanikachalam Chettiyar. The Chairman of the association is an equally exalted personage—the Rt. Rev. the Lord Bishop of Madras. The persons who have drafted this Bill and are now backing it up are, therefore, eminent and responsible citizens of this city. The Bill seems to have been well received by the public. The Mover of the Bill referred the other day to a public meeting held in support of this Bill last month at which Sir Alexander Macdougall presided. I know of another influential meeting held long before that in 1926 or so and it was presided over by the Rt. hon. Srinivasa Sastri. At that meeting Dr. Lakshmanaswami Mudaliyar, who knows well the conditions in the City of Madras, moved the following resolution:—

“Whereas traffic in women and girls is rapidly increasing in the Presidency and the City of Madras and whereas brothels are becoming a menace to public health, this meeting urges the Government to introduce legislation for the suppression of brothels and traffic in women or girls.”

The meeting gave its hearty support to this resolution.

“It is well known that cities in the West have for a long time now been trying to establish some form of control over this evil. First, they attempted to regulate this vice by registering prostitutes, segregating them in special areas and licensing brothels. As a result of experience they have given up State recognition and regulation of immoral traffic in many of the western countries. To-day it is no longer a question of regulating the brothel system, but it is total suppression that is attempted. Just as in the matter of the drink evil, we no longer aim merely at temperance but ask for total prohibition . . .”

Mr. S. SATYAMURTI:—“Are you for prohibition?”

Mr. A. B. SHETTY:—“So also this Bill seeks not to regulate but to suppress brothels and immoral traffic. The measures proposed in it are in entire accord with the steps taken in other countries. In our own country, Bombay, Calcutta and Rangoon have already passed similar legislation. Why should Madras wait? Is Madras, after all, so pure a city as Mr. Satyamurti wants us to believe? The members of the Indian Delegation of the British Social Hygiene Council who visited Madras in December 1926 found the incidence of venereal disease very high in the City of Madras and they were told by many medical men that in other areas of this province venereal disease was equally prevalent in all classes of the population. The spread of venereal disease is mainly due to prostitution.”

The hon. the PRESIDENT:—“I am afraid the hon. Member is not in order. The question now for consideration is whether the Bill should be circulated for public opinion.”

Mr. A. B. SHETTY:—“This Bill, as I said, has already been the subject of discussion and consideration at several public meetings in Madras and they have all given their cordial support to it. The Indian Delegation of the British Social Hygiene Council have also discussed this Bill with the Vigilance Association and given it their approval. Mr. Satyamurti's opposition to this Bill and his proposal to circulate it for eliciting public opinion has been the subject of adverse comment in three of the Madras daily papers—*Swarajya*, *Justice* and *Daily Express*. This Bill has not come a day too

[12th October 1928]

[Mr. A. B. Shetty]

soon, and I see no reason why we should defer the consideration of it by a Select Committee. Any clauses in the Bill which require modification will receive due attention from the Select Committee which consists of as many as 24 members of this House, and these may be relied upon to safeguard the interests of the people concerned so that there may be no room for any fear of the sort entertained by the hon. Member for the University. I have, therefore, very great pleasure in supporting the motion of my hon. Friend, Mr. Venkatarama Ayyar.”

* Mr. A. RANGANATHA MUDALIYAR:—“Mr. President, Sir, I cannot help feeling that there has been a certain amount of unnecessary misapprehension of the attitude of the different Members of this Council regarding this Bill. My Friend, the learned Member for the University, in the course of his speech has referred to several points which, from his point of view, require serious consideration. And I think I may at once confess my sympathy with some of the points raised by him. After all, when a Bill is referred to a Select Committee, you may take it for granted that the members of the Select Committee would certainly consider all aspects of the Bill and the very many points which might have been raised in regard to the provisions of that Bill both here and possibly outside the House. And I have not the slightest doubt in my mind that the Select Committee would bear in mind the different aspects which my hon. Friend, Mr. Satyamurti, has elaborated on the floor of this House, and he may rest assured that his object, namely, that the Bill should be considered from various aspects to which he has drawn attention, has been achieved. And I go further and say that there is nothing to prevent hereafter some Member of this House or one outside from bringing to the notice of the Select Committee more points for consideration. Therefore I would appeal to the Member for the University that, in view of the fact that the Select Committee are bound to consider the criticisms he has offered on the Bill, he would see his way to withdraw his motion for circulation of the Bill and allow the Bill to go to the Select Committee now.”

* Mr. S. SATYAMURTI:—“In view of what my hon. Friend has said and with a view to show to all, except those who are prejudiced against me personally, that my object is to improve the Bill and not to kill it, I crave leave of yourself, Sir, and of the House to withdraw my motion for circulating the Bill for public opinion.”

The motion for circulation was by leave of the House withdrawn.

Mr. ABDUL HAMID KHAN:—“Sir, I move that the following names be added to the list of Members of the Select Committee:—

Messrs. Sami Venkatachalam Chetti, S. Satyamurti and C. V. Venkataramana Ayyangar.”

Mr. C. S. GOVINDARAJA MUDALIYAR:—“I second it.”

The motion was put and carried.

The hon. Dr. P. SUBBARAYAN:—“Sir, I would just like to make one suggestion, if I may. This being a matter of brothels, I think my hon. Friend the Minister for Public Health should be on the Select committee.”

Diwan Bahadur P. KESAVA PILLAI:—“Sir, may I know the number of the members of the Committee?”

[12th October 1928]

The hon. the PRESIDENT :—"There were originally 24, to which 3 have been added just now. The Chief Minister wants to add another name. So it comes to 28."

"Has any hon. Member any objection to permit the Chief Minister to make the motion?"

Mr. BASHEER AHMED SAYEED :—"I object"

The hon. the PRESIDENT :—"The objection does not prevail."

The hon. Dr. P. SUBBARAYAN :—"I move that Mr. S. Muthiah Mudaliyar's name be added to the list of members of the Select Committee."

Diwan Bahadur P. KESAVA PILLAI :—"I second it."

The motion was put and carried.

* Mr. S. SATYAMURTI :—"May I ask leave to add two more names to the list, i.e., Diwan Bahadur P. Kesava Pillai and my hon. Friend Mr. Ranganatha Mudaliyar?"

The hon. the PRESIDENT :—"I wish to know whether any hon. Member has got any objection to permit Mr. Satyamurti to add two more names to the list?"

No hon. Member objected.

4-30 p.m. Mr. S. SATYAMURTI :—"I beg to move that the names of Diwan Bahadur P. Kesava Pillai and Mr. A. Ranganatha Mudaliyar be added to the Select Committee."

The hon. Dr. P. SUBBARAYAN :—"I second it."

The motion was put and carried.

The amended motion was then taken up for the consideration of the House.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I should just like to state briefly the attitude of the Government with regard to this Bill. I may say that I have considerable sympathy with the objects of the Bill. No doubt the evil exists and it should be remedied. There is no question about it. But the point is whether this Bill is free from practical difficulties. Some of the difficulties pointed out by the hon. Member for the University seem to me to be real. Under the circumstances the Government neither support nor oppose the Bill at this stage."

Dr. B. S. MALLAYYA :—"I am really surprised at the statement made by the hon. the Home Member. Whatever the difficulties, Sir, it is the duty of the Government to see that these dangerous women are segregated. The hon. Member must be familiar with the misery, illness and the destitution caused to several innocent lives in the City of Madras particularly Muhammadans and also the labouring classes surrounding the toddy shops and arrack shops in the City of Madras. Sir, he must have been particularly familiar with these because it was very near his old quarters in town—the Odaikara street, a locality for which he was a representative on the Corporation for a long time. That locality has earned a very bad name particularly as it is frequented by lascars, serangs and other deck boys coming from steamers who having a drink surround these abominable class of women. How these people are lured by touts if not actual agents to these howls of ill fame and actually robbed of their morals and money and have their lives

[12th October 1928]

[Dr. B. S. Mallayya]

infected with the worst types of venereal diseases are well known when they come to the hospital for treatment. Sir, many of these women have got very bad notions that they can get rid of their diseases by having intercourse with young children. If the hon. Member is not satisfied with that I will give photographs of young boys thus ruined. It is high time that Government at least make it a rule that no prostitute is to live within 200 or 300 yards of an arrack or toddy shop, if they cannot do anything else. There are difficulties I do admit. Then the students and other unmarried people in the City of Madras not provided for by the Government to live in hostels and who are living away from their parents are exposed to these dangers and it is the duty of the Government to see that they are safeguarded. Then, Sir, there is the annual function the Park fair, which attracts hundreds of men from outside. On such occasions—my hon. Friend should have observed it in his experience—these infected women go about infecting unsuspecting young gentlemen and bachelors of the City. We have a large number of students in the City of Madras and in their interest at least we must have a rule. When this system is working all right in Calcutta, Bombay and Rangoon, I do not see any reason why we should not do it. Even if there is a certain amount of public inconvenience and police interference the people are prepared to suffer if it would mitigate the evils arising from immoral houses. I request the Government to see that something definite is done in this matter and that too, very soon."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I said the Government are unable to support or oppose this motion at this stage with the Bill as it stands. When it is referred to the Select Committee and the Bill is properly shaped, Sir, Government may accept it. To the Bill as it stands to-day the Government are unable to give its support."

Dr. B. S. MALLAYYA :—"I misunderstood the Member and I am sorry for it."

The motion was put and carried.

The Council then adjourned to meet again at 11 a.m. on the 26th November 1928.

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

[12th October 1928]

APPENDIX I.

[Vide answer to question No. 539 asked by Mr. G. Harisavottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 461 supra.]

Copy of letter from the Chief Engineer for Irrigation, dated 6th September 1928, No. 1778-C/28-C-1.

[Duvvaleru Project—Kurnool district.]

The Duvvaleru was gauged for six years (1920—26) and an examination of the gauge readings shows that a minimum supply of 500 m.c.ft. can be safely depended on in five out of six years and that the project might be taken up for detailed investigation. But as the Gundlakamma Project was ordered to be reinvestigated, Mr. Stoney thought it desirable to await the result of this reinvestigation before the project now in question was taken up as the Duvvaleru supplies have also been counted on in the Gundlakamma Project. The Superintending Engineer, Madras Circle, was informed accordingly.

As there is still some doubt about the gauge discharge results as worked out in this office, they are being re-examined. As soon as the examination is over, the verified figures will be forwarded to the Superintending Engineer, Madras Circle, and he will be called upon to submit a preliminary report.

APPENDIX II.

[Vide answer to question No. 540 asked by Mr. G. Harisavottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 461 supra.]

Letter from L. H. GREG, Esq., Officiating Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated the 3rd October 1928, No. 1777/28-C.E.P.

[Legislative Council Question No. 108—Damerla and Gocheruvu tanks—Repairs to supply channel.]

I forward herewith a copy of letter No. 810-S.E./111, dated 16th September 1928, from the Executive Engineer, Kurnool division, which gives the information asked for.

2. The Superintending Engineer reports that he has directed the Executive Engineer to take immediate steps to have the breach closed.

Enclosure

Letter from M.R. Ry. V. AYYADURAI AYYAR AVARGAL, B.A., B.E., Executive Engineer, Kurnool division, to the Chief Engineer for Irrigation, dated the 16th September 1928, No. 810-S.E./111.

The supply vagu to the Damerla tank breached in August 1927, though a hole at the site is said to have been observed earlier.

Gocheruvu tank is not in danger of being flooded by rush of water beyond its capacity as even with the extra supply from breach, Gocheruvu has not even surplused.

[12th October 1928]

The repair estimate for closing the breach of supply channel and improvements to outlet were sanctioned in June and July 1928 and the works will be executed after the rainy season is over. The ryots could easily have closed the hole and the breach which, at first, was small.

2. Damerla tank referred to is Dammara cheruvu, No. 11 in Raocheruvu group of Upper Sagileru minor basin.

APPENDIX III.

[Vide answer to question No. 543 asked by Mr. A. Kaleswara Rao at the meeting of the Legislative Council held on the 12th October 1928, page 463 supra.]

Letter from the Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated the 5th October 1928, No. 985/27-C-4.

[Expansion of irrigation under the Muniyeru Project.]

The question of the availability of supply to the proposed reservoir is being examined. In this connexion a statement of discharges showing the supply available at the head of the Muniyeru main channel from 1923—27 was prepared in this office and sent to the Superintending Engineer, on 18th September 1928 for verification and report.

2. From my inspection of the site when I was Superintending Engineer, Bezvada Circle, I found that the soil available for the construction of the bund was black cotton mostly in layers of 1 foot to 3 feet thick over white morum. Black cotton is not suitable for the hearting of a bund 35 to 40 feet high in places. I do not think there is any likelihood of the proposed reservoir being built owing to the absence of good soil in the neighbourhood.

APPENDIX IV.

[Vide answer to question No. 589 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 12th October 1928, page 498 supra.]

Proceedings of the Chief Conservator of Forests, Madras, No. 349 Rt., dated the 21st September 1928.

The following information is furnished :—

Clause (a) of the question.—Yes, a new condition was inserted in the Forest Village System Panchayat agreements executed in 1927—28 requiring the Panchayats to clear and fire-trace the exterior lines of reserves concerned at their own cost.

Clause (b) of the question.—As a result of the introduction of this condition five of the old panchayats declined to renew their agreements. But three of them accepted the condition and renewed their agreements.

[12th October 1928]

Clause (c) of the question.—Yes. The Forest department had been fire-tracing the reserve lines at its own cost prior to the introduction of the Forest Village System.

Clause (d) of the question.—Subject to satisfactory protection from fire and offences the panchayats are granted a refund of grazing fees collected from them up to a maximum of 75 per cent. The refund is the source of income.

APPENDIX V.

[Vide answer to question No. 593 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 503 supra.]

Copy of letter from the President, District Board, Kurnool, dated 6th September 1928, R.C. No. 492/21.

I have the honour to state that the District Health Officer, Kurnool, submitted on 14th July 1928 the sketch showing the alignment of the proposed pipe line from Bhargavakoneru to the Ahobilam temple premises. A width of 66 feet throughout the length of the proposed line with the exceptions of some portions in patta lands is required for the laying in of the pipes and as this area lies entirely in the Forest, the Collector has been requested in this office, R.C. No. 492/21, dated 29th August 1928, to grant a permanent licence in the name of the temple diety. As for the portions required in the patta lands S. Nos. 280 and 282, the District Board Engineer has been asked to report on 14th July 1928 whether the acquisition of the portions in these patta lands cannot be had by private negotiations. The District Board Engineer has not submitted his report yet. I am reminding him again. The estimates are ready. Sanction for the estimates will be obtained after the question of acquisition of the patta lands is settled. The work will be put in on hand as soon as the patta lands are acquired and the licence referred to above is granted by the Collector.

APPENDIX VI.

[Vide answer to question No. 601 asked by Mr. C. N. Muthuranga Mudaliyar at the meeting of the Legislative Council held on the 12th October 1928, page 504 supra.]

G.O. Mis. No. 1027, Revenue, dated 10th May 1928.

Read—the following paper:—

From the Board of Revenue, Land Revenue and Settlement,
No. B-2688/27-3, dated 5th December 1927.

Order—**Mis. No. 1027, Revenue, dated the 10th May 1928.**

In its reference read above, the Board of Revenue has recommended that 350 acres of land in and near Lammasingi village, Gudem Agency, Vizagapatam district, which have been applied for by the hon. Rao Bahadur C. V. S. Narasimha Raju Avargal and Diwan Bahadur M. Ramachandra Rao Avargal for the cultivation of plantation products and fruit trees should be leased to them for a period of 30 years. The Board has stated that as the

[12th October 1928]

proposal constitutes a new venture it should be started under a lease. The Government do not understand why there should be any departure from the ordinary procedure of assignment simply for the reason that the proposed grant is the first of its kind in the Agency tracts. They consider that the appropriate form of grant in such cases is a conditional order of assignment. They accordingly sanction the assignment of the lands, which have been applied for, jointly in the names of the two applicants subject to the ordinary conditions of a ryotwari grant and the special conditions mentioned below.

2. The assignment will be subject to the following special conditions:—

(1) The land shall be used for the cultivation of coffee, cardamoms, pepper, rubber and fruit trees only and for the erection of the buildings necessary for effecting and supervising such cultivation and making the produce fit for the market.

(2) The assignees shall have the boundaries of the land cleared and demarcated at their cost with cairns before they are put in possession of the land.

(3) The assignees shall be permitted to use the water from the streams running in the land for the irrigation of the land and the generation of any power required in connexion with the cultivation of the land or the preparation of its produce for market; but they should get the specific approval of the Agent to the Governor, Vizagapatam, to the site and the design of any dam which they may put up.

(4) The assignees shall pay from the sixth year from the date of assignment on 125 acres of the land assigned (irrespective of the actual area brought under cultivation) assignment at Rs. 2 per acre and from the tenth year from the date of assignment on the remaining 225 acres assessment at the same rate. The rates of assessment so charged will be liable to revision at re-settlement.

(5) No charge shall be levied on account of the trees existing on the land. The assignees shall be at liberty to cut and remove the trees from the assigned land. If the forest growth in any area is cleared, it should be replanted with the plantation products or the trees specified in clause (1) within a period of two years.

(6) The existing roads, streams and pathways and a margin one chain wide on each bank of the more important streams shall be excluded from the grant. (The roads, pathways, streams and margins to be specified.)

(7) In the event of the violation of any of the conditions of the grant, the Collector shall give notice in writing to the assignees specifying the exact nature of the violation and intimating that the land will be resumed if the violation continues after a period specified in the notice. If, at the expiry of this period, the violation still continues, the Government shall be at liberty to resume and re-enter on any portion of the land in the name of the whole, and the whole land shall thereupon vest absolutely in the Government. In this case, the grantee shall not be entitled to any compensation whatsoever.

(By order of the Governor in Council)

J. F. HALL,
Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.

* As amended. The original clause did not provide for notice being given before resumption, for failure to comply with conditions.

[12th October 1928]

APPENDIX VII

[Vide item III—"Communication to the Council" at page 512 supra.]

[Vide answer to question No. 1185 given at the meeting of the Legislative Council held on the 5th November 1927.]

Statement showing the area of certain villages, the extent under cultivation, and the extent available for grazing purposes.

Name of village.	Total area.	Total extent under cultivation.		Extent of waste land expressly reserved for grazing by local orders.	Extent of waste available for grazing at the present time in addition to the area shown in column (5).
		At the time of the introduction of the settlement.	At the present time		
(1)	(2)	(3)	(4)	(5)	(6)
	ACS.	ACS.	ACS.	ACS.	ACS.
Coondapoor taluk—					
Bairudur ..	10,744.05	1,121.91	1,088.84	86.73	3,652.48
Kirmanjeswar ..	1,891.57	812.19	809.36	34.71	115.02
Gangolli ..	1,005.49	425.96	424.46	Nil.	51.89
Coondapoor ..	2,171.31	977.92	1,002.17	23.00	132.61
Udipi taluk—					
Kotathattu ..	1,123.88	604.05	663.69	26.03	132.26
Balakudru ..	886.55	397.17	438.54	Nil.	436.28
Varamballi ..	1,253.81	698.21	704.08	116.07	163.40
Udipi town ..	12,707.30	5,166.02	7,199.20	136.26	2,630.76
Udayavar ..	2,377.00	1,227.46	1,363.78	9.13	803.83
Pangal ..	906.36	503.22	547.19	13.44	103.69
Padubidri (Nadsal village) ..	2,305.07	1,198.00	1,227.00	119.67	238.84
Mangalore taluk—					
Moolky ..	940.49	892.07	662.17	4.63	195.61
Surathkal ..	2,610.16	1,036.75	1,144.75	Nil.	126.46
Panambur ..	1,701.70	914.20	1,015.10	Nil.	122.35
Mangalore municipality ..	3,370.20	1,951.01	2,052.34	Nil.	162,306 1/2 square feet.
Kasaragod taluk—					
Koipady ..	3,247.52	1,038.37	1,590.87	99.40	1,397.74
Ichlampadi ..	1,414.71	391.56	628.60	Nil.	772.45
Ujarulvar ..	420.76	158.59	216.06	25.72	121.19
Ednad ..	1,688.74	340.00	368.88	Nil.	943.33
Hosdrug ..	1,853.32	1,490.29	1,503.96	Nil.	114.16
Nileswar ..	6,501.65	3,505.92	4,328.27	44.11	1,405.37
Chervathur ..	4,488.63	2,918.64	3,022.12	Nil.	578.08
Tricarpu North ..	2,216.02	1,797.23	1,807.62	39.42	18.98
Tricarpu South ..	3,607.21	2,554.44	2,692.67	2.96	40.42

Remarks on the statement.

It will be seen from the statement above that small areas have been specifically reserved as grazing grounds though there are actually vast areas of waste and other land available for grazing.

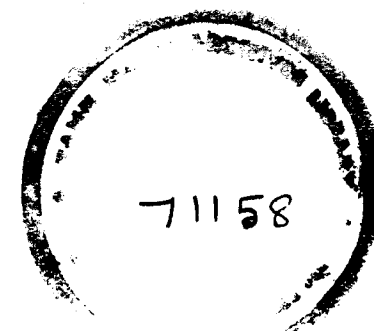
At the settlement of the district no enquiries were made as to the extent of lands required or used for grazing in a village and no particulars of these lands were entered in the Settlement register.

[12th October 1928]

Subsequently however in the course of Revenue administration some lands by reason of their being so used have been specifically reserved here and there as grazing ground and registered as poramboke though having regard to the vast areas of land available such reservation is meaningless.

Thus patches of scattered lands appear in the accounts as reserved for grazing. These lands do not however constitute the only or the greater part of the lands actually available for and used for the purpose but only a fraction thereof.

D. N. STRATHIE,
Acting Secretary to Government.



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